

**ARTICLE 9  
EVALUATION**

9.A. General Provisions

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.

4. Evaluation Calendar

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

- By End of Week 1: Evaluation notice is sent to the evaluatee’s District email address. (This may be done during the second half of the preceding semester.)
- By End of Week 2: Evaluatees indicate evaluation method and if an evaluator from outside the department is desired.
- By End of Week 4: Names of evaluators are sent to the evaluatee and the names of evaluators not scheduled to do evaluations are sent to the appropriate administrator.
- By End of Week 6: Evaluators are notified.
- Weeks 6-10: Student evaluation is conducted.
- By End of Week 10: Self-evaluation is concluded. Documents are submitted.
- By End of Week 11: Preliminary conferences are completed. First observations are completed.
- By End of Week 14: Second observations are done, if needed.
- By End of Week 16: Evaluation is concluded, signed by evaluatee, and turned in to administration.

9.B. Regular Full-Time Tenured Faculty

1. Timeframes

- 1.1 Faculty shall be evaluated at least once in every three academic years. In order to achieve a better balance in the workload of department faculty involved in faculty evaluation and other professional responsibilities, Department Chairpersons, in consultation with the Dean and with the written consent of the evaluatee, may reschedule an evaluation (1) for up to two semesters prior to the regularly scheduled evaluation, or (2) for up to one semester after the regularly scheduled evaluation, but in no case shall any such rescheduling cause the evaluation to occur outside the three academic year window. Additional evaluation shall be allowed pursuant to 9.D, below.

- 1.2 Faculty shall be notified no later than the end of the first week of the semester they are to be evaluated in, other than 9.D., below. 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.D).
  - 1.3 Faculty shall be provided one week to select and return the choice of a method of evaluation, as reflected in the choice of evaluation form. If no method of evaluation is selected, Peer Evaluation will be used.
  - 1.4 Faculty shall have the option of being evaluated by (a) Peer Evaluation, (b) Peer-Management Evaluation, or (c) Self-Evaluation with Peer Review, consistent with the provisions set forth below.
2. Evaluation Options (for regular full-time tenured faculty)
    - 2.1 Peer Evaluation (for regular full-time tenured faculty)
      - 2.1.1. 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 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 subject to agreement by the evaluatee. 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.
      - 2.1.2. The Department Chairperson shall select two or three peer evaluators, in consultation with the Dean. The team shall ordinarily consist of three members but may be reduced to two based on departmental workload. 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, with the Department Chair having final authority in consultation with the

Dean to designate the specific evaluator from another discipline or department. The evaluatee shall have the right, within three working 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 Department Chairperson shall recommend a chair for the evaluating team. The chair of the evaluating team shall have the responsibility of facilitating the evaluation process and obtaining proper signatures, when necessary.

2.1.2.1 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.

2.1.2.2 Except as provided in this section (9.B.2.1.2.2), 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 evaluation by a three-person team in the following semester, no member of which shall have served on the previous two- (2) member evaluation team.

2.1.3. The evaluators shall conduct formal work site or classroom visitation(s). For online classes, classroom visitation is defined as viewing the class in the learning management system using a reviewer role.

2.1.4. Evaluators shall utilize all criteria listed in the evaluation form. Faculty shall consult with the Department Chair to obtain information which is directly relevant to those criteria but which cannot be obtained through direct observations. Deficiencies must be factually substantiated.

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

- 2.1.6. Consistent with the Evaluation Calendar, Section 9.A.4, above, and at least one (1) week before the first classroom/work site evaluation visit, the evaluators shall confer individually or collectively with the evaluatee, and the evaluators shall also confer individually or collectively with the evaluatee within two (2) weeks after the classroom/work site evaluation has occurred. The evaluators shall decide as a committee whether the conferences shall be with the entire committee or individually.
  - 2.1.7. Within two (2) working days after the formal classroom or work site visitation(s), the evaluatee shall have the option of having the evaluators repeat the classroom or work site visitation(s).
  - 2.1.8. If the evaluators anticipate writing an unsatisfactory evaluation report, the evaluators shall so inform the evaluatee at the post-evaluation conference. The evaluators shall repeat the classroom or work site visitation(s) within ten (10) working days after the post-evaluation conference. If the reason for the unsatisfactory report is not classroom or worksite related, the second visitation is not necessary. If, as a result of the second visitation(s), the evaluation cannot be completed within the Evaluation Calendar, Section 9.A.4, above, such time limits shall be waived.
  - 2.1.9. 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.
  - 2.1.10. The evaluatee may wish to file a response to the report, in which case the response must be filed within fifteen (15) working days after receiving the report. Such response shall be attached to the report and placed in the evaluatee's personnel file.
  - 2.1.11. Completed evaluation documents will be forwarded to the appropriate Department Chairperson and Dean for review and appropriate follow-up action.
  - 2.1.12. Possible Evaluation Outcomes are described at Section 9.F below.
- 2.2 Peer Management Evaluation (for regular full-time tenured faculty)
    - 2.2.1. Peer-Management Evaluation shall be the same as Peer Evaluation except that the evaluation team shall be composed of the two faculty members selected by the Department Chair in consultation with the Dean and one management employee recommended by the Department Chairperson and approved by the Dean. The evaluatee shall have the right to make three disqualifications in the same

manner as in Peer Evaluation, including the management evaluator except under Section 9.D, below.

2.2.2. Possible Evaluation Outcomes are described at Section 9.F below.

2.3 Self-evaluation with Peer Review (for regular full-time tenured faculty)

2.3.1. Self-evaluation shall be completed on the appropriate forms. If departments elect to add questions, the questions must be pre-approved by the Union and the District. The completed self-evaluation shall be submitted to the chair of the evaluation committee.

2.3.2. The peer evaluators shall be selected in the manner provided in Sections 9.B.2.1.1 and 9.B.2.1.2.

2.3.3. If an evaluatee fails to complete and submit a signed self-evaluation when due, the appropriate Vice Chancellor/Associate Vice Chancellor 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.

2.3.4. 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 signed off on by the chairperson of the evaluation committee and then forwarded to the appropriate Department Chairperson and Dean.

2.3.4.1 If the Peer evaluators identify problems in the self-evaluation which might be remedied by revising the document, the evaluatee shall be notified as 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 Vice Chancellor/Associate Vice Chancellor with indication of approval. If the revision is deemed unacceptable, the Department Chair shall consult with the Dean, the evaluatee and the team to determine whether a follow-up Peer Evaluation in the following semester is appropriate.

2.3.5. After reviewing the self-evaluation, student evaluations (if used), and supporting documents (if used), the evaluating team may recommend re-evaluation under Section 9.D by turning in to the Associate Vice Chancellor 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.D.

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

2.3.7. Possible Evaluation Outcomes are described at Section 9.F, below.

2.3.8. 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.

#### 9.C. Regular Full-Time Tenured Non-Classroom Faculty

1. Evaluations shall be conducted generally in the same manner as those of instructional faculty, but shall also be based on observations, contact, and student questionnaires where appropriate.
2. Student questionnaires for non-classroom faculty members shall be appropriate to their position, and uniform within the department. Where utilized, they shall be in sufficient number to ensure a cross-section of opinion as determined by the evaluators.
3. Where student questionnaires are utilized, summaries of the results will be a part of the final report.
4. Failure to conduct, submit, or sign appropriate evaluation reports shall subject the evaluatee to the provisions stated for regular full-time tenured faculty above.

#### 9.D. Faculty Undergoing Management-Initiated Evaluation

1. Deans or Department Chairpersons may visit any class, observe any academic activity, or review any professional obligation reflected in the evaluation criteria. Such visits, observations or reviews are not part of the evaluation process or procedure except for the procedures of 9.D.1.1 through 9.D.2. When possible, classroom visits will begin simultaneously with the beginning of the class session.
  - 1.1 If such a visit, observation or review produces an unfavorable assessment, the Dean or Department Chairperson shall immediately prepare a detailed letter (Observer's Findings) marked confidential, and submit it to the appropriate Vice-Chancellor requesting that an immediate Peer-Management evaluation be conducted.

- 1.2 If the appropriate Vice-Chancellor determines that no evaluation is to occur, the Observer's Findings and all copies shall be destroyed.
  - 1.3 If the appropriate Vice-Chancellor determines an evaluation is to occur, he/she shall inform the faculty member including a succinct statement of the areas of concern.
  - 1.4 If the subsequent evaluation is satisfactory, the appropriate Vice-Chancellor's letter triggering the evaluation will be sealed. The sealed letter 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. If the subsequent evaluation is unsatisfactory, the letter will remain in the file.
  - 1.5 If, due to the circumstances of the case, the faculty member is not available for evaluation, or is incapable of having an evaluation conducted, the Observer's Findings shall be processed in accordance with Article 11, Personnel Files. The evaluation shall occur upon the availability of the instructor.
2. Where deemed warranted, a Peer-Management evaluation shall be initiated by means of a letter to the faculty member from the Vice-Chancellor or Dean. This letter shall be included in the personnel file in accordance with Sections 9.D.1.2 and 9.D.1.4.
    - 2.1 Should the evaluation committee recommend unanimously that the employee be re-evaluated after being given assistance and suitable time for improvement, the following shall apply.
      - 2.1.1. A letter from the committee shall be written to the faculty member detailing areas that need improvement and possible means to achieve this improvement. If the subsequent evaluation is satisfactory, this letter shall be sealed. The sealed letter 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. If the subsequent evaluation is unsatisfactory, the letter shall be placed in the evaluatee's personnel file.
      - 2.1.2. The re-evaluation shall not occur sooner than ten weeks.
      - 2.1.3. The subsequent evaluation shall follow the procedures in 9.B.2.2 except that the team may include the same administrator, but the faculty shall be different. The provisions of Section 9.B.2.1.2.1 shall not apply.
  3. Evaluatees may disqualify a Dean/Director/designee in writing without cause in the first evaluation under 9.D.2 but not in a subsequent evaluation.



## 9.E. Evaluation of Temporary Employees (Includes Part-Time, Categorical Full- and Part-Time, and Long-Term Substitutes (LTS))

1. The evaluation of temporary faculty shall follow the same procedures, use the same form and the same criteria as the evaluation of tenured faculty in the same department, except as follows:
  - 1.1 A temporary faculty member 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 twenty-four (24) semesters.
  - 1.2 Criteria for evaluation which are inappropriate for part-time faculty, such as extracurricular contributions or committee work, shall bear the notation on the evaluation form “This section does NOT pertain to part-time faculty” and those criteria shall not be evaluated for any part-time faculty. Full-time categorical and full-time temporary (LTS) employees are still expected to do such work and should be evaluated on this work.
  - 1.3 Every temporary 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.
  - 1.5 Without stating cause, the evaluatee shall have the right to make two disqualifications from those originally selected.
  - 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 two evaluators, unless the evaluatee agrees on the pre-selection form to having only one evaluator.
    - 1.6.2. In the case of a single evaluator, the evaluatee will be allowed one disqualification without cause, in writing, instead of two.

## 9.F. Evaluation Outcomes (For All Faculty Except Those Undergoing Tenure Review)

1. Satisfactory: If the overall evaluation report rating is Satisfactory, the evaluatee will be scheduled for another evaluation in three years, pursuant to 9.B.1
2. Satisfactory but Needs Improvement: 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 timelines 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.B.1. The Dean shall receive a copy of the improvement plan.

- 2.1 Evaluatees receiving an overall evaluation report of Satisfactory but Needs Improvement shall have the completion of their improvement plan documented as follows:
  - 2.1.1. By the end of week 12 of each semester following the evaluation, the evaluatee shall submit to the Department Chairperson and the Dean a report detailing the extent to which the elements of the improvement plan have been achieved.
  - 2.1.2. If, upon review and discussion of the report with the faculty member, the Department Chairperson determines that all elements of the improvement plan have been substantially achieved, then the Department Chairperson 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. The Dean shall receive a copy of such documentation.
  - 2.1.3. If, upon review and discussion of the report with the faculty member, the Department Chairperson determines that satisfactory progress has been made towards the goals of the improvement plan but elements of the improvement plan remain unfinished, then the Department Chairperson shall so inform the faculty member in writing. The faculty member will continue to submit reports in accordance with 9.F.2.1.1. The Dean shall receive a copy of such documentation.
  - 2.1.4. If, upon review and discussion of the report with the faculty member, the Department Chairperson determines that insufficient progress is being made on the elements of the improvement plan, the Department Chairperson shall inform the faculty member and the Office of Instruction in writing. The Department Chairperson will have the option of modifying improvement plan goals and/or timeliness for completion. The faculty member will continue to submit reports in accordance with 9.F.2.1.1. The improvement plan will be provided by the Office of Instruction to the subsequent evaluation team if either (1) elements of the improvement plan remain unfinished by the time of the next evaluation, or (2) the Department Chairperson determines that insufficient progress has been made in two or more semesters. The faculty member may provide a written statement about their progress towards completing the improvement plan during the pre-conference of the subsequent evaluation. The Dean shall receive a copy of the foregoing documentation.

- 2.1.5. If the faculty member fails to submit a report in accordance with 9.F.2.1.1, the Department Chairperson may, after conferring with the faculty member, write a letter to be included in the personnel file documenting the failure to submit a report. The faculty member may rebut the letter but may not appeal placement of the letter in his/her file. Failure to submit a report shall be reported to the appropriate Vice Chancellor/Associate Vice Chancellor so that a determination may be made if follow-up evaluation in accordance with 9.D.2 is warranted. The Dean shall receive a copy of the foregoing documentation.
3. Unsatisfactory: If the overall evaluation report rating is Unsatisfactory, the evaluators shall, in consultation with the evaluatee and the Department Chairperson, develop an improvement plan with specific goals, suggested means of achieving those goals, and timelines for completion. The improvement plan shall be submitted to the Dean for approval, and approved, before being presented to the evaluatee at the final conference.
  - 3.1 Evaluatees receiving an overall evaluation report rating of Unsatisfactory shall have a copy of their evaluation sent to the appropriate Vice Chancellor/Associate Vice Chancellor, and to the Dean, so that a determination may be made if follow-up evaluation in accordance with 9.D.2 is warranted. Follow-up evaluation after an Unsatisfactory evaluation will normally be done in the following semester.
  - 3.2 Student evaluations will, whenever appropriate as determined by the Department Chairperson or Dean, be conducted for all classes taught in the subsequent semester by any faculty member receiving an overall evaluation report rating of Unsatisfactory.

#### 9.G. Probationary Faculty Undergoing Tenure Review

1. General Provisions:
  - 1.1 Tenure review shall be in accordance with this Article 9.G, Exhibits G, H, and J.
  - 1.2 Early tenure shall be governed by the terms of Exhibit K and Section 9.G.8.
2. Tenure Review Committees:
  - 2.1 Tenure Review Committees shall evaluate contract employees and make recommendations to the Board of Trustees concerning tenure and/or retention in contract status.
  - 2.2 The Tenure Review Committees shall ordinarily consist of four faculty members and the immediate supervisor of the contract employee. The immediate supervisor is the lowest level non-bargaining unit member who has supervision over the employee. A Dean may serve on the Committee

when he or she is the immediate supervisor, where the immediate supervisor is out sick or on other leave status, where enough faculty are not otherwise available, as the replacement for an immediate supervisor who has been disqualified pursuant to Section 9.G.7.1, or where the Dean is the only available faculty member with subject matter expertise or is needed for diversity purposes. A department of eight tenured faculty members or fewer may choose to use only two faculty members and the immediate supervisor of the contract employee, or it may choose to function as a committee-of-the-whole, provided that the committee-of-the-whole has at least three members, including the supervisor. Departments having a significant number of faculty under tenure review, or significant workload additional to tenure review, may opt to have Tenure Review Committees that consist of either two or three faculty members and the immediate supervisor of the contract employee. All faculty members of the Tenure Review Committees must be tenured.

- 2.2.1. The immediate supervisor shall select the faculty members in consultation with the Dean and the chairperson of the Hiring Committee which interviewed the contract employee. If the chairperson of the Hiring Committee is not available, the supervisor will consult with one or more members of the Hiring Committee. Service on the committee shall be voluntary. If the supervisor is unable to recruit the required number of faculty members from volunteers within the department, he/she shall endeavor to remedy the situation by seeking a committee member(s) from a related discipline. If the supervisor cannot find a faculty member(s) in a related discipline, he/she shall inform the appropriate Vice Chancellor/Assistant Vice Chancellor, who shall have the authority to select a volunteer(s), district-wide, to achieve the required number.
- 2.2.2. Subject to Article 4.B., The supervisor shall endeavor to represent the diversity of California in his/her appointments. No Tenure Review committee shall consist of all men or all women or be all of the same ethnicity. If the immediate supervisor cannot achieve this balance from volunteers within the department, he/she shall endeavor to remedy the situation by seeking a committee member(s) from a related discipline. If the supervisor cannot find a faculty member(s) in a related discipline, he/she shall inform the appropriate Vice Chancellor/Associate Vice Chancellor, who shall have the authority to select a volunteer(s), district-wide, to achieve the proper ethnic or gender balance.
- 2.2.3. The immediate supervisor shall supply the appropriate Vice Chancellor/Associate Vice Chancellor with the names of all members on Tenure Review committees.

2.2.4. If a new supervisor assumes authority, he/she shall take the supervisor's position on all Tenure Review Committees. Whenever a member of the Tenure Review Committee resigns, or retires, or takes a leave of absence of more than one year, the supervisor will appoint a replacement according to the original appointment procedures. Whenever a member of the Tenure Review Committee takes a leave for one year or less, the supervisor will appoint a replacement for the duration of the leave according to the original appointment procedures.

2.2.5. Each member of the Tenure Review Committee must have attended an orientation for Tenure Review Committee members within the last four academic years.

### 3. Tenure Review Committee Procedures

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

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

3.3 Visitations shall be subject to these conditions:

3.3.1. The evaluatee shall be notified of the day and time for the formal evaluation visitation(s) at least one (1) week in advance. There must be a pre-conference and a post-conference between the committee member(s) and the evaluatee for each visitation. The times and dates of the conferences shall be noted on the working documents by the evaluator.

3.3.2. Within two working days after the formal classroom or working site visitation(s), the evaluatee may request that the committee member repeat the visitation.

3.3.3. Subject to the provisions of Section 9.G.3.3.1 (above), the committee member may make a second visitation at his/her discretion. For each committee member visitations should be limited to twice a semester.

3.3.4. Each time a committee member makes a visitation, he/she must complete the Peer-Management Evaluation Form for Contract Employees Under Tenure Review as a working document Exhibit H. These working documents shall be retained by the Committee chair until such time as the employee acquires tenure, at

which time they shall be destroyed. The documents shall be made available to the Board of Trustees under conditions described in Section 9.G.6.10, below, and to the employee and all relevant parties under conditions described in Article 22.F.6.2.

3.3.5. 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.

3.4 The Tenure Review Committee will prepare a consensus evaluation in each semester of evaluation. A complete evaluation will be done in semesters 1, 3, 5, and 7 of the probationary period, but student evaluation is not required in each of these semesters. (See Section 9.G.5.) The Tenure Review Committee may elect to do evaluation in semesters 2, 4 or 6 of the probationary period. If the Committee elects to do an evaluation in semester 2, 4 or 6, the Tenure Review Committee chairperson is required to inform the appropriate Associate Vice Chancellor in writing by the end of the 16th week of the prior (fall) semester. The Tenure Review Committee shall not conduct an eighth semester evaluation.

3.4.1. The elected chair of the Tenure Review Committee will prepare a draft for a consensus evaluation using the same form as the working documents.

3.4.2. The Tenure Review Committee, or its majority, will prepare a consensus statement to which non-concurring members must attach dissenting reports.

3.4.3. The consensus report should be based upon the following:

3.4.3.1 Teaching effectiveness or performance of duties (direct visitation/working documents)

3.4.3.2 Tenure Portfolio (See Departmental Guidelines)

3.4.3.3 Student Evaluation (See below)

3.4.3.4 Professional Activities (See Departmental Guidelines)

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

3.4.4.1 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.

3.4.4.2 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.

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

4. Compensation for Tenure Review Committee Members and Mentors

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

4.2 Each faculty member of the Tenure Review Committee who conducts direct visitations shall receive nine hours in instructionally-related pay per semester of evaluation for each contract employee under consideration. The Chair of the Tenure Review Committee will receive an additional 8 hours of instructionally-related pay. During semesters in which direct visitations are not made, there shall be no compensation.

4.3 If a department is acting as a committee-of-the-whole, the committee shall receive up to 44 hours of instructionally-related pay for each semester in which direct visitations are made, except that no committee member shall receive greater compensation than provided in Section 9.G.4.2, above.

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

4.5 Effective upon ratification of this Agreement, all Tenure Review compensation pursuant to Section 9.G.4 shall be suspended through 7/1/18. Full-Time tenured faculty shall be expected to serve on one tenure review committee per year, if needed, as part of their professional responsibility.

5. Student Evaluations for Tenure Review Candidates

Student evaluation shall be done in the same manner as for tenured faculty except that all classes of a contract employee must be surveyed when possible. Student evaluations must be done in all years of the tenure review process.

6. The Recommendation/Decision Process and Timelines for Tenure Review Candidates

6.1 Tenure review is a four-year process, except for rare and exceptional instances in which faculty may be considered for early tenure, addressed in Section 9.G.8 below.

- 6.2 In the following paragraphs, “first semester” means the first fall semester of employment; “second semester” means the subsequent spring semester; “third semester” means the second fall semester of employment, and so on.
- 6.2.1. Where the first year contract employee has served as a full-time temporary academic employee (LTS), or a full-time grant/categorical employee for the complete academic year prior to his/her appointment as a contract employee, the previous year’s employment shall be deemed a year of contract employment in accord with Education Code §§ 87478 and 87470. For purposes of tenure review, the two semesters of temporary or grant/categorical full-time employment shall be deemed the “first semester” and “second semester” of employment.
- 6.2.2. Where a full-time contract employee is appointed in the spring semester and serves in the previous semester as a full-time temporary or grant/categorical full-time employee, this academic year constitutes the first year of contract employment.
- 6.2.3. 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 9.G.3.4, *et seq.*
- 6.3 At the end of the first semester (fall), the Tenure Review Committee may recommend that an employee’s contract not be renewed by a unanimous vote. Otherwise, the committee shall recommend retention for a second contract of one year, except for a Faculty member under Section 9.G.6.2.1. Under Section 9.G.6.2.1, the Tenure Review Committee can recommend that an employee’s contract not be renewed during the second year.
- 6.3.1. Where a full-time contract employee is appointed in the Spring semester and served in the immediately prior fall semester as a full-time temporary or grant/categorical full-time employee, that academic year constitutes the first year of contract employment. In such an event, the employee shall be evaluated in the Spring Semester.
- 6.4 If the Committee elects to conduct an evaluation during the second semester (spring), the Tenure Review Committee must do one of the following:
- (a) Confirm a prior positive recommendation to retain for a second contract of one year per Section 9.G.6.3; or



- (b) Reverse its prior recommendation not to renew per 9.G.6.3 and make a new recommendation to renew by affirmative vote of a majority of the committee; or
  - (c) Confirm a prior negative recommendation and again recommend that an employee's contract not be renewed, by affirmative vote of a majority of the committee. Option (c) is available only when the Committee voted not to renew in the preceding semester.
- 6.5 At the end of the third semester (fall), the Tenure Review Committee may recommend one of the following:
  - (a) That an employee be retained for a third contract of two years; or
  - (b) That an employee's contract not be renewed. The vote not to renew an employee's contract must be made by a vote which is unanimous or within one vote of being unanimous. Otherwise, the committee shall recommend retention for a third contract of two years.
- 6.6 If the Committee elects to conduct an evaluation during the fourth semester (spring), the Tenure Review Committee must do one of the following:
  - (a) Confirm a prior positive recommendation to retain for a third contract of two years per Section 9.G.6.5; or
  - (b) Reverse its prior recommendation not to renew per Section 9.G.6.5 and make a new recommendation to renew by affirmative vote of a majority of the committee; or
  - (c) Confirm a prior negative recommendation and again recommend that an employee's contract not be renewed, by affirmative vote of a majority of the committee. Option (c) is available only when the Committee voted not to renew in the preceding (fall) semester.
- 6.7 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.
- 6.8 A vote of abstention by a committee member shall be counted as a negative vote.
- 6.9 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.

- 6.10 All recommendations of a Tenure Review Committee shall (a) proceed to the appropriate Vice Chancellor/Associate Vice 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 appropriate Vice Chancellor/Associate Vice 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.
- 6.11 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.
7. Due Process and Tenure Review Grievances
- 7.1 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.
- 7.2 Grievances involving alleged violations of tenure review processes and decisions shall be handled and decided in accordance with Article 22.F only.
- 7.3 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:
- 7.3.1. 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 Section 9.G.2.2.1.
- 7.3.1.1 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.

7.3.1.2 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 9.G.4.

7.3.1.3 After reconsideration, the Tenure Review Committee shall make its recommendations by affirmative vote of a majority of the committee, following the procedures of Section 9.G.6. During reconsideration, a vote of abstention shall be counted as a negative vote. A negative vote is a vote against recommending tenure.

## 8. Early Tenure Candidates

8.1 Tenure is a four-year process during which the institution gives support and positive reinforcement to probationary instructors. Only in rare and exceptional circumstances is this period shortened and an individual faculty member given the opportunity to be reviewed for tenure earlier than four years. Of course, being given the opportunity to go through an early tenure review process does not guarantee the awarding of early tenure or tenure after four years.

8.2 Early tenure may be conferred in the second or third year of a faculty member's employment.

8.3 Early tenure criteria and forms appear at Exhibit K.

8.4 Due to the accelerated nature of early tenure decisions, timing of evaluations for early tenure candidates are adjusted. For such candidates:

8.4.1. Evaluations in the first, second, third, fourth, fifth and seventh semester is mandatory unless the candidate has already received early tenure. The committee may conduct an evaluation in the sixth semester, in accordance with Section 9.G.3.4, above.

8.4.2. A vote to confer early tenure in the second or third academic year must be unanimous or within one vote of being unanimous.

## 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.