

**OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 010 – MEMBERSHIP**

1 ***[459-010-0012]***

2 ***[Membership of Community College Employee]***

3 *[(1) For purposes of this rule, “academic year” means 12 consecutive calendar*
4 *months beginning July 1 and ending the following June 30.]*

5 *[(2) For purposes of establishing membership in the system, effective July 1, 1988, an*
6 *academic employee of a community college who is employed .375 full-time equivalent*
7 *(FTE) on a 12-month basis or .50 FTE on a 9-month basis for the academic year is deemed*
8 *to be employed 600 hours or more for purposes of determining a “qualifying position”*
9 *under OAR 459-010-0003.]*

10 *[(3) For an academic employee of a community college, an FTE shall be measured*
11 *against an academic year.]*

12 *[(4) For purposes of determining a “qualifying position” under OAR 459-010-0003*
13 *for an academic employee of a community college, the following definitions apply:]*

14 *[(a) “Partial year of hire” means a period in the academic year the employee begins*
15 *employment after the first working day of the academic year, and continues employment*
16 *through the last day of the academic year.]*

17 *[(b) “Partial year of separation” means a period in the academic year the employee is*
18 *employed as of the beginning of the academic year, and separates from employment before*
19 *the last working day of the academic year.]*

20 *[(c) “Short segment” means a period in the academic year during which the employee*
21 *is hired after the first working day of the academic year, and separated from employment*
22 *before the last working day of the same academic year.]*

1 *[(5) An academic employee of a community college is an instructor who teaches*
2 *classes offered for college-approved credit or on a non-credit basis. Librarians,*
3 *counselors, and aides in non-teaching positions, tutors, or other non-teaching faculty, and*
4 *classified, professional or nonprofessional support staff are not academic employees for*
5 *the purposes of ORS 238.074; but are subject to the membership requirements under ORS*
6 *238.015.]*

7 *[(6) Each community college shall determine who is an academic employee in its*
8 *employ under this rule. In making that determination, a community college shall consider*
9 *all disciplines (academic activity) collectively when an employee’s assignment includes*
10 *multiple disciplines.]*

11 *[(7) For persons concurrently employed in academic positions in two or more*
12 *community colleges, the combined FTE shall be used in determining eligibility for*
13 *membership. If the combined FTE is less than the criteria in section (2) of this rule, the*
14 *combination of hours of service shall be considered in determining eligibility for*
15 *membership pursuant to ORS 238.015.]*

16 *[(8) For academic employees concurrently employed in an academic and a non-*
17 *academic position in one or more community colleges during an academic year, the*
18 *combination of academic and non-academic duties shall be considered in determining*
19 *eligibility for membership pursuant to ORS 238.015.]*

20 *[(9) Employment of retired members of the system in academic or non-academic*
21 *positions is subject to the limitations in ORS 238.082.]*

22 *[Stat. Auth.: ORS 238.650]*

23 *[Stats. Implemented: ORS 238.074]*