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11.1 Tenure Review of Probationary Faculty

11.1.A. **Process:** The tenure review process should ensure that students have access to the most knowledgeable, talented, creative, and student-oriented faculty available. To that end, an up to four-year probationary period provides sufficient time for contract employees to understand the expectations for tenure, to develop the skills and acquire the experience to participate successfully in the educational process, and to use the District's and other resources for professional growth. The process should promote professionalism and enhance academic growth by providing a useful assessment of performance, using clear evaluation criteria.

11.1.B **Criteria:** The criteria upon which probationary faculty members will be evaluated are as follows:

(1) **Students**

- a. Willingness and availability to assist students.
- b. Engages student in lesson(s) taught
- a-c. Stimulates student performance in fair and valid ways
- b-d. Responsiveness to the educational needs of students by exhibiting awareness of and sensitivity to the following:
  - 1) Diversity of cultural backgrounds, gender, age, and lifestyles.
  - 2) Variety of learning styles.
  - 3) Student goals and aspirations.
  - 4) The special needs of students with physical and/or learning disabilities.
  - 5) Resolution of problems between faculty member and student.
  - 6) Understanding and utilizing student support services.
  - 6)7) Concern for student welfare.

(2) **Classroom Assignment**

- a. Knowledge of subject matter.
- b. Awareness of current developments and research in the discipline/ field of study.
- c. Demonstration of effective communication with students.
- d. Effective use of of varied teaching methods appropriate to the subject matter.
- e. Appropriate testing and measurement of student progress.
- f. Communication with students with clear identification of course goals, objectives, and student performance expectations.
- g. Evidence of course objectives being met in accordance with approved Course Outline(s) of Record (COR) being taught.
- h. Uses class time effectively.
- i. Voice and delivery are clear and understandable
- i. Paces class time effectively and in accordance with the majority of students' abilities.

- b. The Committee shall assess the candidate's participation in institutional governance as outlined in Section 5.2.A(3) and 5.3D.
- c. The candidate shall submit to the Committee Chair a written report of his/her professional development activities.
- d. The candidate's report will be kept in the evaluation portfolio.

(3) **Self-Evaluation**

- a. The candidate shall evaluate on Form A-1 his/her performance in respect to the evaluation criteria stated in Section 11.1.B.
- b. The candidate shall indicate areas of personal strengths.
- c. The candidate shall respond in writing to the any written recommendations-of made by the Committee by developing a plan to correct his/her areas of deficiency.

(4) **Evaluation of Performance in Primary Area of Assignment**

- a. Evaluation of performance shall consist of a minimum of three (3) separate visitations. A visit means a designated time regardless of the number of peers visiting.
- b. Preferably, all-visitations will be with two (2) committee members will evaluate nce at a time in- during the same visit, but an initial visit will be by two (2) members of the committee.
- c. The candidate will receive at least one (1) week's notice prior to all the visits.
- d. The candidate shall provide a brief lesson plan and any relevant supporting materials (e.g. handouts, etc.) to the committee-visitors at least one (1) day prior to a visit.

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(5) **Student Evaluation of Performance**

- a. Student evaluations shall be administered by the Dean or his/her designee with standardized instructions to students.
- b. Student evaluations of classroom faculty shall be administered to a minimum of 3 classes of the evaluatee per semester.
- c. For counselors or librarians, a minimum of 30 student evaluations be administered. Student evaluations administered shall be maintained in a sealed envelope and shall be submitted to the appropriate office for tally. A student evaluation summary will be submitted to the Tenure Review Committee Co-Chairs.

11.1.D Committee

- (1) **Composition:** The Committee shall be composed of the following members:

- a. Two (2) campus faculty members from the candidate's discipline (if available), selected one (1) selected by the Department Chair and one (1) selected by the Dean, from the candidate's discipline (if available). At a minimum, one (1) of these two (2) members whom should be from the candidate's hiring committee, if possible.

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- 1) If there are not a sufficient number of faculty available in the candidate's discipline, faculty from a related discipline at the college shall be appointed to the Committee.
  - 2) If there are not a sufficient number of faculty available in a related discipline at the college, faculty in the discipline or a related discipline from another District college shall be appointed.
- b. One (1) faculty member selected by the Department Chair from another discipline.
  - c. One (1) faculty member selected by the candidate from the candidate's division.
  - d. The Dean of the faculty member's assignment at the time of employ.
- (2) **Committee Appointment**
- a. Once the committee members in Section 11.1.D(1) have been selected by the faculty co-chair of the candidate's hiring committee ~~subject to approval by a Staff Diversity Facilitator, the Academic Senate President and the College President~~ the Dean shall then convene the Committee.
  - b. The candidate must select his/her committee member in Section 11.1.D(1)(c) by the end of the fourth week of the Fall semester. If the candidate does not choose a committee member in the designated time, one will be chosen by the Tenure Review Committee.
  - c. Committee members shall serve for the duration of the candidate's probationary period. Replacement committee members shall be appointed by the Committee Co-Chairs, when necessary. If during the tenure review process a college reorganization occurs, the composition of the tenure review committee shall remain in effect in order to provide the greatest continuity and support for the tenure candidate. If a retirement, resignation, death or other similar event occur during the tenure review process, replacement Committee members shall come from the most appropriate and logical areas respective to the organization of the college at the time of the Committee vacancy and approved by the Co-Chairs. Committee member resignations must be submitted signed and in writing to the College President.
  - d. Other than the Committee Co-Chairs, The candidate shall have the right to remove one (1) committee member during the probationary period. If the candidate removes a committee member, a replacement committee member shall be appointed from the same constituency.
  - d.e. Should the candidate wish to remove a Committee Co-Chair from the Committee, rationale must be provided in writing to and approved by the College President who shall in turn provide a written explanation and a face to face meeting explaining his or her confirmation or rejection of the candidate's request. by a Staff Diversity Facilitator, Academic Senate President, and the College President.

- e. The Co-Chairs of the Committee shall be the Dean and a faculty member elected by the faculty members on the committee.
- f. The Committee members have the right to fully discuss their professional judgment of the candidate's strengths and weaknesses during the Tenure Review Committee meetings in a confidential setting. All individuals involved shall maintain the confidentiality of the evaluation process and sign a statement to that effect. All information gathered or reports generated as part of the evaluation shall be treated confidentially. Committee members shall enjoy all of the protections afforded those who participate in a statutory evaluation process, including but not limited to, the qualified privileges associated with defamation as described in Evidence Code Section 411. Concerns regarding confidentiality must be reported to the appropriate campus Executive Vice President. If there is no resolution, the committee should address its concerns to the President. The College President will determine whether a re-evaluation is necessary.

11.1.E. Steps of Tenure Review Process.

Meetings must only occur with all Committee members present. The only record of such meetings shall be the appropriate evaluation documentation (e.g., A1, A3, A4, etc.). At any time, the evaluatee may request a convening of the committee or additional meetings.

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The steps of the tenure review process are as follows:

- (1) An orientation meeting of the committee members.
- (2) A meeting of the committee and candidate, reviewing evaluation criteria, evaluation process, and timelines. At any time, the evaluatee may request a convening of the committee.
- (3) At a minimum, three (3) site visitations of the candidate. The maximum shall be five (5) site visitations of a candidate. Following each site visitation there shall be followed by A-a Committee meeting where those who visited present formal, written evaluations of the candidate's performance during each visitation. There should be a minimum of one (1) week in between a Committee meeting and subsequent visitations. Ideally, subsequent visitations should not occur prior to a Committee meeting. Whenever two (2) or more committee members are in attendance at an evaluatee's site visitation, the two committee members shall act independent of each other in the development of their evaluations.
- (4) A committee meeting without the candidate to determine a recommendation for the candidate's subsequent contract status.
- (5) A committee meeting with the candidate to recognize meritorious performance, discuss committee recommendations and, if appropriate, to recommend a course of action for correcting deficiencies.
- (6) a. The committee shall submit its recommendation for the candidate's subsequent contract status to the College President. The College President shall review all materials and make a recommendation for the candidate's subsequent contract status to the eCommittee. If the recommendations differ, the President shall explain in writing why his/her recommendation differs and the Committee and the President shall meet and attempt to resolve the differences. If no resolution is reached, the written recommendations of both the Committee and President shall be forwarded to the governing Board.

- b. Until a candidate is tenured or terminated, the President shall each year forward the Tenure Review Committee reports and recommendations to the Governing Board.

11.2 **Evaluation Process Timeline.** Except as provided in other sections of the Agreement, the following timelines ~~are guidelines and should be flexible as necessary shall be followed~~

11.2.A. **Fall Hires**

The Tenure Review Committee process will be followed each year during the evaluation period until final recommendation is made. ~~The first date in the timeline below begins with the first day of Flex Week and ends with the last day of Finals Week.~~

- (1) **Weeks 1 - 6**
  - a. An orientation meeting of the committee will be convened by the ~~Committee Co-Chairs, Executive-Vice-President or designee.~~
  - b. A meeting of the committee and candidate shall be held.
- (2) **Weeks 7 - 12**
  - a. Classroom/site visitations shall be made.
  - b. Committee site meetings will be held with the candidate to discuss each evaluation visit and to make suggestions for specific improvements.
  - c. ~~As stipulated in 11.1.E.(3), E~~ enough time shall elapse between site visits for the candidate to ~~reflect upon and incorporate the comments and suggestions made by Committee members during visitations.~~ ~~make some improvement in areas noted for improvement.~~
  - d. Professional responsibilities evaluation will begin.
- (3) **Weeks 4 - 12**
  - a. Student evaluations will be conducted and evaluations and summaries of the results will be provided to the Committee ~~Co-Chairs.~~
  - b. The candidate will submit classroom records and professional activities documentation to the Committee ~~Co-Chairs.~~
  - c. The candidate's self-evaluation will be completed and submitted to the Committee ~~Co-Chairs.~~
- (4) **Weeks 13 - 15**
  - a. The ~~e~~Committee will meet to evaluate the candidate's performance in all criteria areas. The candidate or the ~~e~~Committee may request additional input; this additional input ~~shall will~~ be limited to another peer classroom/~~non-classroom assignment~~ visitation, further discussion with the candidate, and/or the request for additional records/documents.
  - b. The ~~e~~Committee will meet without the candidate to decide if the candidate has met the evaluation criteria and, if appropriate, to recommend a specific course of action to help the candidate improve his/her performance, ~~if necessary.~~

- c. The eCommittee will meet with the candidate to communicate its recommendation.
- (5) **Week 16 – 18**
  - a. The eCommittee will submit its employment recommendation on Form C-2, along with the candidate's portfolio, to the College President.

(6) **Week 17**  
a. The President will communicate to the Committee his/her recommendation in writing.

(7) **Weeks 17 – 18**  
a. If the President and the Committee's recommendations differ, the provisions of 11.1.E (6) a. shall occur.

(8) If a tenure review committee does not complete the evaluation process listed in 11.2.A.(1)-(8) because of a protected leave listed in Article 8 of this Agreement of an evaluatee in the Fall term prevents the evaluation process listed in 11.2.A.(1)-(8), then the tenure review process will be completed in the next term the evaluatee returns, and no later than by March 1 if it resumes in the Spring term.

#### 11.2.B Spring Hires

- (1) During the first two (2) weeks of the spring semester, the Dean Co-Chairs will meet with the candidate to explain the tenure process for mid-year hires and the Committee shall be selected.
- (2) During the spring semester there will be one (1) classroom visit by two (2) peer members of the committee.
- (3) Student evaluations will be administered to one (1) class of each preparation during the 13<sup>th</sup> to 15<sup>th</sup> week of the spring semester.
- (4) At the beginning of the next fall semester, the timeline as specified in Section 11.2.A will be followed with the exception that there will be one (1) fewer visit required under Section 11.1.C(5)(b). Thereafter, the Fall hires timeline will be followed.

#### 11.3 ~~11.3~~ Consideration of Input from Outside of the Formal Evaluation Process

11.3.A. ~~11.3.A. The committee will consider only complaints that occur during site visits or pertain to the Professional Qualities listed in Section I of Appendix D, Form A3 that individual Committee member has had direct knowledge or observation of as part of this evaluation process. Only written and substantiated complaints that originate from outside of those involved in this confidential process shall be entertained by the Committee. If a Committee member brings up topics/complaints that he/she did not observe, this may lead to the Committee member's removal from the Committee upon majority vote by the Committee. The President shall be notified by the Co-Chairs (or one of the Co-Chairs, if the other brings up topics/complaints that he/she did not observe) whenever a vote occurs (regardless of the outcome) of this nature. The President shall in turn notify Human Resources. All written complaints shall be investigated and substantiated by the Committee Co-Chairs, Dean, or designee(s) and/or the~~

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committee. Unsubstantiated complaints, concerns, ~~and~~ commendations ~~and non-written complaints~~ will be disregarded.

~~11.3.B.~~ 11.3 B. The candidate has the right to respond to any and all input which the committee is weighing as part of the evaluation process.

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11.4 **Committee Service.** The committee members may count time served on the committee as service under Sections 5.2.A(3) and 5.3.D.

11.5 **Documentation of Process**

11.5.A. To properly document the evaluation process, the following standardized District forms should be used:

- (1) Faculty Self-Appraisal Report for Full/Part-Time Faculty (Form A1).
- (2) Administrator and Peer Evaluation Form for Probationary Faculty (Form A 3)
- (3). Student Evaluation of Teaching Effectiveness, or Student Evaluation of Counselor/Librarian Effectiveness (Form B1 or B2).
- (4) Student Evaluation Summary Form
- (5) Tenure Review Committee Employment Recommendation for Probationary, Non-Tenured Faculty form. (Form C2)
- (6) President's Summary Evaluation Report (Form C3) 11.5B. All completed forms will be held in the candidate's portfolio.

11.6 **Evaluation Assessment**

11.6.A **Evaluation of the Candidate.** Evaluation of the candidate should be based solely upon the procedures in this Agreement.

11.6.B **Evaluation Consideration.** Evaluation consideration should be as objective and quantifiable as possible.

- (1) The Committee must have written justification and documentation of a decision not to grant tenure.
- ~~(2)~~ (2) Recommendation to grant or not to grant tenure must be by majority vote of the Committee. ~~Said vote may be made at any time during the probationary period. Failure to secure a recommendation to grant tenure shall not harm the candidate.~~

~~(2)(3)~~ (2)(3) ~~A committee's recommendation of "Needs Improvement" in the first, second or third year does constitute a decision to not grant tenure.~~

~~(3)(4)~~ (3)(4) **Criteria for Employment Recommendation**

- a. Not to rehire: Candidate's performance is unsatisfactory and continued employment is not recommended.
- b. To grant 2<sup>nd</sup> or 3<sup>rd</sup> probationary contract: Candidate needs to work further to develop skills and gain more experience before being considered for tenure.
- c. Grant tenure during the 1<sup>st</sup> or 2<sup>nd</sup> contract. Candidate is exceptionally strong in all areas of the evaluation criteria, so that a continued period of probation would be unnecessary.
- ~~d.~~ d. To grant tenure ~~after or during the 3<sup>rd</sup> third~~ contract: Candidate has demonstrated ~~continual~~ exceptionally strong professional growth ~~or abilities in all areas of the evaluation criteria; and has~~

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already demonstrated being an asset to the institution so that a further continued probationary period would be superfluous, improved appreciably, and would be an asset to the institution.

d.e. To grant tenure after the 3<sup>rd</sup> contract, Candidate has demonstrated continual professional growth, has improved appreciably, and would be a lasting asset to the institution.

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(4) **Difference in Criteria Weighting for First, Second, and Third Contracts** (see Appendix D, Form A 3.)

- a. For 1<sup>st</sup> and 2<sup>nd</sup> contract: All criteria considered, with the primary assignment criteria the most important.
- b. For 3<sup>rd</sup> contract: All criteria considered, with candidate expected to be fully-participating member of campus community.

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