

1 A. General Provisions

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1. Purpose

1.1 The purpose of faculty evaluations is to recognize the strengths and special qualities of the evaluatee and to define areas that need improvement.

1.2 All evaluations – self, peer, peer management, and student – shall be completed on the agreed-upon forms included in Exhibits D, H and J.

2. Course Documents – If the faculty within a department decides it is appropriate, each evaluatee within the department will be required to submit to the Chair of the Evaluation Committee three representative documents which demonstrate that the course outline is being followed or that appropriate duties are being fulfilled. The documents can include, but are not restricted to, assignment sheets, exams, classroom exercises, and correspondence. Within the department the types of documents will be the same for all faculty in the department, but selection of the particular documents shall be at the discretion of the evaluatee. An evaluatee may elect to submit more than three documents.

3. Student Evaluations – Student evaluation shall be a part of every evaluation of every classroom instructor. Not every class need be surveyed, unless the evaluatee or the evaluators so request. Non-classroom faculty may also be so evaluated, provided that the members of the department determine that student evaluation is appropriate.

3.1 Student questionnaires shall be uniform, to the extent possible, for all classroom faculty.

3.2 The distribution and gathering of the student evaluation forms shall not be done by the evaluatee.

3.3 Completed questionnaires and computer printed summaries shall be forwarded to the evaluators who shall prepare appropriate summaries of the results. The summaries shall become part of the evaluation report.

3.4 Completed questionnaires may be viewed by the evaluatee only after the evaluatee’s final grades have been turned in.

3.5 Non-classroom disciplines/departments may develop student evaluation forms subject to approval by the Union and the District.

1 4. Evaluation Calendar

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3 Managers, evaluators, and evaluatees shall endeavor to meet the following
4 deadlines:

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6 By End of Week 1: Evaluatees are notified. (This may be done during the
7 second half of the preceding semester.)

8 By End of Week 2: Evaluatees indicate evaluation method and if an
9 evaluator from outside the department is desired. Evaluatees also indicate
10 intention to make arrangements for videotaping.

11 By End of Week 4: Names of evaluators are sent to the evaluatee and the
12 names of evaluators not scheduled to do evaluations are sent to the
13 appropriate administrator.

14 By End of Week 6: Evaluators are notified.

15 Weeks 6-10: Student evaluation is conducted.

16 By End of Week 10: Self evaluation is concluded. Documents are submitted.

17 By End of Week 11: Preliminary conferences are completed. First
18 observations are completed.

19 By End of Week 14: Second observations are done, if needed.

20 By End of Week 16: Evaluation is concluded, signed by evaluatee, and
21 turned in to administration.

22

23 B. Faculty Undergoing Management-Initiated Evaluation

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25 1. Management or supervisors may visit any class or observe any academic
26 activity for purposes of observation and review of academic activities. Such
27 visits or observations are not part of the evaluation process or procedure
28 except for the procedures of 9.B.1.1 through 9.B.2.1.4. When possible, such
29 visits will begin simultaneously with the beginning of the class session.

30

31 1.1 If any such visit or observation produces unfavorable review, the
32 manager or supervisor shall immediately prepare a detailed letter
33 (Observer’s Findings) marked confidential, and submit it to the
34 Chancellor requesting that an immediate Peer-Management
35 evaluation be conducted in accordance with the provisions of 9.B.2.
36 The provisions of Section C.4.2.2 shall not apply.

37

38 1.2 If the Chancellor determines that no evaluation is to occur, the
39 Observer’s Findings and all copies shall be destroyed.

40

41 1.3 If the Chancellor determines an evaluation is to occur, he/she shall
42 inform the faculty member according to the provision of 9.B.2,
43 including a succinct statement of the areas of concern.

44

45 1.4 If the subsequent evaluation is satisfactory, the Chancellor’s letter
46 triggering the evaluation will be sealed. The sealed letter shall be
47 maintained in the District’s Employee Relations Office. A cross-
48 reference to the sealed document shall be placed in the employee’s

1 personnel file. If the subsequent evaluation is unsatisfactory, the letter
2 will remain in the file.

3
4 1.5 If, due to the circumstances of the case, the faculty member is not
5 available for evaluation, or is incapable of having an evaluation
6 conducted, the Observer’s Findings shall be processed in
7 accordance with Article 11, Personnel Files.

8
9 2. Where deemed warranted, a Peer-Management evaluation shall be initiated
10 by means of a letter to the faculty member from the Chancellor or designee.
11 This letter shall be included in the personnel file in accordance with Sections
12 9.B.1.2 and 9.B.1.4.

13
14 2.1 Should the evaluation committee recommend unanimously that the
15 employee be re-evaluated after being given assistance and suitable
16 time for improvement, the following shall apply.

17
18 2.1.1 A letter from the committee shall be written to the faculty
19 member detailing areas that need improvement and possible
20 means to achieve this improvement. If the subsequent
21 evaluation is satisfactory, this letter shall be sealed. The
22 sealed letter shall be maintained in the District’s Employee
23 Relations Office. A cross-reference to the sealed document
24 shall be placed in the employee’s personnel file. If the
25 subsequent evaluation is unsatisfactory, the letter shall be
26 placed in the evaluatee’s personnel file.

27
28 2.1.2 The re-evaluation shall not occur sooner than ten weeks.

29
30 2.1.3 The subsequent evaluation shall follow the procedures in
31 9.C.4.3 except that the team may include the same
32 administrator, but the faculty shall be different. The provisions
33 of Section C.4.2.2 shall not apply.

34
35 2.1.4 Evaluatees may disqualify a Dean/Director/designee in writing
36 without cause in the first evaluation under 9.B.2 but not in a
37 subsequent evaluation.

38
39 C. Regular Full-time Tenured Faculty

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41 1. Shall be evaluated at least once in every three academic years. Effective
42 Academic Year 2009-2010, in order to achieve a better balance in the
43 workload of department faculty involved in faculty evaluation and other
44 professional responsibilities, Department Chairpersons or designees, with the
45 written consent of the evaluatee, may reschedule an evaluation (1) for up to
46 two semesters prior to the regularly scheduled evaluation, or (2) for up to one
47 semester after the regularly scheduled evaluation. Additional evaluation shall
48 be allowed pursuant to 9.B., above.

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2. Shall be notified no later than the end of the first week of the semester they are to be evaluated in, other than 9.B., above. Faculty may be notified during the second half of the preceding semester that they are to be evaluated during the following semester. Where such notice is not possible because the faculty member is on leave or otherwise unavailable, notice will occur no later than the first week of the semester in which he/she is to be evaluated. This section does not apply to faculty undergoing management-initiated evaluation (Article 9.B).

3. Shall be provided one week to select and return the choice of a method of evaluation and, in the case of peer evaluation, whether the evaluatee elects a two- or three-person team. If no method of evaluation is selected, Peer Evaluation will be used.

4. Shall have the option of being evaluated by either Self Evaluation with Peer Review, Peer Evaluation or Peer-Management Evaluation, consistent with the following provisions:

4.1 Self Evaluation with Peer Review (for regular full-time tenured faculty)

4.1.1 Self evaluation shall be completed on the appropriate forms. If departments elect to add questions, the questions must be approved by the Union and the District. The completed self evaluations shall be submitted to the appropriate Dean/Director/designee by the deadlines provided in the Evaluation Calendar. The completed self evaluations shall then be forwarded to the chairs of the evaluation committees.

4.1.2 The peer evaluators shall be selected in the manner provided in Section 4.2.

4.1.3 If an evaluatee fails to complete and submit a signed self evaluation when due, the Chancellor/designee may require a Peer-Management evaluation to be conducted. Such failure to complete and submit a self evaluation shall be documented and placed in the evaluatee's personnel file.

4.1.4 If the peer evaluators determine the self evaluation and other materials are acceptable, the evaluatee shall be so notified, and the self evaluation shall be turned in to the appropriate administrator with indication of approval.

4.1.4.1 If the Peer evaluators identify problems in the self evaluation which might be remedied by revising the document, the evaluatee shall be notified as

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soon as possible and given two weeks to submit a revision. If the revision is acceptable, the evaluatee shall be so notified, and the self evaluation shall be turned in to the appropriate administrator with indication of approval.

4.1.5

After reviewing the self evaluation, student evaluations, if used, and supporting documents, if used, the evaluating team may recommend re-evaluation under Section 9.B.2 by turning in to the appropriate administrator the evaluation report with written rationale for recommending re-evaluation. The peer committee evaluators shall use an official form to notify the evaluatee of its recommendation to the Chancellor. The evaluatee must sign the form to indicate he/she has received notice of the committee’s decision and its written criticism of the self evaluation. This signed recognition does not imply acceptance of the recommendation of the committee. The evaluatee may submit written objections to the conclusion of the peers. If the Administration decides to proceed with re-evaluation, the evaluation must take place not later than the subsequent semester according to the provisions of 9.B.2.

4.1.6 Self evaluation may be elected by an evaluatee only one time within a six-year period.

4.1.7 The self evaluation, supporting documents, and reports of the evaluating committee shall be retained in the employee’s Personnel File in the manner that all evaluations are kept.

4.2 Peer Evaluation

4.2.1 Peer evaluation shall be coordinated through the appropriate administrator or designee. Full-time regular and second-, third- and fourth-year contract faculty members shall be obligated, if needed, to serve as evaluators two times each year without compensation. If the services of full-time faculty members are not needed within a department, the names of these faculty members shall be sent to the appropriate administrator or designee. The administrator or designee may then assign these faculty members to do evaluations in departments where there are not sufficient evaluators or to do evaluations for those faculty who have requested an evaluator from outside the

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discipline or department. A department chair or supervisor may serve as a peer evaluator if there are not sufficient peer evaluators in the department and if the evaluatee gives written permission when he/she selects a method of evaluation. This does not preclude said department chair/supervisor from serving as a management designee in a subsequent evaluation of that faculty member or of any other faculty member.

4.2.2 The manager/designee shall select two or three peer evaluators, as appropriate. Wherever possible, teams shall represent the diversity of California and be sensitive to affirmative action concerns (Ed. Code §87663(d) and see also Article 4). Where possible, the evaluators shall be from the same or a related department as the evaluatee. The evaluatee may elect to have one of the evaluators be from another discipline or department. The evaluatee shall have the right, within three days of receipt of the notification, without stating cause, to make up to three (3) disqualifications, in writing, from those originally selected. The evaluators shall not be notified until the challenge period has passed. The manager/designee shall select a chair of the evaluating team. The chair of the evaluating team shall have the responsibility of facilitating the evaluation process and obtaining proper signatures, when necessary.

4.2.2.1 No faculty member may serve as an evaluator for a faculty member and also be evaluated by that same faculty member in the same semester. This provision may be waived by the appropriate Dean/Director.

4.2.2.2 Except as provided in this section (4.2.2.2), the two- (2) member evaluation team shall follow the same evaluation procedures as a three- (3) member team.

In the event that the two- (2) member evaluation team is unable to agree on the overall evaluation rating, the evaluators will endeavor to reach a consensus in consultation with the Dean responsible for faculty evaluation. In their attempt to reach consensus, the evaluators may, if time allows, conduct a second classroom or work site visitation(s). Thereafter, if the evaluators are unable to reach a consensus evaluation, the evaluation will be deemed incomplete. The evaluatee will undergo peer

1 evaluation by a three-person team in the
2 following semester, no member of which shall
3 have served on the previous two- (2) member
4 evaluation team.

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6 4.2.3 The evaluators shall conduct formal work site or classroom
7 visitation(s) or, when staff, equipment and facilities are
8 available, the evaluatee may arrange to have a class or other
9 activity videotaped and to have the evaluators observe that
10 videotape in lieu of the classroom/work site visitation(s). For
11 online classes, classroom visitation is defined as viewing the
12 class in the learning management system using a student role.

13
14 4.2.4 The evaluatee shall be notified of the day and time for the
15 formal evaluation visitation(s) at least one (1) week in advance.

16
17 4.2.5 Consistent with the Evaluation Calendar, Section 9.A.4, above,
18 and at least one (1) week before the first classroom/work site
19 evaluation visit or videotaping occurs, the evaluators shall
20 confer individually or collectively with the evaluatee, and the
21 evaluators shall also confer individually or collectively with the
22 evaluatee within two (2) weeks after the classroom/work site
23 evaluation or videotaping has occurred. The evaluators shall
24 decide as a committee whether the conferences shall be with
25 the entire committee or individually.

26
27 4.2.6 Within two (2) working days after the formal classroom or work
28 site visitation(s), the evaluatee shall have the option of having
29 the evaluators repeat the classroom or work site visitation(s).

30
31 4.2.6.1 Within two (2) working days after the videotaping
32 of a class or other activity, the evaluatee shall
33 have the option of requesting regular observation
34 in lieu of having the videotape viewed by the
35 evaluators.

36
37 4.2.7 If the evaluators anticipate writing an unfavorable or
38 unsatisfactory evaluation report, the evaluators shall so inform
39 the evaluatee at the post-evaluation conference. The
40 evaluators shall repeat the classroom or work site visitation(s)
41 within ten (10) working days after the post-evaluation
42 conference. If, as a result of the second visitation(s), the
43 evaluation cannot be completed within the Evaluation
44 Calendar, Section 9.A.4, above, such time limits shall be
45 waived.

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4.2.8 The evaluatee, upon receiving the evaluation report form, shall sign or initial the report indicating he/she has received it. If the evaluatee refuses to sign the report, the chairperson of the evaluation committee shall so indicate and sign his/her own name.

4.2.9 The evaluatee may wish to file a response to the report, in which case the response must be filed within one week after receiving the report. Such response shall be attached to the report and placed in the evaluatee’s personnel file.

4.2.10 If the overall evaluation report rating is Satisfactory, the evaluatee will be scheduled for another evaluation in three years, pursuant to 9.C.1.

4.2.11 If the overall evaluation report rating is Satisfactory but Needs Improvement, the evaluators shall, in consultation with the evaluatee and the department chair, develop an improvement plan with specific goals, suggested means of achieving those goals and timeliness for completion. The improvement plan will be presented to the evaluatee at the final conference. The faculty member will be scheduled for another evaluation in three years, in accordance with 9.C.1.

4.2.12 Evaluatees receiving an overall evaluation report of Satisfactory but Needs Improvement shall have the completion of their improvement plan documented as follows:

4.2.12.1 By the end of week 12 of each semester following the evaluation, the evaluatee shall submit to the department chair or designee a report detailing the extent to which the elements of the improvement plan have been achieved. A designee in this and the following subsections may not be a bargaining unit member, unless by mutual agreement.

4.2.12.2 If, upon review and discussion of the report with the faculty member, the department chair or designee determines that all elements of the improvement plan have been substantially achieved, then the department chair or designee shall (1) inform the faculty member that no more reports are necessary, and (2) write a letter to be included in the personnel file to document completion of the improvement plan.

4.2.12.3 If, upon review and discussion of the report with the faculty member, the department chair or designee

1 determines that satisfactory progress has been
 2 made towards the goals of the improvement plan
 3 but elements of the improvement plan remain
 4 unfinished, then the department chair or designee
 5 shall so inform the faculty member in writing. The
 6 faculty member will continue to submit reports in
 7 accordance with 9.C.4.2.12.1.
 8

9 4.2.12.4 If, upon review and discussion of the report with the
 10 faculty member, the department chair or designee
 11 determines that insufficient progress is being made
 12 on the elements of the improvement plan, the
 13 department chair or designee shall inform the
 14 faculty member and the Office of Instruction in
 15 writing. The department chair or designee will have
 16 the option of modifying improvement plan goals
 17 and/or timeliness for completion. The faculty
 18 member will continue to submit reports in
 19 accordance with 9.C.4.2.12.1. The improvement
 20 plan will be provided by the Office of Instruction to
 21 the subsequent evaluation team if either (1)
 22 elements of the improvement plan remain
 23 unfinished by the time of the next evaluation, or (2)
 24 the department chair or designee determines that
 25 insufficient progress has been made in two or more
 26 semesters. The faculty member may provide a
 27 written statement about their progress towards
 28 completing the improvement plan during the pre-
 29 conference of the subsequent evaluation.
 30

31 4.2.12.5 If the faculty member fails to submit a report in
 32 accordance with 9.C.4.2.12.1, the department chair
 33 of designee may, after conferring with the faculty
 34 member, write a letter to be included in the
 35 personnel file documenting the failure to submit a
 36 report. The faculty member may rebut the letter but
 37 may not appeal placement of the letter in his/her
 38 file. Repeated failure to submit a report shall be
 39 reported to the Chancellor/designee so that a
 40 determination may be made if follow-up evaluation
 41 in accordance with 9.B.2 is warranted.
 42

43 4.2.13 If the overall evaluation report rating is Unsatisfactory, the
 44 evaluators shall, in consultation with the evaluatee and the
 45 department chair, develop an improvement plan with specific
 46 goals, suggested means of achieving those goals, and
 47 timelines for completion. The improvement plan will be
 48 presented to the evaluatee at the final conference.

1 4.2.14 Evaluatees receiving an overall evaluation report rating of
 2 Unsatisfactory shall have a copy of their evaluation sent to the
 3 Chancellor/designee so that a determination may be made if
 4 follow-up evaluation in accordance with 9.B.2 is warranted.
 5 Follow-up evaluation following an Unsatisfactory will normally
 6 be done in the following semester.

7
 8 4.3 Peer Management Evaluation

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 10 4.3.1 Peer-Management Evaluation shall be the same as Peer
 11 Evaluation except that the evaluation team shall be composed
 12 of the two faculty members and one management employee or
 13 designee. The evaluatee shall have the right to make three
 14 disqualifications in the same manner as in Peer Evaluation,
 15 including the management evaluator except under Section
 16 9.B.2, et seq.

17
 18 5. Regular Full-time Tenured Non-Classroom Faculty

19
 20 5.1 Evaluations shall be conducted generally in the same manner as
 21 those of instructional faculty, but shall also be based on observations,
 22 contact, and student questionnaires where appropriate.

23
 24 5.2 Student questionnaires for non-classroom faculty members shall be
 25 appropriate to their position, and uniform within the department.
 26 Where utilized, they shall be in sufficient number to ensure a cross-
 27 section of opinion as determined by the evaluators.

28
 29 5.3 Where student questionnaires are utilized, summaries of the results
 30 will be a part of the final report.

31
 32 5.4 Failure to conduct, submit, or sign appropriate evaluation reports shall
 33 subject the evaluatee to the provisions stated for regular full-time
 34 tenured faculty above.

35
 36 D. Probationary Faculty Undergoing Tenure Review

37
 38 1. Tenure review shall be in accordance with this Article 9.D, Exhibit G, H,
 39 and J.

40
 41 2. Early tenure shall be governed by the terms of EXHIBIT K.

42
 43 3. Tenure Review Committees:

- 1 3.1 Tenure Review Committees shall evaluate contract employees and
2 make recommendations to the Board of Trustees concerning tenure
3 and/or retention in contract status.
4
- 5 3.2 The Tenure Review Committees shall ordinarily consist of four faculty
6 members and the immediate supervisor of the contract employee.
7 The immediate supervisor is the lowest level non-bargaining unit
8 member who has supervision over the employee. A department of
9 eight tenured faculty members or fewer may choose to use only two
10 faculty members and the immediate supervisor of the contract
11 employee, or it may choose to function as a committee-of-the-whole,
12 provided that the committee-of-the-whole has at least three members,
13 including the supervisor. All faculty members of the Tenure Review
14 Committees must be tenured.
15
- 16 3.2.1 The immediate supervisor shall select the faculty members in
17 consultation with the chairperson of the Hiring Committee
18 which interviewed the contract employee. If the chairperson of
19 the Hiring Committee is not available, the supervisor will
20 consult with one or more members of the Hiring Committee.
21 Service on the committee shall be voluntary. If the supervisor
22 is unable to recruit the required number of faculty members
23 from volunteers within the department, he/she shall endeavor
24 to remedy the situation by seeking a committee member(s)
25 from a related discipline. If the supervisor cannot find a faculty
26 member(s) in a related discipline, he/she shall inform the Vice
27 Chancellor/ designee, who shall have the authority to select a
28 volunteer(s), district-wide, to achieve the required number.
29
- 30 3.2.2 The supervisor shall endeavor to represent the diversity of
31 California in his/her appointments. No Tenure Review
32 committee shall consist of all men or all women or be all of the
33 same ethnicity. If the immediate supervisor cannot achieve this
34 balance from volunteers within the department, he/she shall
35 endeavor to remedy the situation by seeking a committee
36 member(s) from a related discipline. If the supervisor cannot
37 find a faculty member(s) in a related discipline, he/she shall
38 inform the Vice Chancellor/designee, who shall have the
39 authority to select a volunteer(s), district-wide, to achieve the
40 proper ethnic or gender balance.
41
- 42 3.2.3 The immediate supervisor shall supply the Vice Chancellor/
43 designee, with the names of all members on Tenure Review
44 committees.

1 3.2.4 If a new supervisor assumes authority, he/she shall take the
 2 supervisor’s position on all Tenure Review Committees.
 3 Whenever a member of the Tenure Review Committee resigns,
 4 or retires, or takes a leave of absence of more than one year,
 5 the supervisor will appoint a replacement according to the
 6 original appointment procedures. Whenever a member of the
 7 Tenure Review Committee takes a leave for one year or less,
 8 the supervisor will appoint a replacement for the duration of the
 9 leave according to the original appointment procedures.

10
 11 4. Tenure Review Committee Procedures

12
 13 4.1 Each Tenure Review Committee will elect a faculty member as its
 14 chair. Ordinarily, a faculty member should chair no more than one
 15 Committee. If the supervisor is the only tenured member of a
 16 department, he/she shall have the option of being the chair of the
 17 committee.

18
 19 4.2 All faculty members of the Tenure Review Committee shall make
 20 direct visitations of the contract employee. However, the supervisor
 21 shall not be obligated to make classroom visitations in the case of
 22 classroom instructors, though he/she is encouraged to do so.

23
 24 4.3 Visitations shall be subject to these conditions:

25
 26 4.3.1 The evaluatee shall be notified of the day and time for the
 27 formal evaluation visitation(s) at least one (1) week in advance.
 28 There must be a pre-conference and a post-conference
 29 between the committee member(s) and the evaluatee for each
 30 visitation. The times and dates of the conferences shall be
 31 noted on the working documents by the evaluator. (See 4.3.4
 32 below.)

33
 34 4.3.2 Within two working days after the formal classroom or working
 35 site visitation(s), the evaluatee may request that the committee
 36 member repeat the visitation.

37
 38 4.3.3 Subject to the provisions of 4.3.1 (above), the committee
 39 member may make a second visitation at his/her discretion.
 40 For each committee member visitations should be limited to
 41 twice a semester.

42
 43 4.3.4 Each time a committee member makes a visitation, he/she
 44 must complete the Peer-Management Evaluation Form for
 45 Contract Employees Under Tenure Review as a working
 46 document Exhibit J. These working documents shall be
 47 retained by the Committee chair until such time as the
 48 employee acquires tenure, at which time they shall be

1 destroyed. The documents shall be made available to the
2 Board of Trustees under conditions described in Section 7.9
3 and to the employee and all relevant parties under conditions
4 described in Article 22.F.6.2.

5
6 4.3.5 The Tenure Review Committee will prepare a consensus
7 evaluation in each semester of evaluation. A complete
8 evaluation will be done in semesters 1, 3, 5, and 7 of the
9 probationary period, but student evaluation is not required in
10 each of these semesters. (See Section 6) The Tenure Review
11 Committee may elect to do evaluation in semesters 2, 4 or 6 of
12 the probationary period. If the Committee elects to do an
13 evaluation in semester 2, 4 or 6, the Tenure Review Committee
14 chairperson is required to inform the Dean of Instruction,
15 Curriculum, and Tenure Review in writing by the end of the 16th
16 week of the prior (fall) semester. For early tenure candidates
17 approved for consideration by the Chancellor, the Tenure
18 Review Committee is required to conduct an evaluation in
19 semester 2. This requirement applies in semester 4 as well for
20 early tenure candidates unless they received tenure at the
21 conclusion of their first year. The Tenure Review Committee
22 shall not conduct an eighth semester evaluation.

23
24 4.3.5.1 The elected chair of the Tenure Review
25 Committee will prepare a draft for a consensus
26 evaluation using the same form as the working
27 documents.

28
29 4.3.5.2 The Tenure Review Committee, or its majority,
30 will prepare a consensus statement to which
31 non-concurring members must attach dissenting
32 reports.

33
34 4.3.5.3 The consensus report should be based upon the
35 following:

36
37 4.3.5.3.1 Teaching effectiveness or
38 performance of duties (direct
39 visitation/working documents)

40
41 4.3.5.3.2 Tenure Portfolio (See
42 Departmental Guidelines)

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44 4.3.5.3.3 Student Evaluation (See below)

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46 4.3.5.3.4 Professional Activities (See
47 Departmental Guidelines)

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4.3.5.4 The evaluatee shall have the opportunity to see and comment upon his/her evaluation.

4.3.5.4.1 The evaluatee, upon receiving the evaluation report form, shall sign or initial the report indicating he/she has received it. If the evaluatee refuses to sign the report, the chairperson of the evaluation committee shall so indicate and sign his/her own name.

4.3.5.4.2 The evaluatee may wish to file a response to the report, in which case the response must be filed within one week after receiving the report. Such response shall be attached to the report and placed in the evaluatee's personnel file.

4.3.6 After the first year, the Tenure Review Committee may decide that not all Committee members need to do direct visitations, but at least three of the Tenure Review Committee members must do visitations if there is to be an evaluation.

4.3.7 The Tenure Review Committee may waive time lines in order to meet the March 15 notification deadline in the spring semester.

4.3.8 For those employees whose full-time employment begins in the spring semester, the first semester of evaluation for purposes of tenure review will be the first Fall semester of employment. This does not preclude the evaluation team from conducting evaluations in the Spring semester subject to the provisions of Section 4.3, et seq.

5. Compensation for Tenure Review Committee Members and Mentors

5.1 In order to be compensated for participation in Tenure Review, each member of the Tenure Review Committee must have attended an orientation for Tenure Review Committee members within the last four academic years.

5.2 Each faculty member of the Tenure Review Committee who conducts direct visitations shall receive nine hours in instructionally-related pay

1 per semester of evaluation for each contract employee under
2 consideration. The Chair of the Tenure Review Committee will
3 receive an additional 8 hours of instructionally-related pay. During
4 semesters in which direct visitations are not made, there shall be no
5 compensation.
6

7 5.3 If a department is acting as a committee-of-the-whole, the committee
8 shall receive up to 44 hours of instructionally-related pay for each
9 semester in which direct visitations are made, except that no
10 committee member shall receive greater compensation than provided
11 in 5.2 above.
12

13 5.4 Each mentor shall receive 18 hours of instructionally-related pay per
14 semester. No mentor shall work with more than one contract
15 employee. (See Guidelines.) No mentor shall evaluate an employee
16 for whom he/she is a mentor.
17

18 6. Student Evaluation
19

20 6.1 Student evaluation shall be done in the same manner as for tenured
21 faculty except that all classes of a contract employee must be
22 surveyed when possible. At a minimum, student evaluations must
23 be done in each of the first three years. The Tenure Review
24 Committee may elect to conduct more student evaluations as
25 needed. (See 4.3.5.)
26

27 7. The Recommendation/Decision Process
28

29 7.1 In the following paragraphs, “first semester” means the first fall
30 semester of employment; “second semester” means the subsequent
31 spring semester; “third semester” means the second fall semester of
32 employment, and so on.
33

34 7.1.1 Where the first year contract employee has served as a full-
35 time temporary academic employee (LTS), or a full-time
36 grant/categorical employee for the complete academic year
37 prior to his/her appointment as a contract employee, the
38 previous year’s employment shall be deemed a year of
39 contract employment in accord with Education Code §§
40 87478 and 87470. For purposes of tenure review, the two
41 semesters of temporary or grant/categorical full-time
42 employment shall be deemed the “first semester” and
43 “second semester” of employment.
44

45 7.2 At the end of the first semester (fall), the Tenure Review Committee
46 may recommend that an employee’s contract not be renewed by a

1 unanimous vote. Otherwise, the committee shall recommend
2 retention for a second contract of one year.

- 3
4 7.3 If the Committee elects* to conduct an evaluation during the second
5 semester (spring), the Tenure Review Committee must do one of the
6 following: (a) confirm a prior positive recommendation to retain for a
7 second contract of one year per 9.D.7.2, or (b) assuming that the
8 Chancellor has approved the faculty member as a candidate for early
9 tenure consideration, recommend conferral of tenure effective the
10 ensuing academic year by a vote which is unanimous or within one
11 vote of being unanimous, or (c) reverse its prior recommendation not
12 to renew per 9.D.7.2 and make a new recommendation to renew by
13 affirmative vote of a majority of the committee, or (d) confirm a prior
14 negative recommendation and again recommend that an employee's
15 contract not be renewed, by affirmative vote of a majority of the
16 committee. Option (d) is available only when the Committee voted not
17 to renew in the preceding (fall) semester.

18
19 **For early tenure candidates approved for consideration by the*
20 *Chancellor, the Committee is required to conduct an evaluation*
21 *in the second semester.*
22

- 23 7.4 At the end of the third semester (fall), the Tenure Review Committee
24 may recommend one of the following: (a) that an employee be
25 retained for a third contract of two years, or (b) assuming that the
26 Chancellor has approved the faculty member as a candidate for early
27 tenure consideration, recommend conferral of tenure effective the
28 ensuing academic year by a vote which is unanimous or within one
29 vote of unanimous, or (c) that an employee's contract not be
30 renewed. The vote not to renew an employee's contract must be
31 made by a vote which is unanimous or within one vote of being
32 unanimous. Otherwise, the committee shall recommend retention for
33 a third contract of two years.

- 34
35 7.5 If the Committee elects* to conduct an evaluation during the fourth
36 semester (spring), the Tenure Review Committee must do one of the
37 following: (a) confirm a prior positive recommendation to retain for a
38 third contract of two years per 9.D.7.4, or (b) assuming that the
39 Chancellor had approved the faculty member as a candidate for early
40 tenure consideration, recommend conferral of tenure effective the
41 ensuing academic year by a vote which is unanimous or within one
42 vote of being unanimous, or (c) reverse its prior recommendation not
43 to renew per 9.D.7.4 and make a new recommendation to renew by
44 affirmative vote of a majority of the committee, or (d) confirm a prior
45 negative recommendation and again recommend that an employee's
46 contract not be renewed, by affirmative vote of a majority of the
47 committee. Option (d) is available only when the Committee voted not
48 to renew in the preceding (fall) semester.

**For early tenure candidates approved for consideration by the Chancellor, the Committee is required to conduct an evaluation in the fourth semester unless the candidate has already been granted early tenure.*

7.6 At the end of the seventh semester (fall), the Tenure Review Committee shall recommend for or against conferral of tenure effective the ensuing academic year by affirmative vote of a majority of the committee. The Committee shall not conduct an evaluation in the eighth semester.

7.7 A vote of abstention by a committee member shall be counted as a negative vote.

7.8 All recommendations of a Tenure Review Committee shall be made sufficiently in advance of the deadline for official notification to the employee of a Board of Trustees decision.

7.9 All recommendations of a Tenure Review Committee shall (a) proceed to the Chancellor, and to the Board of Trustees, (b) result in a decision by the Board of Trustees, and (c) be followed by written notice to the employee pursuant to Article 22.F.6.1. Should the Chancellor not concur in the Committee’s recommendation, the Board of Trustees shall review all relevant evaluation documentation, including available working documents. The Chairperson of the Tenure Review Committee, or another Committee member (who is a bargaining unit member) designated by the Chairperson, shall have an opportunity to defend the Committee’s recommendation before the Board in closed session.

7.10 The District and Union are committed to preserving the confidentiality and integrity of tenure review committee processes. The tenure review process requires professional judgment about the individual merits of peers, and involves significant personal commitment and sacrifice by committee members. Both parties pledge that they will refrain from any conduct which has the purpose or effect of seeking to influence committee members in the exercise of their professional judgment relative to the merits of the evaluatee.

8. Due Process & Tenure Review Grievances

8.1 A contract employee may disqualify in writing one member (total) of the Tenure Review Committee. This right may be exercised once only, and only at the end of the first or second year of evaluation.

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8.2 Grievances involving alleged violations of tenure review processes and decisions shall be handled and decided in accordance with Article 22.F only.

8.3 If, as a result of a tenure review grievance pursuant to Article 22.F, an arbitrator directs the District to reconsider a decision, the process shall be as follows:

8.3.1 The immediate supervisor will appoint a new Tenure Review Committee, including himself/herself and the chair of the previous committee. Other members would be new. Ethnic and gender non-uniformity would be maintained. The new Committee would have five members in all cases. The new Committee will elect its chair from among the faculty members on the Committee. The chair may or may not be the chair of the previous Committee. If tenure review has been done by a committee-of-the-whole, the new members of the Committee will be chosen from the related disciplines as described in D.3.2.2.

8.3.1.1 The employee will be allowed one (total) disqualification of any member of the Committee. A replacement will be selected by the remaining members of the Committee.

8.3.1.2 The employee will be invited to recast his/her Tenure Portfolio. The Committee will review all of the documents from the old Committee. If the employee is currently employed by the District, the Committee for reconsideration will carry out a one-semester evaluation including a complete visitation and student evaluation process. Compensation shall be in accordance with Section 5.

8.3.1.3 After reconsideration, the Tenure Review Committee shall make its recommendations by affirmative vote of a majority of the committee, following the procedures of 7.9. During reconsideration, a vote of abstention shall be counted as a negative vote.

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9. Tenure Service Requirement

9.1. Where a faculty member has actual service of at least 75 percent of a full-time load for the Academic Year less ten (10) days, that year shall count toward the acquisition of tenure.

9.2. Where a faculty member has actual service of less than 75 percent of a full-time load for the Academic Year less 10 days, the year may qualify as a year of service through substantial compliance with the 75 percent, provided that both of the two following circumstances are met:

9.2.1 The Tenure Review Committee (TRC) has been able to accomplish all desired observations and evaluations of the faculty member and recommends that the year qualify towards the acquisition of tenure; and

9.2.2 The District determines that the faculty member has demonstrated sufficient progress in his/her ability to perform the assigned duties and professional responsibilities of a tenured, full-time faculty member despite his/her absence from work.

E. Temporary Part-Time Evaluation

1. The evaluation of temporary part-time faculty shall follow the same procedures, use the same form and the same criteria as the evaluation of full-time faculty in the same department, except as follows:

1.1 A temporary part-time instructor shall have the option to request self-evaluation with peer review, only following two (2) satisfactory evaluations without a break in service, as defined in Article 20, Section C.2.1.3. Subsequent self-evaluation with peer review is an option only once every twelve (12) semesters.

1.2 Criteria for evaluation which are inappropriate for temporary part-time faculty, such as extracurricular contributions or committee work, shall bear the notation on the evaluation form "This section does NOT pertain to temporary part-time faculty" and those criteria shall not be evaluated for any temporary part-time faculty.

1.3 Every temporary part-time faculty member must be evaluated within the first year of service. Thereafter, evaluation shall be at least once every six (6) regular semesters.

1.4 Evaluation shall be done by two peers instead of three. In the case of a Peer-Management evaluation, evaluation shall be done by one peer and the manager.

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1.5 The evaluatee shall have the right to make two disqualifications.

1.6 The following changes may be made in evaluation procedures for temporary part-time faculty not in their first year.

1.6.1 There shall be only one evaluator.

1.6.2 If the evaluation is not acceptable to the evaluatee, he/she will, upon written request, be re-evaluated. The first evaluation will be sealed. The sealed evaluation shall be maintained in the District’s Employee Relations Office. A cross-reference to the sealed document shall be placed in the employee’s personnel file. The second evaluator will not be shown the first evaluation, nor be informed of its results. The second evaluation will become the official evaluation. The evaluatee will be allowed one disqualification, in writing, without cause in each evaluation.

F. Categorical Employees

- 1. Consistent with Article 25, categorically-funded employees who have been employed for one (1) semester or more may be provided, upon request, evaluations in accordance with Section E, above, whenever possible within that semester or the ensuing two (2) semesters.
- 2. Consistent with Article 25, Categorical Full-time Temporary Employee evaluation may take place when desired and/or scheduled by management. Except as provided in Section 9.B, above, no more than one official evaluation may take place in any one year.

G. Full-time Temporary Faculty (Long-Term Substitute)

- 1. Consistent with Article 26, Full-time Temporary Employees (LTS) may be provided, upon request, a peer or peer-management evaluation as provided for regular employees except that the provisions of Section E shall apply.
- 2. Consistent with Article 26, Full-time Temporary Employees (LTS) evaluation may take place when desired and/or scheduled by management. Except as provided in Section 9.B, above, no more than one official evaluation may take place in any one year.