

## FACULTY EVALUATION AND TENURE REVIEW PROCESS

### Evaluation of Instructional Faculty.

Evaluations shall be conducted not less than annually for probationary non-tenured contract employees in accordance with Section E. For permanent (regular) employees, evaluations shall be conducted not less than once every three (3) years. Evaluations are those that culminate in a written rating report which is retained in the employee's personnel file. Employees to be evaluated during each academic year will be notified by the Office of Human Resources during the first academic month of the Fall semester.

#### A. Evaluation of Tenured Faculty Members.

The Administrative Dean of Human Resources will coordinate with the Executive Vice President, Instructional Services to develop an evaluation schedule. For each tenured contract employee to be evaluated, an Evaluation Committee shall be established, composed of the employee's division chairperson, a volunteer peer instructor selected by the employee, and the Executive Vice President, Instructional Services or a designee. The administrator shall serve as Chairperson. When a Division Chairperson is being evaluated as an instructor, the Committee shall be composed of the Executive Vice President, Instructional Services or designee and a volunteer peer selected by the Division Chairperson. All peer evaluators must be tenured and have received a satisfactory rating in their last evaluation, and will normally be from the same discipline/division as the employee being evaluated.

The Evaluation Committee shall attempt to assess the instructor's overall performance, including teaching ability, subject matter competence, and meeting the established performance factors and standards for evaluation.

#### B. Observations and Conferences.

Each Evaluation Committee member shall conduct as many classroom observations as deemed necessary to assess the effectiveness of the instructor. Prior notification of the visits shall be given. Within ten (10) working days following an observation, the observer shall complete the District Evaluation Form and forward it to the employee with copies to the other Committee members. Committee members may consult together periodically to discuss the employee's performance and progress. When there are indications from one or more Committee members that the employee is not meeting the expected level of performance, assistance and counseling shall be provided. Such assistance/counseling may include, but is not limited to, consulting and advising from Committee

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members or others; requiring the employee to observe other instructors or engage in independent reading; providing a review of the employee's lecture materials, and the like.

The instructor being evaluated shall implement the District's authorized student evaluation procedures by allowing the chair of the evaluation committee to appoint anyone except the evaluatee to survey random classes in the faculty member's schedule. The appointee will distribute the student questionnaire during the third month of the semester for the actual student evaluation. The faculty member shall leave the room during the survey. The current forms are attached hereto as Appendix "G"; any changes in the form must be subject to consultation with the Guild.

Student evaluations shall be conducted during the first semester of the evaluation period, using the College forms administered by an appointee who will return the forms to the chair of the evaluation committee. Additional questions may be included on the evaluation form when requested by divisions or individual faculty members. For non-teaching faculty, student evaluations shall be administered according to individual schedules and services rendered. Student evaluations will be conducted anonymously so as to protect the identity of individual students.

The evaluatee shall have the opportunity to review the student evaluation forms, including summary data to be used by the Review Committee. The evaluatee has the right to attach written comments to the student evaluations prior to any committee action related to the student evaluation forms. Such comments may explain unusual circumstances in the evaluated courses.

Student evaluation summaries shall be kept confidential; the data will be shared only with the faculty member involved, the review committee, the appropriate Dean, Associate Dean, Vice President, or the President, and all will be returned to the evaluatee. The evaluatee may have the option to have the student evaluations included in his/her personnel file.

C. Final Evaluation.

Prior to March 1, a final evaluation conference between the Committee and the employee will be held. All items in the evaluation procedures will be reviewed.

If all Committee members agree that the instructor's performance is satisfactory, the evaluation process shall be deemed completed. If one or more Committee members find that the employee's work is

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“unsatisfactory,” the Evaluation Committee shall convene a special meeting of the Committee to attempt to arrive at a consensus. A “Composite Faculty Evaluation Rating Sheet” shall be completed by the Committee as a whole, and the employee shall have the right to append to the form(s) a written statement containing his/her views of the situation. The current evaluation forms are attached hereto as Appendix “G.” Any changes in the forms must be subject to consultation with the Guild. If, after completion of the above meetings, any Committee member concludes with an “unsatisfactory” rating of the employee, the reports of all Committee members and the evaluation forms shall be sent to the appropriate vice president, who will immediately notify the Administrative Dean of Human Resources and the Superintendent/President to develop a final written decision and to determine further action as deemed appropriate, including possible discipline or termination (pursuant to applicable law) and/or reevaluation for the following year. The Superintendent/President shall also determine whether the negative evaluation is to be placed in the employee’s personnel file. All written records, findings, and reports shall be housed in the Office of Human Resources.

D. Evaluation of Non-Instructional Employees.

The Administrative Dean of Human Resources will coordinate with the appropriate Vice President to develop an evaluation schedule for tenured contract employees, such as counselors, librarians, College nurses, specialists, faculty coordinators, and faculty facilitators. These shall be conducted in accordance with the provisions of this Article as they pertain to the employee’s job responsibility, except that the appropriate administrator or designee shall serve along with a volunteer peer (if one exists) as the Evaluation Committee. Observations of such employees shall take place at their job locations. Evaluation reports shall be subject to the guidelines of Section B. and C.

E. Evaluation of Probationary (Contract) Faculty Employee for Tenure.

The official evaluation process for probationary (contract) faculty employees shall take place according to the provisions contained in this article and as elaborated in the District Tenure Review Guidelines, a copy of which shall be given to each employee upon his/her employment in the District. Any change in the District Tenure Review Guidelines shall be subject to the negotiations process between the Guild and the District.

The Administrative Dean of Human Resources shall be responsible for all tenure review activities including training, committee selection, and

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implementation of the Tenure Review Guidelines within the provisions of this Article. All written records, finding and reports shall be housed in the office of Human Resources.

1. A Tenure Review Committee shall be formed for each probationary (contract) faculty member as follows:
  - a. The Committee shall be composed of the appropriate Vice President or designee, the Division Chair/Associate Dean or designee and one tenured faculty member.
  - b. The tenured faculty member shall be chosen by the Academic Senate and, if possible, selected from the same discipline as the evaluatee, or from a division pool. In the event there is no division or discipline pool, the Academic Senate shall select its member from a general faculty pool.
  - c. The Chair of the Tenure Review Committee shall be the Academic Senate appointee.
  - d. In the event an unsatisfactory rating is given on the first evaluation, a second peer evaluator shall be added to the Tenure Review Committee by the Guild.
2. The Division Chair/Associate Dean shall appoint a mentor for each probationary faculty member. The mentor will not be directly involved in the evaluation process unless requested by the evaluatee. She/he will be a resource for the new faculty member and will be aware of the evaluation procedures and provide assistance to the faculty member when necessary.
3. Before beginning their evaluation duties, all committee members shall have completed a District sponsored in-service training session specifically designed for Tenure Review Committee members. In-service training shall be conducted by the Administrative Dean of Human Resources and the appropriate Vice President.
  - a. No faculty members except division chairs shall be required to serve on more than one Tenure Review Committee.
  - b. No faculty member shall be required to serve on a tenure committee against their will.

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4. The Tenure Review Committee Chair shall be responsible for calling initial meetings, for coordinating activities of the committee, representing the committee to the Administrative Dean of Human Resources, any management employees, and for accomplishing other officially designated duties.
5. In addition to the District Board Policy "Tenure Review Process Policy Statement," criteria to be considered in the official evaluation itself, are elaborated in the Tenure Review Guidelines.
6. Criteria not included in Section E. or in the Tenure Review Guidelines shall not be used in the evaluation process nor be a part of the Tenure Review Committee's recommendations.
7. No anonymous letters or material other than student evaluation shall be used in the tenure review process in any form nor shall such materials be referenced in any evaluation of Tenure Review Committee records.
8. No evaluation shall be based upon information unrelated to the probationary faculty member's performance as specified in Section E., Board Policy, or the Tenure Review Guidelines. All evaluation materials shall be in writing and presented to the probationary faculty member, who has the option of signing or not signing the material, the decision shall be so noted and dated by the evaluator.
9. The private life of a probationary faculty member, including religious, political, and organizational affiliations, or sexual orientation, shall not be a part of the probationary faculty member's evaluation and tenure review process in any manner whatsoever. This rule does not preclude violations of state or federal statutes within or outside of the collegiate setting which address the ability of the individual to serve as a faculty member.
10. During the Spring Semester of each academic year, the Guild, the Academic Senate, and College Administration shall each appoint two persons to a Tenure Review Due Process pool for the following academic year. The pool shall then elect its chair.
11. A Due Process Panel shall be appointed by the chair of the Due Process Pool. This panel shall consist of one representative each from the Guild, Academic Senate, and the College Administration, which shall be appointed by the chair to serve as a hearing body. The Due Process Panels shall exist to act as a hearing body in the event that a

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probationary faculty member, Tenure Review Committee member, or other staff member alleges that a due process complaint should be filed. A complaint may be so filed if it alleges that:

- a. A probationary faculty member is being subjected to biased treatment during the tenure review process; or
- b. The established Board policy, guidelines, and/or timelines are not being adhered to.

The Due Process Panel shall not be responsible for the substantive issues involving recommendation to grant or deny tenure.

12. Due Process complaints shall be filed in written form with the Administrative Dean of Human Resources who shall immediately notify the pool chair, the appropriate Vice President, and the Division Chair/Associate Dean.

- a. If the Administrative Dean of Human Resources is part of the complaint, the complaint shall be filed directly with the pool chair who shall then notify the appropriate Vice President.
- b. Due process complaints shall be filed before the end of the semester in which the evaluation is completed. If an untimely complaint is raised, the person filing the complaint must demonstrate why he or she could not have discovered the alleged violation in a timely manner. The panel will then make the decision concerning this matter.

13. The college due process pool chair shall direct the three-member due process panel as specified in Section E. 14, to act on the complaint. The party filing the complaint shall provide the Due Process Panel with a written statement specifying the alleged bias or procedural violation. The Due Process Panel shall examine the complaint(s), meet with members of the Tenure Review Committee and other persons deemed necessary, and shall confer with the respective probationary faculty member. The Due Process Panel shall not be required to conduct a "trial-type" evidentiary hearing.

All discussions and deliberations shall be held in strict confidence. Information in writing or otherwise regarding an issue brought before the Due Process Panel shall not be shared with anyone not directly involved in the process. Decisions to include others on a need-to-know

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basis will be made by the panel. No unsigned materials shall be considered. Any person against whom allegations are made within the due process procedure has a right to examine the allegations and respond accordingly.

14. The Due Process Panel shall, within ten working days following the filing of a complaint as specified in Section E. 15, render its findings and recommendations in a written report to the appropriate Vice President, the Administrative Dean of Human Resources, and the Division Chair or Associate Dean, with a copy to the probationary faculty member.
  - a. If the report unanimously finds the complaint to be valid, the appropriate Vice President shall, in a timely manner, direct the implementation of the recommendations contained in the report.
  - b. In all cases the complaint(s) and the findings and recommendations of the panel shall be forwarded to the Board of Trustees by the Superintendent/President at the time the appropriate Vice President makes his/her recommendations regarding the continued employment of the respective probationary faculty member. Copies of all recommendations will be transmitted to the Administrative Dean of Human Resources prior to any Board action.
15. Before presenting the evaluation report to the evaluatee, the Tenure Review Committee shall meet and prepare a "composite report" of the findings of the committee. This report along with any documents germane to the evaluation shall be presented to the evaluatee. In the event of a negative evaluation, the evaluatee will have the right to review individual evaluation reports supporting the decision.
16. A decision to grant tenure shall be based on a unanimous vote in a three member committee and a minimum of a three to one vote in a four member committee.
17. In the event that the Tenure Review Committee makes a recommendation for tenure, prior to the fourth year of service, the reasons for this recommendation shall be submitted in writing to the appropriate Vice President, the Administrative Dean of Human Resources and the Academic Senate.
18. In the event that a faculty probationary employee resigns before the tenure review materials are submitted to the Board of Trustees, the

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only material to be placed in the employee's personnel file shall be the administrative evaluation(s).

19. The Tenure Review Committee shall make its recommendation regarding the continued employment or tenure status of the respective probationary faculty member to the appropriate Vice President and all materials involved in this recommendation, pursuant to this article, shall be in writing. Only these written materials together with the appropriate Vice President's written recommendation shall be presented to the Superintendent/President and the Administrative Dean of Human Resources. If the Superintendent disagrees with the findings, a report will be sent to the Tenure Review Committee supporting that position. The Superintendent/President will forward the final recommendation to the Board of Trustees for its action. The decision by the Board of Trustees is final and non-grievable except as defined in Education Code §§ 87607 to 87611.
20. After the Board of Trustees has acted, only those materials presented to the Board shall be placed in the employee's personnel file. All other materials produced during the Tenure Review process shall be given to the faculty employee except that the originator of a material may keep a copy of that material.

F. Evaluation Calendar.

The calendar for the implementation of the evaluation process for tenured faculty is as follows:

1. October 7—Employees to be evaluated during the academic year will have been notified, committees formed, and employees notified of the identity of the committee members.
2. October through March 1—Evaluation observations and assessment program will be conducted by committee members.
3. October 15—Information copies of "Student Evaluation of Instruction" questionnaires will have been distributed to students by the appointee.
4. November 15 through December 15—Student evaluations will be conducted.
5. March 1—Final evaluation conference will have been conducted, a composite evaluation summary prepared and reported to the evaluatee, and student evaluation forms returned to the evaluatee.



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6. March 15—The formal evaluation process will have been completed, and documents forwarded to files.

The calendar for the implementation of the evaluation process for probationary non-tenured faculty is as follows:

1. October 7—Employees to be evaluated during the academic year will have been notified, committees formed, and employees notified of the identity of the committee members.
2. October through February 8—Evaluation observations and assessment program will be conducted by committee members.
3. October 15—Information copies of “Student Evaluation of Instruction” questionnaires will have been distributed to students by the appointee.
4. November 15 through December 15—Student evaluations will be conducted.
5. February 8—Final evaluation conference will have been conducted, a composite evaluation summary prepared and reported to the evaluatee, and student evaluation forms returned to the evaluatee.
6. March 15—The formal evaluation process will have been completed, and documents forwarded to files.
7. The Schedule of Timeliness within which the evaluation and tenure review process shall occur are elaborated within the Tenure Review Guidelines. While these timeliness are not meant to be understood or interpreted as rigid and absolute, they are essential to a fair, professional, and objectively administered process. To provide needed flexibility the written timeliness shall be adhered to within a period of five working days before and five working days after the stated times and dates, except for the conditions specified in Section E. 11-15 and F. 3.
8. In the event of unusual or unforeseen circumstances that might cause the Tenure Review Committee to be unable to adhere to the timeline schedule as specified in Section 6. and the Tenure Review Guidelines, the Tenure Review Committee Chair, after conferring with the probationary faculty member, shall submit a written request to change the timeline schedule, along with the probationary faculty member’s

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comments, to the appropriate Vice President and to the Administrative Dean of Human Resources, outlining the reasons and conditions for the request. The appropriate Vice President shall respond to the Chair's request within two working days stating reasons for either granting or denying the request. A copy of this written response shall be delivered to the probationary faculty member and will be entered in that employee's personnel file in the Office of Human Resources.

G. Evaluation of Adjunct (Hourly) Employees.

Evaluation schedules for the adjunct staff will be coordinated by the Administrative Dean of Human Resources in cooperation with the appropriate Vice President or Dean. Adjunct employees shall be evaluated once in the first or second semester of employment, and every sixth semester thereafter. Current adjunct employees, who have never been evaluated, shall be evaluated within one year of ratification of this article. Current adjunct employees, who have not been evaluated in the last six semesters of employment, shall be evaluated within one year of ratification of this article. Evaluations culminate in a written rating report which is retained in the employee's personnel file. Adjunct employees to be evaluated during a semester will be notified during the first academic month of that semester.

Evaluations shall be conducted by the appropriate Division Chairperson, Associate Dean, Dean or Designee, and will normally be from the same department/division or unit as the employee being evaluated. The evaluator shall assess the employee's overall performance, including teaching ability, subject matter competence, and meeting established performance factors and standards for evaluation. If the adjunct employee works in a non-instructional area, she/he shall be evaluated in accordance with the provisions of this section, as they pertain to the employee's job responsibilities.

The evaluator may conduct as many classroom observations as deemed necessary to assess the effectiveness of the instructor. Within ten (10) working days following an observation, the evaluator shall complete the District Evaluation Form and forward it to the employee.

For instructional adjunct employees, student evaluations shall be conducted in random classes if the employee is assigned more than one course during the semester of evaluation, using the college forms which will be reviewed by the Division Chair, Associate Dean, Dean or appointee. Additional questions may be included on the evaluation form when requested by divisions or individual faculty members. For non-

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instructional faculty, student evaluations shall be administered according to individual schedules and services rendered. Student evaluations will be conducted so as to protect the identity of individual students.

The evaluatee has the right to attach written comments to the student evaluations. Such comments may explain unusual circumstances in the evaluated courses. Student evaluation summaries shall be kept confidential; the data will be shared only with the faculty member involved, the evaluator and/or Division Chairperson, or Dean, and returned to the evaluatee.

All evaluation data collected will be forwarded to the Division Chairperson, Associate Dean, Dean or designee who will review the information and provide a summary evaluation. Prior to a new semester, a final evaluation conference between the Division Chairperson, Associate Dean, Dean, or designee and the employee will be held. All items in the evaluation procedures will be reviewed.

In the event of an unsatisfactory evaluation the adjunct employee may request an additional evaluation. For this reevaluation, at least two (2) evaluators shall be selected, including the Division Chairperson, Associate Dean, Dean or designee, and a peer faculty member selected by the employee. No employee may act as a re-evaluator if they wrote the original evaluation, unless requested by the evaluatee. All new evaluation data collected will be forwarded to the Executive Vice President, Instructional Services or to the Vice President, College Services, who will review all the evaluation forms and written reports, and provide a final written decision. Any further action deemed appropriate, may include, but not be limited to, re-evaluation the following semester and/or possible loss of future employment. The Executive Vice President, Instructional Services or the Vice President, College Services shall also determine whether the unsatisfactory evaluation is to be placed in the employee's personnel file.

H. Faculty Involvement in Administrative Evaluation.

Administrative evaluation and procedures shall be a matter of Board Policy and Administrative Regulations of the District. The Board policy and procedures shall be developed in consultation with the Guild and the Academic Senate and shall provide for representative faculty involvement in the evaluation process except for the Superintendent President who is evaluated by the Board. Any changes to the Board Policy and Administrative Regulations once adopted shall be made in consultation with the Guild and the Academic Senate.

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I. Personnel Files.

Information of a critical or derogatory nature shall not be entered into an employee's personnel file until the employee has been notified and given the opportunity to discuss the matter with the responsible administrator. If the item is then placed in the file over the objection of the employee, the employee shall have the right, within ten (10) working days, to also have included in the file her/his rebuttal to the item in question.

When dealing with Non-District persons or agencies, the District shall not furnish personnel file documents or copies, or permit physical access to personnel file, except upon permission from the employee or upon legal process. The employee shall be notified of any such action, unless the legal process requires otherwise.

If the employee believes that the item is false or inaccurate, she/he may seek review and request that the item not be entered into the file, as follows:

1. The employee may first seek a recommended disposition from the appropriate Division Chair, Dean or Associate Dean;
2. Whether or not the employee has sought the Division Chair's view, and regardless of the substance of the Division Chair's recommendation, the employee may appeal the matter to the Superintendent/President. In order to be considered, this appeal must be filed within twenty (20) working days after the employee was notified of the item. The Division Chair's recommendation, if any, shall be attached to the appeal. The Superintendent/President shall make the final administrative determination within twenty (20) working days as to whether the material is to be entered into the file or excluded as false or inaccurate.
3. If the employee wishes to contest the matter further, she/he is entitled to present the matter to the Board of Trustees (in executive session) for final determination. In order to be considered, this appeal must be filed through the Superintendent/President's Office within ten (10) working days after the employee received the Superintendent/President's decision. The issue before the Board shall be whether the employee has demonstrated that the material is false or inaccurate. The Board shall make its determination within thirty (30) working days.

J. Released Time Evaluation.

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Any evaluation done in relationship to any released time or extra pay assignment shall be applicable only to the specific task being evaluated and shall in no way impact on the employee's status within the District.

K. Miscellaneous.

The above procedures are intended to deal with competency and overall teaching effectiveness rather than with violations of law or instances of misconduct.

The above procedures are not intended to limit or preclude, at any time, observations and/or suggestions for improvement from the Superintendent/President or the Executive Vice President, Instructional Services.

Grievances arising under this Article shall be limited to a claim that the procedures of this Article have not been complied with, and shall not contest the standards or judgments of the evaluators or the District.

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