

# **AGREEMENT BETWEEN**

**Ventura County Community College District  
Moorpark – Oxnard – Ventura**

**And**

**Ventura County Federation of College Teachers  
AFT Local 1828, AFL-CIO**

**July 1, 2022 through June 30, 2025**

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**Article 11: Tenure**

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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:

**11.1.B.(1) Students**

- a. Willingness and availability to assist students.
- b. Engages students in lesson(s) taught.
- c. Stimulates student performance in fair and pedagogically sound ways.
- d. Responsiveness to the educational needs of students by exhibiting awareness of and sensitivity to the following:
  - i) Race, ethnicity, cultural background, sex, gender, sexual orientation, age, socioeconomic status, language, veteran status, religion, political perspective, or lifestyle.
  - ii) Variety of learning styles.
  - iii) Student goals and aspirations.
  - iv) The needs of students with physical and/or learning disabilities.
  - v) Resolution of problems between faculty member and student.
  - vi) Understanding and utilizing student support services.
  - vii) Concern for student welfare.

**11.1.B.(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 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.
- j. Paces class time effectively and in accordance with the majority of students' abilities.

11.1.B.(3) **Non-Classroom Assignment (Librarians, Counselors, and Special Assignments)**

- a. Resolution of problems between faculty member and student.
- b. Understanding and making referrals to appropriate student support services/resources and following up on referrals, as appropriate.
- c. Knowledge and appropriate utilization of campus/community resources.
- d. Knowledge of area of expertise.
- e. Awareness of current developments and research in discipline/field of study.
- f. Demonstration of effective communication with students.
- g. Effective use of methods appropriate to area of assignment.
- h. Communication with students with clear identification of goals, objectives, and student performance expectations (when appropriate).
- i. Presents information/directions to students in a clear and organized way.
- j. Advisement methods and techniques utilized are effective.
- k. Demonstrates knowledge of currency in information literacy instruction, research methods, and appropriate information resources.
- l. Evidence of program objectives being met.

11.1.B.(4) **Professional Responsibilities Evaluation**

- a. Active participation in institutional governance as outlined in Sections 5.4.B.(3) and 5.5.D.
- b. Maintenance of ethical standards such as outlined in the AAUP Ethical Standards Statement and other discipline-specific commonly accepted ethical/professional standards, if warranted.
- c. Recognition and adherence to the principles of academic freedom as outlined in the AAUP Academic Freedom Statement.
- d. Work in a constructive manner to foster a collegial atmosphere among faculty and students.
- e. Demonstration of willingness to advocate for faculty and student rights.

- f. Demonstration of commitment to and enthusiasm for the profession.
- g. Maintenance of class and office hours as scheduled; accurate collection and reporting of records, census data, and other documentation in a timely manner.

11.1.C. **Evaluation Components:** Probationary faculty evaluation shall be comprised of the following components:

11.1.C.(1) **Records Evaluation**

- 11.1.C.(1)a. **For Classroom Evaluations:** The Tenure Review Committee (hereafter referred to as the "Committee") shall assess the teaching candidate's classroom records such as syllabus, handouts, tests, and/or assignments and grading criteria. This assessment shall be within the bounds of professional ethics and academic freedom.
- 11.1.C.(1)b. **For Non-Classroom Evaluations:** The Committee shall assess the counselor/librarian candidate's maintenance of appropriate documentation or (for librarians) public and technical services proficiencies. This assessment shall be within the bounds of professional ethics and academic freedom.
- 11.1.C.(1)c. The candidate will submit the records as described above to the Committee Co-Chairs to be kept for placement in an evaluation portfolio that may be added to during the tenure process.

11.1.C.(2) **Professional Responsibilities Evaluation**

- 11.1.C.(2)a. The Committee shall assess the candidate's commitment to professional development activities, such as conference/workshop attendance, staff development participation, professional association memberships, scholarly publications, research, etc.
- 11.1.C.(2)b. The Committee shall assess the candidate's participation in institutional governance as outlined in Sections 5.4.B.(3) and 5.5.D.
- 11.1.C.(2)c. The candidate shall submit to the Committee Chair a written report of their professional development activities.
- 11.1.C.(2)d. The candidate's report will be kept in the evaluation portfolio.

11.1.C.(3) **Appraisal**

- 11.1.C.(3)a. The candidate shall evaluate on Form A1 their performance in respect to the evaluation criteria stated in Section 11.1.B.
- 11.1.C.(3)b. The candidate shall indicate areas of personal strengths.
- 11.1.C.(3)c. The candidate shall respond in writing to any written recommendations made by the Committee by developing a plan to correct their areas of deficiency.

**11.1.C.(4) Evaluation of Performance in Primary Area of Assignment**

- 11.1.C.(4)a. Evaluation of performance shall consist of a minimum of three (3) separate observations. An observation means a designated time regardless of the number of peers observing.
- 11.1.C.(4)b. Preferably, observations will be with two (2) Committee members evaluating at a time during the same observation but an initial observation will be by two (2) members of the Committee.
- 11.1.C.(4)c. The candidate will receive at least one (1) week's notice prior to all observations
- 11.1.C.(4)d. The candidate shall provide any relevant supporting materials (e.g., lesson plans, handouts, etc.) to the observers at least one (1) day prior to a the observation.
- 11.1.C.(4)e. Observations shall follow all guidelines in Section 12.3.D of this agreement.

**11.1.C.(5) Student Evaluation of Performance**

- 11.1.C.(5)a. Student evaluations shall be coordinated by the Dean or their designee with standardized instructions to students.
- 11.1.C.(5)b. Student evaluations of classroom faculty shall be administered to a minimum of 3 classes of the evaluatee per semester.
- 11.1.C.(5)c. For counselors or librarians, a minimum of 30 student evaluations shall be administered.
- 11.1.C.(5)d. Completed student evaluations shall be maintained in a confidential manner. A student evaluation summary will be submitted to the Tenure Review Committee.

**11.1.D. Committee**

**11.1.D.(1) Composition:** The Committee shall be composed of the following members:

- a. Two (2) campus faculty members from the candidate's discipline (if available), one (1) selected by the Department Chair and one (1) selected by the Dean. At a minimum, one (1) of these two (2) members should be from the candidate's hiring committee, if possible.
  - i) 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.
  - ii) 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. This faculty member may, but need not, be from the candidate's discipline.
- d. The current Dean of the faculty member's assignment.

**11.1.D.(2) Committee Appointment**

- 11.1.D.(2)a. Once the Committee members in Section 11.1.D.(1) have been selected, the Committee composition shall be provided in writing to the College President and College Academic Senate President for approval. Upon receipt of approval, the Dean shall then convene the Committee.
- 11.1.D.(2)b. The candidate must select their 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.
- 11.1.D.(2)c. The Co-Chairs of the Committee shall be the Dean and a faculty member elected by the faculty members on the Committee. The Co-Chairs will confer to delineate responsibilities.
- 11.1.D.(2)d. 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 to the extent practicable, in order to provide the greatest continuity and support for the tenure candidate. If a retirement, resignation, death, or other similar event occurs 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.
  - i) In the event a Committee member is unable to complete their Tenure Review Committee commitment due to long-term absence, the replacement Committee member shall remain on the Committee for the duration of the tenure process, unless the tenure candidate has agreed in advance to allow the absent Committee member to serve, if able, upon their return.
- 11.1.D.(2)e. 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. 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 upon written request, explaining their confirmation or rejection of the candidate's request.

- 11.1.D.(2)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 College 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 attending in real-time communication, and any exceptions must be approved by a majority of the Committee. 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.

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.
- (3) At a minimum, three (3) site visitations of the candidate. Following each site visitation there shall be 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 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.
- a. The Committee shall submit its recommendation for the candidate's subsequent contract status to the appropriate Vice President and College President. The College President shall review all materials and make a recommendation for the candidate's subsequent contract status to the Committee. If the recommendations differ, the President shall explain in writing why their recommendation differs and the Committee and the President shall meet and attempt to resolve the differences. If no resolution is reached, the recommendations of both the Committee and President shall be forwarded to the Governing Board in writing.
  - 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 shall be followed whenever possible. Because the evaluation process is a critical part of the tenure decision, failure to follow prescribed evaluation timelines should be a rare exception. Whenever possible, any deviation shall be documented and mutually agreed upon by the Committee and evaluatee.

**11.2.A. Fall Hires**

11.2.A.(1) 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 week of instruction and ends with the last day of Finals Week.

**Weeks 1 - 6**

- An orientation meeting of the Committee will be convened by the Dean.
- A meeting of the Committee and candidate shall be held.

**Weeks 4 – 12**

- Student evaluations will be conducted and evaluations and summaries of the results will be provided to the Committee Co-Chairs.
- The candidate will submit classroom records and professional activities documentation to the Committee Co-Chairs.
- The candidate's self-evaluation will be completed and submitted to the Committee Co-Chairs.

**Weeks 7 – 12**

- Classroom/non-classroom assignment observations shall be made.



- Committee site meetings will be held with the candidate to discuss each evaluation observation and to make suggestions for specific improvements.
- As stipulated in Section 11.1.E.(3), enough time shall elapse between observations for the candidate to reflect upon and incorporate the comments and suggestions made by the Committee members during observations.
- Professional responsibilities evaluation will begin.

**Weeks 13 – 15**

- The Committee will meet to evaluate the candidate's performance in all criteria areas. The candidate or the Committee may request additional input; this additional input will be limited to another peer classroom/non-classroom assignment observation, further discussion with the candidate, and/or the request for additional records/documents.
- The 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 improve the candidate's performance, if necessary.
- The Committee will meet with the candidate to communicate its recommendation.

**Weeks 16 – 18**

- The Committee will submit its employment recommendation on Form C2, along with the candidate's portfolio, to the appropriate Vice President and College President.

**No Later than January 15<sup>th</sup>**

- The President will communicate to the Committee their recommendation in writing and if the President and the Committee's recommendations differ, the provisions of Section 11.1.E.(5)a shall occur.

11.2.A.(2) If a Tenure Review Committee does not complete the evaluation process listed in Section 11.2.A.(1) or a protected leave listed in Article 8 of this Agreement of an evaluatee in the Fall term prevents the evaluation process listed in Section 11.2.A, then the tenure review process will be suspended until the subsequent Fall term.

**11.2.B. Spring Hires**

11.2.B.(1) During the first two (2) weeks of the Spring semester, the Co-Chairs will meet with the candidate to explain the tenure process for mid-year hires and the Committee shall be selected.

11.2.B.(2) During the Spring semester there will be one (1) classroom observation by two (2) Committee members of the Tenure Committee.

(1) Student evaluations will be administered to a minimum of three (3) classes per semester during the 4th to 12th weeks of the Spring semester. For counselors or librarians, a minimum of 30 student evaluations shall be administered. 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 observation required under Section 11.1.C.(4)(a). Thereafter, the Fall hires timeline will be followed.

**11.3 Consideration of Input from Outside of the Formal Evaluation Process**

11.3.A. Complaints involving the tenure candidate that fall outside the formal evaluation process shall be investigated by the appropriate authority (Title IX, HR, etc.). At the conclusion of the investigation, if the complaint has been substantiated, the Committee will be informed of the outcome of the complaint, to the extent allowable by law. Unsubstantiated complaints, concerns, commendations, and verbal un-written complaints will be disregarded.

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. The President will consider candidate responses submitted prior to the submission of the President's recommendation.

**11.4 Committee Service.** The Committee members may count time served on the Committee as service under Sections 5.4.B.(3) and 5.5.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 Faculty (Form A2)
- (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 C4)

11.5.B. 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.

11.6.B.(1) The Committee must have written justification and documentation of a decision not to grant tenure.

11.6.B.(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 in fewer than four (4) years shall not harm the candidate.

- 11.6.B.(3) A Committee’s recommendation of “Needs Improvement” in the first, second, or third year does not automatically constitute a decision to deny tenure.
- 11.6.B.(4) **Criteria for Employment Recommendation**
- 11.6.B.(4)a. Not to rehire: Candidate’s performance is unsatisfactory and continued employment is not recommended.
  - 11.6.B.(4)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.
  - 11.6.B.(4)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.
  - 11.6.B.(4)d. To grant tenure during the 3<sup>rd</sup> contract: Candidate has demonstrated exceptionally strong professional growth or abilities in all areas of the evaluation criteria and has already demonstrated being an asset to the institution so that a further continued probationary period would be superfluous.
  - 11.6.B.(4)e. To grant tenure after the 3<sup>rd</sup> contract: Candidate has demonstrated continual professional growth, has progressed appreciably, has made contributions to the College and community-at-large, and would be a lasting asset to the institution.
- 11.6.B.(5) **Difference in Criteria Weighting for First, Second, and Third Contracts** (see Appendix D2: For Tenure Review of Probationary Faculty)
- 11.6.B.(5)a. For 1<sup>st</sup> and 2<sup>nd</sup> contract: All criteria considered, with the primary assignment criteria the most important.
  - 11.6.B.(5)b. For 3<sup>rd</sup> contract: All criteria considered, with candidate expected to be fully-participating member of campus community.
- 11.6.B.(6) If a faculty member receives a “Needs Improvement” or an “Unsatisfactory” evaluation from a majority of the evaluators on the summary/overall evaluation form, the Evaluation Committee shall provide him/her with a written Improvement Plan that specifies what the candidate must do to receive a “Satisfactory” on the subsequent term’s follow-up evaluation. The Improvement Plan must be reasonable and measurable, i.e., the terms and conditions established by the plan must be achievable and progress towards objectives that can be tracked with tangible evidence. The follow-up evaluation must be conducted the following regular term, but not until at least two (2) months have elapsed from the date of the meeting at which the evaluatee received the Improvement Plan from the Evaluation Committee.