

ARTICLE SIX - EVALUATION & TENURE OF FACULTY

(This article applies to fulltime faculty only.)

A. Purpose

Quality faculty are essential to the academic excellence of an institution. Therefore, it is a mutual expectation of faculty and administration that regular and on-going feedback be provided to faculty regarding job performance.

To ensure that quality teaching and support services remain the core ingredients in undergraduate education, the faculty evaluation process:

1. Focuses on professional growth, recognition, and improvement by identifying and providing instructional resources for support of individual faculty goals and growth.
2. Promotes faculty service (e.g. community, committee, professional activities).
3. Facilitates the accomplishment of individual faculty objectives linked to departmental, program, and institutional missions and goals.
4. Assesses the performance of the full scope of all assigned duties according to the job assignment and relevant professional standards.
5. Provides the basis for retention and tenure decisions.

B. Requirements

1. **Uniform and Consistent**: There shall be a uniform and consistent evaluation policy for all faculty as specified in the procedures and forms within this agreement.
2. **Truthful and Accurate**: Evaluation information shall be truthful and shall not include unsubstantiated information including rumors, gossip, or anonymous information of any kind. Information shall not be obtained through the use of sources such as electronic media, listening or recording devices without the written permission of the faculty member.
3. **Limited to Contractual Duties**: Faculty will be evaluated only on contractual duties. Faculty chair evaluations are addressed separately in **Article 5** and are unrelated to tenure and retention decisions.
4. **Based on Performance not Technology**: A distinction shall be made between faculty performance and technological failure. Malfunctions of instructional equipment shall not adversely affect the evaluation.
5. **Timely**: All participants are cognizant of the importance of immediate formative feedback and are committed to providing feedback rapidly and completing the process in a timely manner.

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6. **Content is not Grievable:** The content of evaluations collected in a manner consistent with this Article shall not be grievable.

C. **Process**

1. **Criteria:** Because faculty assignments are diverse, evaluation criteria appropriate to the assignment shall be used as specified in the procedures and forms within this Agreement.

These criteria include:

- a. Discipline Knowledge
 - b. Creation and Facilitation of the Learning Environment
 - c. Individual Professional Responsibility
 - d. Participation in Institutional Activities
 - e. Effective Teaching Methods
2. **Components:** The purpose of the multiple components listed below is to get data from a variety of perspectives for diverse faculty assignments. Every effort should be made to integrate the data in its entirety in contrast to overemphasizing any individual component.
 - a. Portfolio: developed during Mode A year 1 through training and mentoring, and required for subsequent years of evaluation.

The purpose of the Portfolio is to:

- Demonstrate an on-going commitment to professional growth and development
- Provide an opportunity to give voice to a teaching and/or service philosophy
- Showcase the progress, best work and achievements of the faculty member
- Document campus, community, professional, and other multidimensional contributions
- Afford the committee a context in which to view their scheduled observations
- Present a creative reflection of the faculty member's professional life
- Act as the primary presentation aid and catalyst for the Pre-Observation Meeting

The evaluation committee reviews the portfolio during the Pre-Observation Meeting, and returns it to the evaluatee at the end of the meeting, unless the evaluatee chooses to leave it with the committee for further review.

Portfolio Preparation:

Portfolios may be developed in any appropriate medium, for instance, electronic formats or three-ring binders or other methods appropriate to the evaluatee's assignment. Beyond the required items, the portfolio contents will vary between individuals and will reflect the personal style and choices of the faculty member. The portfolio may include optional activities beyond contractual duties. The portfolio is an aid to facilitate the evaluatee's 20-30

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minute presentation in the Pre-Observation Meeting. The items included should help to showcase the faculty member's progress and achievements since the last evaluation.

Mode A year 1 –

Required in the portfolio:

- Goals for professional growth
(See bullets for professional accomplishments below)
- Teaching and/or service philosophy
- Syllabi for courses taught in the current semester
- Samples of assignments/assessment activities for each learning environment that will be evaluated

Mode A years 2, 3, 4 and Mode B –

Required in the portfolio:

- Professional accomplishments
A brief statement about what you have contributed or gained by your campus/district service in any of the following areas:
 - In-class teaching/counseling/support service.
 - Curriculum review/development (e.g., development of courses, programs and/or instructional processes)
 - Educational research activity
 - Community work (e.g., speeches to community groups, formal assessment of community needs)
 - Articulation with feeder schools and four-year institutions
 - Recruitment of new student populations
 - On-campus committee work
 - Management responsibilities (e.g., service area coordinator, division/department chair, supervisor of aides)
 - Significant community and professional service (e.g., school board member, journal editor, officer of professional society)
 - Participation in job placement, on-campus activities and professional service
 - Other
- Goals for professional growth
(See bullets for professional accomplishments above)
- Teaching and/or service philosophy
- Syllabi for courses taught in the current semester
- Samples of assignments/assessment activities for each learning environment that will be evaluated
- A brief narrative summarizing your student learning outcomes and assessment strategies. Your portfolio should reflect your unique contributions.

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- b. **Pre-Observation Meeting:** Participatory meeting to clarify the evaluation process, review the faculty portfolio to provide a context for the evaluation process, answer questions, establish parameters (such as observations), determine who will complete the Faculty Service Survey (if evaluatee has reassigned time or otherwise wishes to use this evaluation tool) and provide feedback from the committee about the materials presented. The evaluatee's presentation of his/her portfolio should take about 20-30 minutes.
- c. **Peer and Administrative Materials Review and Classroom Observations:** Announced and scheduled observations by committee members of faculty work and interaction with students. For Mode A evaluations, observations should be made of all faculty instructional, counseling, and library assignments. For Mode B evaluations, the evaluatee, the educational administrator and the faculty chair will each choose one assignment for observation based on assignments for the semester being evaluated. As much as possible, observations shall be distributed across different assignments, different preps and different sections for the semester. Student evaluations shall be completed for all assignments. Timely feedback should be provided to the evaluatee prior to the Evaluation Summary meeting. (Forms appropriate to assignment; see Checklist in Article 6 Appendix.)
- d. **Student Evaluations:** Evaluative reviews by students about interactions with the evaluatee conducting various duties, such as teaching, counseling, library, & other support services. (Forms appropriate to assignment; see Checklist in Article 6 Appendix.)
- e. **Administrative Assessment Review:** Evaluative review by Educational Administrator. (Form Q/FT.)
- f. **Faculty Service Survey:** Assesses the evaluatee's contribution to the KCCD community from the unique perspective of peers outside the discipline area or in the community, concerning faculty service. (Form P/FT; all faculty with reassigned time duties, others optional.)
- g. **Evaluation Team Summary:** Committee discusses the Evaluation Team Summary and makes recommendation based upon data from the evaluation process. Summary may include a minority report. (Attached to form A/FT.)
- h. **Evaluation Summary Meeting:** Meeting to clarify the Evaluation Team Summary, recognize faculty strengths, suggest areas for improvement and development, and inform the evaluatee of the committee recommendation. Committee members and evaluatee sign form A/FT no later than the end of the term of evaluation.
- i. **Presidential Review (Vice Presidents may also review the packet or be delegated as the presidential reviewer.):** Final campus administrative review of the evaluation packet and recommendation concerning employment status. Mode A years

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commendations, recommendation to rehire, implement improvements, or in years 1 - 4 not to rehire. Mode B recommendations for improvement.

- j. Chancellor Review: Final district administrative review of the evaluation packet and recommendation concerning employment status. Commendations; recommendation to rehire; or implement improvements; or in Mode A years 1, 2, and 4 there can be a decision not to rehire.
- k. Board Approval: Board of Trustees review and finalize the decision concerning the faculty member. Final decision to rehire with commendations or suggestions for improvement; or decision not to rehire.

3. **Ratings**

- a. **Satisfactory**: In the case of an evaluation report of “satisfactory,” the employee will be retained, and the evaluation is concluded.
- b. **Needs to Improve**:
 - 1) In the case of a Mode A evaluation report of “needs to improve,” the recommendation for reappointment shall be given with specific recommendations for improvement, and shall include a plan for remediation of any deficiencies. The plan shall include a timeline for remediation, observation, and re-evaluation. The District shall provide assistance to remediate any deficiencies enumerated by the evaluation team.
 - 2) In the event of a needs to improve evaluation during the Comprehensive Mode B evaluation process, the College president may implement a Mode C evaluation. A needs to improve evaluation during the Brief Mode B evaluation process will be followed by a Comprehensive Evaluation the following semester.
- c. **Unsatisfactory**: In the case of an evaluation report of “unsatisfactory,” the Mode A employee in years one (1), two (2), or four (4) is terminated. In the event of an unsatisfactory evaluation during Mode A, year 3, a remediation plan shall be given with specific recommendations for remediation of any deficiencies. The plan shall include a timeline for remediation, observation, and re-evaluation. The District shall provide assistance to remediate any deficiencies enumerated by the evaluation team. In the event of an unsatisfactory evaluation during the Mode B process, the College president may implement a Mode C evaluation.

4. **Participants**

a. **The Evaluation Committee**

The goal of the Evaluation Committee is to identify and validate strengths, to identify

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areas needing improvement, and to suggest areas for growth. The committee should limit itself to the agreed-upon expectations for conditions of improvement and parameters that the faculty member and department have identified. During the evaluation cycle, the Educational Administrator and the Evaluation Committee members shall make scheduled and announced visits to classes or work areas for observation purposes. The Evaluation Committee will meet with the faculty member in the Pre-Observation and Post-Observation Meetings and sign the final evaluation report. Every effort will be made for evaluation meetings to be scheduled with due consideration of faculty assignments. In the event that a committee member misses a meeting, that committee member will meet with both the Educational Administrator and the evaluation committee chair, within five work days, to fulfill committee obligations. A minority statement may be submitted to the evaluation package prior to the report being finalized and signed. All comments and recommendations will be tied to components relevant to the faculty member's job description. Personal criticisms, challenges to academic freedom, and identification of goals outside of these parameters are not appropriate.

- 1) The Faculty chair will serve on area evaluations and facilitate the Pre-Observation Meeting. In the event that a faculty chair cannot serve, an area does not have a chair, or the faculty chair is the evaluatee, the Educational Administrator will meet with the faculty in the area to select a suitable substitute.
- 2) Faculty Evaluators will participate in all components of the evaluation as peer experts:
 - Attend all committee meetings
 - Review the portfolio and other materials
 - Make arrangements for an observation date
 - Complete the observation and observation form appropriate to assignment
 - Complete Form B/FT as appropriate
 - Give the evaluatee timely feedback upon completion of the observation (prior to the post-observation meeting)
 - Sign the final report confirming the majority opinion
- 3) The Educational Administrator:
 - Provides direction to evaluatee on expectations and suitability of initial paperwork
 - Provides direction to evaluatee on expectations and initial process
 - Determines the timeline following contract specifications
 - Coordinates the paperwork inherent in the process
 - Completes an observation and observation form appropriate to the assignment
 - Gives the evaluatee timely feedback upon completion of the observation (prior to the Post-Observation Meeting)
 - Completes administrative assessment Form Q/FT
 - Coordinates the evaluation team as it jointly completes the Evaluation Team Summary (attached to form A/FT), based upon the majority opinion of the group
 - Types summary report

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- After consultation with the evaluation committee, makes a recommendation on continued employment of the faculty member to the President
- b. **Evaluee** will:
- Select one (1) tenured faculty member for the evaluation team,
 - Prepare the portfolio
 - Provide their Educational Administrator with the following prior to the Pre-Observation Meeting:
 - Professional accomplishments
 - Goals for professional growth
 - Teaching and/or service philosophy
 - Syllabi for courses taught in the current semester
 - Samples of assignments/assessment activities for each learning environment that will be evaluated
 - Discussion of student learning outcomes and assessment strategies
 - Provide course materials for evaluation
 - Arrange observations for all assignments to be evaluated
 - When appropriate, send out faculty service survey to individuals the evaluee chooses, with instructions to return the form to the Educational Administrator for inclusion in the evaluation packet

D. **Types**

1. **Comprehensive Evaluations** involve a representative committee and a wide range of evaluation instruments and components, as indicated in Article 6.C.2 and the **Checklist** in Article 6 Appendix. Comprehensive evaluations shall not be replaced by a brief evaluation.
2. **Brief Evaluations**, for Mode B faculty only, include a smaller committee with a narrower range of evaluation instruments. Components to be used are the Portfolio and Student Evaluations. Forms to be used are indicated in the Checklist in Article 6 Appendix. The committee meets with the faculty member, conducts student evaluations in every student contact assignment, and completes the Evaluation Team Summary. The Educational Administrator completes an administrative assessment report. A faculty member who wishes to focus his or her brief evaluation on a particular project may indicate this in the self evaluation portion of his or her evaluation. A faculty member may elect to replace a brief Mode B evaluation with a comprehensive Mode B evaluation.

E. **Faculty Categories**

1. **Non-tenured faculty** shall be evaluated in accordance with the Mode A evaluation process, annually for the first four years. When a contract faculty member has not served seventy-five percent (75%) or more of the annual load in the first year of employment, or fifty percent (50%) or more of the annual load in the second year of employment, the faculty member's evaluation shall be extended.

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2. **Tenured faculty** shall be evaluated in accordance with the Mode B evaluation process every three (3) years. Tenured faculty whose Comprehensive Mode B evaluation is less than satisfactory may be evaluated in accordance with Mode C.
 3. **Contingent on Funding faculty** shall be evaluated in accordance with the Mode A evaluation process for the first four (4) years and then every third year thereafter. Contingent on Funding faculty whose Comprehensive Mode B evaluation is less than satisfactory may be evaluated in accordance with Mode C.
 4. **Temporary faculty** shall be evaluated in accordance with the Mode A evaluation process each year.
- F. **Mode A:** Comprehensive evaluations for pre-tenure faculty in the first four (4) probationary contract years
1. The **purpose** of the probationary period is to give the faculty member who is a candidate for reappointment or tenure the opportunity to demonstrate to the Board of Trustees that he or she meets the standards established by a thorough process of evaluation.
 2. Evaluations are conducted in the fall semester for the **first four (4) years** of employment to determine the granting of tenure in accordance with Education Code Sections §87605-87611 and 87663.
 - In years 1, 2, and 4, a decision will be made either to retain or not retain the faculty member.
 - For disciplines with state licensing board requirements, additional evaluations may be conducted as required by the licensing board.
 3. The **Committee** consists of tenured faculty members only and includes the faculty chair, except under extenuating circumstances, as the chair of the committee, one (1) department/program area member chosen by the department, one (1) department/program area member chosen by the evaluatee, and the Educational Administrator. Where there are not sufficient department/program area members to serve on a committee, related disciplines may be used to furnish committee members. Where appropriate, an evaluator from outside the College may be included by the responsible Educational Administrator to increase the size of the committee to five (5).

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4. Mode A: Process and Suggested Timeline

Activity A 1, 2, 3, 4	<i>Suggested Timeline</i>
Pre-Observation Meeting	Weeks 3-5 Fall term
Observations	Weeks 5-11 Fall term
Student Evaluations	Weeks 7-10 Fall term
Report compiled	Week 12 to end of Fall term
Preliminary Tenure decision for Year 4	December 15
Evaluation Summary	Week 13 to the end of the Fall term.
Complete file submitted to Vice President/President	February 1
Complete materials submitted to Chancellor	February 15
Materials submitted to Board of Trustees for action	On or before March 15 the College President shall make the final recommendation regarding appointment to the Chancellor and the Board of Trustees. A decision to retain results in a one-year contract after year 1 and a two-year contract after year 2. A decision to retain in year 4 results in tenure. A decision not to retain results in termination.

5. The **decision to grant tenure** will be based upon the cumulative evaluations of the probationary years. In the fourth (4th) year if the decision is to retain the faculty member, tenure will be granted, the faculty member will be notified by the Vice President or President, and the faculty member will be publicly recognized the following semester.

- a. **Preliminary** tenure decisions: By December 15 of the fourth (4th) year, a preliminary tenure recommendation shall be made by the evaluation committee that either (a) tenure be granted or (b) the faculty member not be retained.

The December 15 preliminary tenure recommendation during the fourth (4th) year will be based upon the annual evaluations one (1), two (2), three (3), and four (4). The preliminary tenure recommendation shall be prepared by the responsible Educational Administrator in consultation with the evaluation review committee. The preliminary recommendation shall be sent to the College Vice President and President for review. The College President shall make the final recommendation regarding tenure to the Chancellor and Board of Trustees by February 1.

- b. **Contested** tenure decisions: Allegations that the District, in a decision to grant tenure, made a negative decision that to a reasonable person was unreasonable, or violated, misinterpreted, or misapplied any of its policies and procedures concerning the evaluation of probationary employees, shall be classified and procedurally addressed as grievances. All rights, including hearing rights, shall be pursuant to the Education Code.

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G. **Mode B**

Regular tenured faculty are evaluated using the Mode B process every three (3) years. The process includes review of previous evaluation information. The evaluation will be scheduled in the Spring term. The first Mode B evaluation after tenure will be a Comprehensive Evaluation (year 7). Subsequent evaluations will alternate beginning with a Brief Evaluation (year 10), followed by a Comprehensive Evaluation (year 13), a Brief Evaluation (year 16), etc. A faculty member may elect to replace a brief Mode B evaluation with a comprehensive Mode B evaluation. A less-than-satisfactory Brief Mode B evaluation will be followed the next semester by a Comprehensive Evaluation. In this situation, the next Mode B evaluation will be in two and one half (2-1/2) years.

For disciplines with state licensing board requirements, additional evaluations may be conducted as required by the licensing board.

1. **Comprehensive** Mode B Evaluation Committee consists of tenured faculty members only and includes the faculty chair, except under extenuating circumstances, as the chair of the committee, one (1) department/program area member chosen by the evaluatee, and the Educational Administrator. Where there are not sufficient department/program area members to serve on a committee, related disciplines may be used to furnish committee members. Where appropriate, an evaluator from outside the College may be included by the responsible Educational Administrator to increase the size of the committee to four (4).
2. **Brief** Mode B Evaluation Committee - Brief evaluations are conducted by the faculty chair and an Educational Administrator.
3. **Process and Suggested Timelines**

Activity	<i>Suggested Timeline</i>
Brief Mode B evaluations (B Brief)	
Pre-Observation Meeting	Weeks 3-5 of Spring term
Student Evaluations	Weeks 5-9 of Spring term
Report compiled	Weeks 9-11 of Spring term
Complete file submitted to Vice President/President	By week 12 of the Spring term
Complete materials submitted to Chancellor	On or before May 15
Materials submitted to Board of Trustees for action	On or before the June Board meeting the College President shall make the final recommendation to Board of Trustees. An unsatisfactory decision may result in a Mode C evaluation.

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Activity	<i>Suggested Timeline</i>
Comprehensive Mode B evaluations B (Comp)	
Pre-Observation Meeting	Weeks 3-5 of Spring term
Observations	Weeks 5-11 of Spring term
Student Evaluations	Weeks 7-9 of Spring term
Report compiled	Weeks 9 – 12 of Spring term
Evaluation Summary	Prior to week 12 of Spring term
Complete file submitted to Vice President/President	Prior to week 14 of Spring term
Complete materials submitted to Chancellor	On or before May 15.
Materials submitted to Board of Trustees for action	On or before the June Board meeting the College President shall make the final recommendation to Board of Trustees. An unsatisfactory decision may result in a Mode C evaluation.

H. **Mode C:** In the event of a needs improvement or unsatisfactory evaluation report during the Comprehensive Mode B process, or if in the College President’s judgment circumstances warrant evaluation other than the normal cycle, he or she may declare a Mode C evaluation. At that time the College President shall enumerate and describe the reasons for the Mode C in writing to the faculty member. The College President shall provide notice to the Association President that a Mode C has been declared. This will supersede a Mode B evaluation.

1. **Committee:** Within two (2) weeks of the receipt of the notification letter by the evaluatee, a committee composed of tenured faculty members shall be appointed. The faculty members on the committee shall include the faculty chair, one (1) member chosen by the evaluatee in consultation with the Association President or designee, one faculty member chosen by the faculty chair, and one (1) Educational Administrator appointed by the College President or designee. In the event that a faculty chair cannot serve, an area does not have a chair, or the faculty chair is undergoing a Mode B evaluation, the Educational Administrator will meet with the faculty in the area to select a suitable substitute. In the event that the Mode C is declared near the end of the term, the committee members will be appointed the first two (2) weeks of the next semester. It is recommended that faculty committee members be experienced in teaching, college service and leadership. See **Article Six Appendix forms S-1/FT and S-2/FT** at the end of this Article for Mode C evaluation forms.

2. The faculty member and the committee shall consult to develop a **remediation plan** to address the enumerated deficiencies. The plan shall:
 - a. include a timeline for remediating deficiencies.
 - b. delineate the process and the measures for determining performance improvements.
 - c. be submitted and approved by the appropriate Vice President.

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3. The remediation plan shall be implemented and the District shall provide assistance to remediate deficiencies enumerated by the Mode C evaluation committee. At the conclusion of the established timeline, the committee and the administrator shall meet with the evaluatee to review the summary form. It is recommended that an Association representative be present at this meeting.
4. **Evaluation tools** used to determine satisfactory progress may include but not be limited to:
 - Student Evaluation--at the suggestion of either the committee or the evaluatee, a standardized student evaluation or specialized student evaluation focusing on areas of deficiency
 - Performance Observation--at the discretion of the Educational Administrator or at the election of the evaluatee, observations of performance by the evaluation committee
 - Other Elements--at the election of the evaluatee or the committee, other evaluation elements appropriate to teaching or non-teaching assignments with focus on deficiencies
5. Mode C evaluations may lead to progressive discipline or termination. However, the services of the faculty members during their term or continuing appointment may be terminated only with Cause according to Education Code Sections 87666 et seq.

I. Faculty Director Evaluation

1. Faculty Directors will be evaluated on the duties listed in Article 5 by faculty and staff in the area and the educational administrator.
2. This process shall be completed for faculty members with a director's assignment of 20% or more.
3. The director evaluation process will be completed as part of the Mode A or Mode B regular evaluation cycle.
4. Evaluation form O/FT will be used.
5. The evaluatee and educational administrator should determine the questions on the evaluation form that are appropriate to the written job description.