

ARTICLE XI – IMPROVEMENT OF INSTRUCTION AND TENURE REVIEW

A. Purpose of Evaluation

Given that the primary mission of each college and the District is to promote student learning, achievement, and success, strengthening the instructional skills and professional contributions of all faculty members is vital to fulfill our responsibilities to the community, the State, and the relevant accrediting body. As faculty play an essential role in the delivery of instruction and the academic life of the institution, focusing on evaluation for the purposes of continuous improvement is foundational to the life of teaching and learning.

In this article, full-time faculty is described as contract faculty (non-tenure track and tenure-track) and regular (tenured).

1. The purpose of the evaluation procedure set forth in this article is to assess the performance of the College faculty, with emphasis on the strengthening of instruction and pedagogy to make recommendations toward continued employment.
2. For contract faculty, the purpose of evaluation is to monitor and to assist the contract faculty member in meeting the responsibilities for the position under which he/she was hired (as specified in the job announcement), to assess and advise the contract faculty member of his/her professional strengths and areas needing improvement, and to make reasonable efforts to encourage and aid him/her to overcome any deficiencies. The purpose of this process is to determine if the contract faculty member continues to exhibit the professional competencies and qualifications consistent with the job announcement, or assignment made by the College in the intervening time, and to contribute such information to the process of decision making for the retention of contract faculty.
3. For regular faculty, the purpose of evaluation is to strengthen the instructional skills and professional contributions of the faculty member.
4. For part-time faculty, the purpose of evaluation is to assess the professional performance of the part-time faculty, to advise the faculty member of his/her professional strengths and weaknesses, and to ensure that the part-time faculty member is teaching the course in a manner consistent with the official course outlines of record and with the standards of the discipline and/or department.

B. Frequency of Evaluation

1. Every contract faculty member shall be evaluated formally during the first semester of employment and in the fall semester of each of the following three (3) years.
2. Every regular faculty member shall be evaluated once every three (3) years, usually in the spring semester.
3. Every part-time faculty member shall be evaluated during the first term of hire (winter and summer included), once each year for the next two (2) years, and at least once every three (3) years thereafter. However, if a part-time faculty member and is assigned a class at a second college in the District within this cycle, that college shall have the right to evaluate the part-time faculty member in the first semester at that college. The evaluation at the second college shall reset the cycle. When a part-time faculty member teaches at two (2) or more colleges within the District when the regular evaluation is due, then the department chairs or their designees at each college should confer to determine which college will perform the evaluation.
4. If a part-time faculty member does not have an assignment for a year, upon return the evaluation cycle will begin as in the first term of hire and thereafter, following a satisfactory evaluation, the three-year cycle will resume. If the break in service in the District is more than a year, the part-time faculty member shall be evaluated consistent with the process for a newly hired part-time faculty member.
5. Categorically funded faculty shall be evaluated during the first semester of hire and once every three (3) years thereafter, usually in the fall semester in a manner consistent with the evaluation process for contract faculty. Participation in the evaluation cycle does not obligate the District to rehire or grant tenure to faculty who are categorically funded.

C. Evaluation Procedures

1. For Contract Faculty
 - a. A tenure review and evaluation committee shall be formed and meet during the first six (6) weeks of employment. This committee shall serve as a standing committee until the contract faculty member is granted tenure or has his/her contract non-renewed. The committee shall consist of three (3) tenured faculty in the contract faculty member's discipline (or closely related discipline

if tenured faculty are not available in the District), the Department Chair or designee, and an academic administrator, who will chair the committee. Department Chairs shall appoint the tenured faculty members to the committee. At least one tenured faculty member who served on the contract member's initial hiring committee shall be appointed. If a vacancy on the committee occurs before the committee has completed its responsibilities, a replacement tenured faculty member shall be selected by the Department Chair or, if an administrator, by the President or his/her designee. All tenured faculty have a professional obligation to serve on one or more tenure review committees as part of their professional responsibilities. They may serve, but are not required to serve on more than two (2) committees. The contract faculty member undergoing review shall be present at all meetings of the review committee.

- b. The committee's primary duty is to make a recommendation regarding the contract faculty member's continued service to the District. The committee should assist the contract faculty member in meeting and fulfilling the job-responsibility criteria set forth in the job announcement under which the contract faculty member was appointed. Using the criteria in the advertised job announcement, the committee, in consultation with the contract faculty member, shall establish: (1) the scope, and process will follow in evaluating the performance and professional competencies of the contract faculty member; and (2) the manner by which the contract faculty member can receive assistance during the evaluation process. The committee chair will send a written record of the scope and process determined to all committee members and to the contract faculty member within five (5) working days of the committee's initial meeting. At the request of the faculty member undergoing review or member(s) of the tenure and evaluation committee, the committee may convene during spring as a follow up to the formal review completed during the fall semester.

At a minimum, the review committee's yearly report shall include written administrative and peer reviews from classroom visitations from each member of the committee, student surveys of all classes (or alternative instruments for non-teaching faculty), establishment of tentative professional growth goals, evidence of subject-matter proficiency, and review of faculty syllabi as a mandatory component during the faculty evaluation process. The review shall include, but is not limited to, adherence to course outlines of record; timeliness and accuracy of census reports, positive attendance, grade rosters and other reports for which

he/she is responsible; participation in assessment of student learning outcomes and/or programs (SLO/PLO assessment results for individual instructors will not be included); fulfillment of flex-time obligations, fulfillment of institutional service as outlined in Article X, Section H, and a self-reflective narrative statement that includes non-instructional duties. This narrative statement should address institutional service and how the faculty member fulfills this obligation. Other non-instructional duties for which a faculty member receives reassigned time should be explained in the narrative. Elective and representative duties can only be discussed for non-evaluative purposes. Discussion of duties associated with other reassigned time cannot form the basis for a needs improvement determination. Any other discussion of the report is limited by the scope of the evaluation.

The review by the committee may include exploration of alternative delivery methods including computer, video, Internet and web resources or other electronic media; communication skill both oral and written. (During the first contract year institutional service is primarily fulfilled through participation in new faculty activities.)

Each member of the committee shall write a narrative statement supporting his/her overall judgment of the contract faculty member's fulfillment of the job responsibilities as outlined in Article X. After completion of the formal report, the committee may review, for informational purposes only, the contract faculty member's grade distribution and retention statistics. This information shall not be part of the formal review process or report.

- c. The committee shall not include documents other than those produced or requested by the review committee in the tenure record, except by agreement of the members of the committee. Contract faculty members have the right to respond in writing to any documents placed in the tenure review and evaluation record.
- d. Continuation of Contract: By the end of the first semester of employment and by the end of the fall semester of each year thereafter, by majority vote, the committee shall make a recommendation for renewal or non-renewal of contract to the College President for action as specified under the law. If a decision is made for non-renewal of a contract faculty member's employment by either the review committee or the College President, the faculty member should be notified no later than December 10th. The faculty member may file an appeal no later

than the first work day in January. A written rationale for the appeal must be included, which will be included in the tenure-review record. Such appeal committee shall consist of the Chancellor's designee, the Association President or designee, and the most senior tenured, available member of the faculty member's discipline or closely related discipline not on the evaluation committee.

The appeal committee will determine the scope of the review, which should include, but is not limited to, a review of the complete tenure review record and the written rationale for the appeal. The appeal committee must forward its written recommendation along with any dissenting opinions to the Chancellor no later than February 10th. The Chancellor's recommendation to the Board of Trustees shall include the complete written tenure-review record, the appeal committee's findings, and any dissenting opinions.

- e. Tenure: By the end of the fall semester of the third or fourth year, by majority vote, the committee shall make a recommendation for tenure to the administration for action as specified under the law. Committee dissenting opinions or differing opinions must be included with the recommendation of the majority. The entire record of tenure review shall be forwarded to the College President. If a recommendation for non-tenure is going to be forwarded to the Chancellor, the faculty member must be notified by December 10th. The faculty member may file an appeal no later than the first work day in January. A written rationale for the appeal must be included, which will be included in the tenure-review record. Such appeal committee shall consist of the Chancellor's designee, the Association President or designee, and the most senior available, tenured member of the faculty member's discipline or closely related discipline not on the tenure review committee.
 - f. The appeal committee will determine the scope of the review, which should include, but is not limited to, a review of the complete tenure review record and the written rationale for the appeal. The appeal committee must forward its written recommendation along with any dissenting opinions to the Chancellor no later than February 10th. The Chancellor's recommendation to the Board of Trustees shall include the complete written tenure-review record, the appeal panel's findings, and any dissenting opinions.
2. For Regular Faculty
- a. The College Dean of Instruction shall establish a peer review committee during the spring semester for each regular faculty

member undergoing review. The committee shall consist of two (2) faculty members from the regular faculty member's discipline or a closely related discipline and an academic administrator in consultation with the faculty member undergoing review. If the Department Chair is undergoing review, the second member of the committee shall be selected by the Assistant Chair or in the absence of an Assistant Chair by the most senior member of the faculty member's discipline or department at the College. In most instances, the person undergoing review should not be asked to serve on another improvement of instruction committee. One (1) member shall be selected by the Department Chair and one (1) by the faculty member undergoing review. At least one of the selected members shall be a tenured member of the faculty. The senior faculty member shall chair the committee. Any faculty member who has concerns regarding the administrator designated for the faculty member's evaluation committee may submit a written objection to the President. The President will select a new administrator in consultation with the Academic Senate President. The faculty member may object only one time and must do so within seven (7) calendar days of notice of the committee composition.

- b. The scope and process of the review shall be determined by the committee in consultation with the faculty member under review. The College Dean of Instruction may request that the committee consider factors identified by the administration that affect the faculty member's performance as a tenured member of the faculty. The review should focus on strengthening the faculty member's instructional skills and professional contributions to the College. Within five (5) working days, the chair will submit a written record of the scope and process to the College Dean of Instruction, the regular faculty member and the other members of the committee.
- c. At a minimum, the scope and process of the review shall include written reviews by members of the committee, student surveys of at least two (2) classes (or alternative instruments for non-teaching faculty), a classroom visitation by at least one of the peer reviewers, and review of faculty syllabi as a mandatory component during the faculty evaluation process. The classes surveyed should represent the different modes of delivery in which the instructor teaches. The review shall include, but is not limited to, adherence to subject matter expertise and evidence of subject matter currency; adherence to course outlines of record; timeliness and accuracy of census reports, positive attendance, grade rosters

and other reports for which he/she is responsible; participation in assessment of student learning outcomes (SLO assessment results for individual instructors will not be included); fulfillment of flex-time obligations, fulfillment of institutional service as outlined in Article X, Section H, and shall include a self-reflective narrative statement regarding non-instructional duties. This narrative statement should address institutional service and how the faculty member fulfills this obligation. Other non-instructional duties for which a faculty member receives reassigned time should be explained in the narrative. Elective and representative duties can only be discussed for non-evaluative purposes. Discussion of duties associated with other reassigned time cannot form the basis for a needs improvement determination. Any other discussion of the report is limited by the scope of the evaluation.

The review by the committee may include exploration of alternative delivery methods including computer, video, Internet and web resources or other electronic media; and communication skill both oral and written. After completion of the formal review process, the committee may review, for informational purposes only, the faculty member's grade distribution and retention statistics. This information shall not be part of the formal review process or report.

- d. At the conclusion of each review, the committee shall prepare a written report that includes a cover sheet where each reviewer shall state whether the faculty member's performance is "satisfactory" or if there is a "need for improvement." The faculty member shall be given a copy of the report and shall sign the report to indicate that he or she has received it. If the majority of the reviewers determine that the regular faculty member needs improvement, the committee will indicate, as part of the formal report, the specific instructional and/or non-instructional areas to be improved. If the administration or the regular faculty member disagrees with the recommendation, either the College administration or the regular faculty member may request that the matter be reviewed by a three (3) person appeal committee. Such committee shall consist of the College President, the College Academic Senate President, and the Association President, or their designees. If the majority of this appeal committee determines that further review is needed, the matter shall be referred to the review committee as hereafter set forth. The faculty member being evaluated may file a written disagreement to be included in the formal report.
- e. In the event that a majority of the committee determines that

there is a “need for improvement,” a second review committee, as set forth hereafter, shall be established. The committee shall consist of three (3) tenured faculty members from the evaluatee’s discipline (or closely related discipline if no faculty are available in the District) in order of seniority; the Department Chair/ Assistant Chair; and an academic administrator, who will chair the committee. The second review committee shall establish the scope of the review, which shall be reduced to writing within five (5) working days. The second review committee may conduct any type of administrative, peer, and/or student evaluation it deems necessary in assessing the faculty member’s performance and providing guidance for improving instruction and/or professional performance that was identified as needing improvement by the first review committee. Unless the faculty member requests and the review committee agrees, the review shall begin in the semester following the semester in which the “need for improvement” rating is received.

- f. The second review committee shall prepare a written report which shall provide a determination of “satisfactory” or “unsatisfactory.” The overall rating shall be by majority vote, but each member of the committee shall designate the rating he/she believes is appropriate. Within 15 days of the receipt of the written report, the faculty member may file a written disagreement. If a majority of the second review committee determines that the faculty member’s performance is “unsatisfactory,” the committee shall determine specific objectives and/or goals and remediation plan, in consultation with the faculty member, to help the faculty member remediate and eliminate the areas of deficiency or area(s) in need of improvement specified by the peer reviewers. The second review committee may recommend only one (1) additional review, which shall begin no later than one (1) year from the date of the first report. This second review committee shall establish a specific remediation plan and shall determine, within the timelines established by the committee and in consultation with the faculty member, whether or not the faculty member has met the specific objectives set forth in the remediation plan. A written report shall be sent to the President of the College and to the faculty member. If the majority of the second review committee determines the objectives and remediation plan have not been met, there shall be no further review. The matter will be referred to the President for administrative determination.

2. For Part-Time Faculty

- a. Prior to initiating the improvement of instruction process, Department Chairs shall notify part-time faculty members that they are undergoing review.
- b. The scope and process for the review shall include classroom observation, student surveys of all classes, review of faculty syllabi as a mandatory component during the faculty evaluation, and a Department Chair's report. The review shall be directly related to the part-time faculty member's performance and may include, but not be limited to, subject matter expertise, communication skill both written and oral, adherence to course outlines of record, and timeliness and accuracy of required census reports, positive attendance, grade rosters and other reports for which the faculty have responsibility.
- c. The Department Chair or designee shall conduct a classroom observation and complete a written report, which will include a review of the student surveys.
- d. The Department Chair shall prepare the final report that may include appropriate comments and recommendations to be discussed with the part-time faculty member.
- e. After completion of the evaluation review, the Department Chair may review, for informational purposes only the faculty member's being evaluated grade distribution and retention statistics. This review shall not be part of the formal process or report.
- f. A copy of the evaluation review report shall be provided to the part-time faculty member, who will sign it to indicate that he or she has received the report. The part-time faculty member may submit a written disagreement to the Department Chair within fifteen (15) working days of receiving the report.
- g. The signed report (and written disagreement if submitted) shall be sent to the appropriate College Dean of Instruction for review and then forwarded to the Office of Human Resources and Employee Relations to be included in the part-time faculty member's permanent file.
- h. If a part-time faculty member, with at least four (4) fall and spring terms of service, receives a "needs improvement" evaluation, then the two (2) senior faculty members of the discipline within

the Department shall review the evaluation and, if the two (2) senior faculty members find that the “needs improvement” was not warranted, they will write a written report to be included in the final evaluation. If the “needs improvement” is warranted, the discipline/department may conduct an additional evaluation of the part-time faculty member in the next term an assignment is provided. It is understood that a “needs improvement” evaluation does not in any way guarantee an assignment in the next term.

D. Miscellaneous Matters

1. A faculty member undergoing a second-level review is not eligible to be on an improvement of instruction committee and cannot be required to serve on any other college committee. Nor is a faculty member undergoing a second-level review eligible to receive overload assignments.
2. No regular faculty member shall be required to serve on more than one (1) improvement of instruction committee per semester in addition to the tenure review committees, except in those cases where voluntary participation is not sufficient to carry out the required evaluations. No faculty member shall be required to serve on an improvement of instruction committee during his or her semester of evaluation.
3. The Vice President of Academic Affairs or his or her designee in consultation with the disciplines will develop appropriate student surveys to be used during the faculty evaluation for courses using alternative delivery modes.
4. Only the process, and not the content, of the evaluation shall be subject to the full grievance arbitration process. In the event there is a “non-renewal” decision for a third or fourth year contract faculty member, the content of the evaluation may be grieved by the affected contract faculty member but such grievance shall not be subject to arbitration. In the event there is a decision of “unsatisfactory” for a regular faculty member, the content of the evaluation may be grieved by the affected regular faculty member but such grievance shall not be subject to arbitration.