

## ARTICLE SIX - EVALUATION AND TENURE OF FULL-TIME FACULTY

### 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. Committee members shall be tenured to ensure consistency and uniformity in how faculty are evaluated. Where there are not sufficient department/program area members to serve on a committee, faculty from other disciplines may serve as committee members. This requirement for tenured committee members may be waived upon mutual agreement between CCA and KCCD.
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.

## Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

6. **Content is not Grievable:** The content of evaluations collected in a manner consistent with this Article shall not be grievable.
7. **Allows for Faculty Response:** Faculty evaluatees shall have two opportunities to respond in writing during the evaluation process. At the Evaluation Summary Meeting, faculty members will sign a statement that acknowledges evaluation findings have been presented to them and they have 10 working days to respond to the committee's findings. After receiving an electronic copy of the fully executed evaluation, the faculty member shall have 10 working days to respond to any additional administrative comments on the faculty evaluation coversheet.

### 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. Evaluation Packet: developed during Mode A year 1 through training and mentoring, and required for subsequent years of evaluation. The purpose of the Evaluation Packet 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 for Mode A faculty (this is optional for Mode B faculty).
      - Provide a list of three goals and three achievements of the faculty member. The goals and achievements shall be measurable and achievable. The achievements shall document campus, community, and professional contributions since the faculty member's last evaluation.
      - Afford the committee a context in which to view scheduled observations.
      - Act as the faculty member's presentation aid for the Pre-Observation Meeting.

The evaluation committee reviews the Evaluation Packet during the Pre-Observation Meeting.

**Evaluation Packet Preparation:** The Evaluation Packet is an aid to facilitate the evaluatee's up to 20-minute presentation in the Pre-Observation Meeting. The items included may help to showcase the faculty member's progress and achievements since the last evaluation.

## Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

### **Mode A year 1- Required in the Evaluation Packet:**

- A list of three measurable and achievable goals for professional growth that shall be achieved before the next evaluation (see bullets for examples of professional accomplishments under Mode A years 2, 3, and 4 below):
- Teaching and/or service philosophy.
- Syllabi for courses taught in the current semester.

### **Following receipt of tenure, faculty on Mode B shall receive:**

- A Mode B Brief Evaluation, unless
- A Mode B comprehensive evaluation is requested by the faculty member, or the Mode B brief results in the rating “needs to improve.”

If the faculty member receives a “needs to improve” rating, he or she moves to a Mode B Comprehensive Evaluation the following semester.

### **Mode A years 2, 3, 4 and Mode B Brief and Comprehensive – Required in the Evaluation Packet:**

- A list of three goals and three achievements of the faculty member. The goals and achievements shall be measurable and achievable. The achievements shall document campus, community, and professional contributions since the faculty member’s last evaluation (see bullets for examples of professional accomplishments below):
    - 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.
    - Leadership 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.
  - Teaching and/or service philosophy (this is optional for Mode B faculty).
  - Syllabi for courses taught in the current semester.
- b. Pre-Observation Meeting: Participatory meeting to clarify the evaluation process, review the faculty Evaluation Packet to provide a context for the evaluation process, answer questions, establish parameters (such as observations), determine who shall 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 Evaluation Packet shall take up to 20 minutes.

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

- 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 A evaluations, the educational administrator, the faculty chair, one (1) department/program area member chosen by the department, and one (1) department/program area member chosen by the evaluatee will each choose assignments for observation. To the extent practicable, observations should be made of all faculty instructional, counseling, and library assignments. Observations shall be distributed across different assignments, different courses, different delivery modes, and different sections for the semester. Timely feedback should be provided to the evaluatee prior to the Evaluation summary meeting. Student evaluations shall be completed for all assignments. (Forms appropriate to assignment; see Checklist in Article 6 Appendix.) For faculty members with more than one college assignment see 6.F.3.

For Mode B Comprehensive Evaluations, the educational administrator, the faculty chair, and one (1) department/program area member chosen by the evaluatee will each choose assignments for observation in consultation with the evaluatee. To the extent practicable, observations shall be distributed across different assignments, different courses, different delivery modes, and different sections for the semester. Timely feedback should be provided to the evaluatee prior to the Evaluation Summary meeting. Student evaluations shall be completed for all assignments. (Forms appropriate to assignment; see **Checklist** in Article 6 Appendix.)

For Mode B Brief Evaluations, student evaluations shall be completed for all assignments. (Forms appropriate to assignment; see Checklist in Article 6 Appendix.) For faculty members with more than one college assignment see 6.G.2.

- d. **Student Evaluations:** A faculty chair or designee shall distribute student evaluations. (Forms appropriate to assignment; see **Checklist** in Article 6 Appendix.)
- e. **Administrative Assessment Review:** Evaluative review by Educational Administrator. (See Form Q/FT on District's portal, "Employee Forms" tab.)
- 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. (See Form P/FT on District's portal, "Employee Forms" tab; all faculty with reassigned time duties, others optional.)
- g. **Evaluation Team Meeting:** Meeting to develop the Evaluation Team Summary. Committee develops the Evaluation Team Summary based upon data from the evaluation process and makes recommendation. Summary may include a minority report. (Forms appropriate to assignment; see Checklist in Article 6 Appendix.)

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

- h. Evaluation Summary Meeting: Meeting to present the Evaluation Team Summary to the evaluatee, 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. President Review (Vice Presidents may also review the packet or be delegated as the president's reviewer): This is a final campus administrative review of the evaluation packet with a recommendation concerning employment status including:
    - Mode A years 1 through 4 or Mode B with commendations, recommendation to rehire or make improvements, or
    - Mode A years 1, 2, and 4 not to rehire.
  - j. Chancellor Review or designee: Final district administrative review of the evaluation packet and recommendation concerning employment status including:
    - Mode A years 1 through 4 or Mode B with commendations, recommendation to rehire or make improvements, or
    - Mode A years 1, 2, and 4 not to rehire.
  - k. Board Approval: Board of Trustees review and finalize the decision concerning the faculty member including 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 shall 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 rating during the Mode B Brief Evaluation process, the faculty member moves to a Mode B Comprehensive Evaluation the following semester. In the event of a "needs to improve" on the Mode B Comprehensive, the faculty member moves to a Mode B Remediation for items that may be corrected before the beginning of the next semester (i.e., including but not limited to updating syllabi, SLOs, or course materials). Mode C may be more appropriate for remediation involving classroom or service observation and student evaluation.
  - 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

## Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

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 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 working days, to fulfill committee obligations.

Any committee member(s) may submit a minority statement to the Evaluation Package prior to the report being finalized and signed. A minority statement is a separate written statement presented by member(s) of a committee who disagree with the majority. 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 and the Summary Evaluation Meetings. 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 Evaluation Packet 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).
  - Submit minority statement if applicable.
  - Sign the final report confirming the majority opinion.

## Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

### 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.
- Coordinates the scheduling of the pre-observation meeting, evaluation team meeting and evaluation summary meeting.
- 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.
- After consultation with the evaluation committee, makes a recommendation on continued employment of the faculty member to the President or designee.

### b. **Evaluee** shall:

- Select one (1) tenured faculty member for the evaluation team for a Mode A (years 2, 3, and 4) or Mode B Comprehensive evaluation.
- Prepare Evaluation Packet.
- Provide his or her Educational Administrator with the following prior to the Pre-Observation Meeting:
  - A list of three goals and three achievements of the faculty member. The goals and achievements shall be measurable and achievable. The achievements shall document campus, community, and professional contributions since the faculty member's last evaluation.
  - Teaching and/or service philosophy (this is optional for Mode B faculty).
  - Syllabi for courses taught in the current semester
- Provide course materials for evaluation.
- Arrange observations for all assignments to be evaluated.
- When appropriate, send out faculty service survey to individuals the evaluatee chooses, with instructions to return the form to the Educational Administrator for inclusion in the evaluation package.
- Sign a statement that acknowledges the evaluation committee's findings have been presented at the Evaluation Summary Meeting and the evaluatee has 10 working days to respond to the committee's findings.
- After receiving an electronic copy of the fully executed evaluation, the evaluatee shall have 10 working days to respond to any additional administrative comments on the faculty evaluation coversheet.

## D. Types

1. **Comprehensive Evaluations** involve a representative committee and a range of evaluation

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

instruments and components, as indicated in Article 6.C.2 and the **Checklist** in Article 6 Appendix.

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 Evaluation Packet Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

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.
2. **Tenured faculty** shall be evaluated in accordance with the Mode B Brief evaluation process every three (3) years unless the faculty member requests a Mode B Comprehensive Evaluation. Tenured faculty whose Mode B Brief results in a "needs to improve" evaluation will move to a Mode B Comprehensive Evaluation the following semester. In the event of a "needs to improve" on the Mode B Comprehensive, the faculty member moves to a Mode B Remediation for items that may be corrected before the beginning of the next semester (i.e., including but not limited to updating syllabi, SLOs, or course materials). Mode C is more appropriate for remediation involving classroom or service observation and student evaluation.
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 following the process outlined above for tenured faculty.
4. **Temporary faculty** shall be evaluated in accordance with the Mode A evaluation process.

**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.

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

- 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. Committee members shall disclose potential conflicts of interest and recuse themselves from serving on the committee if they cannot be fair and impartial. 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).
  4. Split assignment: When a faculty member is teaching at two different colleges, either the faculty member chosen by the department or the faculty member chosen by the evaluatee must be from the corresponding college (non-home college). The corresponding college Administrator shall have the opportunity to provide information to the home college Administrator for Form Q and will be identified as a contributor.

**Process and Suggested Timelines: Mode A Evaluations**

Activity A 1, 2, 3, 4	Suggested Timeline
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 (4<sup>th</sup>) 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 (4<sup>th</sup>) 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.

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

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.

**G. Mode B:**

Regular tenured faculty shall be evaluated using the Mode B process every three (3) years. The process includes review of previous evaluation information. The evaluation shall be scheduled in the Spring term. Subsequent evaluations shall be Mode B Brief Evaluations unless the faculty member requests a Mode B Comprehensive Evaluation. A less-than-satisfactory Mode B Brief evaluation shall be followed the next semester by a Mode B 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. **The 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. Committee members shall disclose potential conflicts of interest and recuse themselves from serving on the committee if they cannot be fair and impartial. 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. **The Brief Mode B Evaluation Committee** consists of the faculty chair and an Educational Administrator.  
Split assignment: The Corresponding college Administrator shall have the opportunity to provide information to the home college Administrator for Form Q and will be identified as a contributor.

Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

**Process and Suggested Timelines: Mode B Brief Evaluations**

Activity A 1, 2, 3, 4	Suggested Timeline
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. A “needs to improve” evaluation shall result in a Mode B Comprehensive Evaluation the following semester. An unsatisfactory rating may result in a Mode C evaluation.

**Process and Suggested Timelines: Mode B Comprehensive Evaluations**

Activity	Suggested Timeline
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. In the event of a “needs to improve” on the Mode B Comprehensive, the faculty member moves to

**Process and Suggested Timelines: Mode B Comprehensive Evaluations**

Activity	Suggested Timeline
Materials submitted to Board of Trustees for action	a Mode B Remediation Evaluation for items that may be corrected before the beginning of the next semester (i.e., including but not limited to updating syllabi, SLOs, or course materials). For remediation involving classroom or service observation and student evaluations, a Mode C may be more appropriate. An unsatisfactory rating may result in a Mode C evaluation.

- 3. Mode B Remediation:** In the event of a “needs to improve” rating on the Mode B Comprehensive, the faculty member moves to a Mode B Remediation Evaluation for items that may be corrected before the beginning of the next semester (i.e., including but not limited to updating syllabi, SLOs, or course materials).

**Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)**

**Process and Suggested Timelines: Mode B Remediation Plan:**

<b>Mode B Remediation</b>	<b>Suggested Timeline</b>
Evaluation Summary recommends Mode B Remediation	Prior to week 12 of Spring term
Faculty and Association representative meets with Educational Administrator and agree upon remediation plan	On or before May 15
Faculty completes remediation plan and meets with Educational Administrator and Association representative. If remediation plan is successful, Educational Administrator recommends “needs to improve” be changed to “satisfactory.” If remediation plan is unsuccessful, Educational Administrator recommends Mode C Evaluation.	On or before Aug. 1
Educational Administrator submits a remediation memorandum to Vice President/President	On or before Aug. 10
If Vice President/President approves the memorandum, a “satisfactory” rating shall be attached to the Mode B Remediation plan to reflect the faculty member’s successful remediation. If the faculty member’s remediation is	On or before Aug. 20



unsatisfactory, the Vice President/President shall change the “needs to improve” rating to “unsatisfactory” and commence the Mode C Evaluation process.	
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- H. Mode C:** A Mode C evaluation may be called by the College President in the event of a needs to improve or an unsatisfactory evaluation rating during the Comprehensive Mode B process, or if in the College President’s judgment circumstances warrant evaluation other than the normal cycle. 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 shall 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. Committee members shall disclose potential conflicts of interest and recuse themselves from serving on the committee if they cannot be fair and impartial. 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 District’s portal, “Employee Forms” tab for forms **S-1/FT** and **S-2/FT**.
  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.
  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.

## Article 6 EVALUATION AND TENURE OF FULL-TIME FACULTY (continued)

- 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. Mode R Evaluations:** Mode R Evaluations shall be only for those faculty members whose evaluation cycle falls during the year of their retirement and who have submitted their retirement notifications to Human Resources no later than January 15<sup>th</sup> of the evaluation year. The Mode R Evaluation consists of a short self-evaluation form that discusses three faculty accomplishments since the last evaluation, and how to support teaching or service in the discipline in the future. Mode R does not include professional goals. Mode R also includes student evaluations but no classroom observations. The Mode R committee shall be the faculty member's chair and an Educational Administrator, and the process and timelines shall follow that of Mode B Brief Evaluations.

### **J. Faculty Director Evaluations**

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 assigned program.

### **K. Online Faculty Evaluations**

1. Observations of faculty teaching online classes shall be conducted at a scheduled time. CCA and the District agree to work with College Instructional Technology so online evaluators will be limited to a set time to observe the class site, just as evaluators of face-to-face classes are limited to a set time. The time for evaluators to observe an online class shall not exceed that of an evaluator observing a face-to-face class.

## **Article Six Appendix Table of Contents**

[Checklist of Full-time Faculty Evaluation Guidelines and Forms](#).....46

## Checklist of Full-time Faculty Evaluation Guidelines and Forms

Faculty evaluation teams will use the following two (2) required forms:

- Form A/FT: Coversheet for the Faculty Evaluation Process
- Form Q/FT: Administrative Assessment Review

Below is a checklist of the additional forms that shall be included in the Mode A and Mode B Comprehensive evaluation according to faculty assignment. Mode B Brief adds only the Student Evaluation Forms to the forms above.

### **Instructional Faculty Comprehensive Evaluation**

- PGA/FT: Professional Goals and Accomplishments
- B/FT: Materials Review and Classroom Instruction Observation
- E/FT: Student Evaluation for Instructional Faculty

### **Instructional Faculty Brief Evaluation**

- PGA/FT: Professional Goals and Accomplishments
- E/FT: Student Evaluation for Instructional Faculty

### **Instructional Faculty Open Lab**

- PGA/FT: Professional Goals and Accomplishments
- B/FT: Materials Review and Classroom Instruction Observation
- G/FT: Materials Review and Open Lab Activity Observation
- H/FT: Student Evaluation for Open Lab Faculty

### **Instructional Faculty Online**

- PGA/FT: Professional Goals and Accomplishments
- C/FT: Materials Review and Online Instruction Observation
- F/FT: Student Evaluation for Online Instructional Faculty

### **Non-Instructional Faculty with Student Contact Hours**

- L/FT: Student Evaluation for Non-Instructional Faculty
- I/FT: Student Consent Form for Observation of Faculty/Student Interaction
- J/FT: Observation for Counseling/Non-Instructional Faculty

### **Non-Instructional Faculty without Student Contact Hours**

- P/FT: Faculty Service Surveys that reflect the full range for faculty service

### **Library Faculty/Non-Instructional**

- M/FT: Observation form for Library Faculty
- N/FT: Student Evaluation for Library Faculty

### **Counseling/Non-Instructional Faculty**

- J/FT: Observation for Counseling/Non-

### **Instructional Faculty**

- I/FT: Student Consent Form for Observation of Faculty/Student Interaction
- K/FT: Student Evaluation for Counseling Faculty

### **Faculty with Reassigned Time (not related to Faculty union released time)**

- P/FT: Faculty Service Surveys that reflect the full range of reassigned service

### **Faculty with Reassigned Time for Director Responsibilities**

- O/FT: Faculty Director Evaluation

### **Remediation**

- R-1/FT: Mode A Remediation Plan
- R-2/FT: Mode A Remediation Plan Report
- S-1/FT: Mode C Remediation Plan
- S-2/FT: Mode C Remediation Plan Report

### **Instructional / Non-Instructional Faculty who have Submitted Notice of Retirement**

- Mode R/FT/ADJ: Faculty Self-Evaluation
- E/FT: Student Evaluation for Instructional Faculty

### **Examples of Faculty with Multiple Assignments**

#### **Library Faculty/Instructional**

- PGA/FT: Professional Goals and Accomplishments
- B/FT: Materials Review and Classroom Instruction Observation
- E/FT: Student Evaluation for Instructional Faculty
- M/FT: Observation form for Library Faculty
- N/FT: Student Evaluation for Library Faculty

#### **Counseling Faculty/Instructional**

- PGA/FT: Professional Goals and Accomplishments
- B/FT: Materials Review and Classroom Instruction Observation
- E/FT: Student Evaluation for Instructional Faculty
- I/FT: Student Consent Form for Observation of Faculty/Student Interaction

Article 6 – Appendix (continued)

- J/FT: Observation for Counseling/Non-

Instructional Faculty

- K/FT: Student Evaluation for Counseling Faculty

## ARTICLE SEVEN - EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY

### 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 adjunct faculty evaluation process assesses the performance of the full scope of all assigned duties according to the job assignment and relevant professional standards. The evaluation process identifies and validates strengths, identifies areas needing improvement, and suggests areas for growth. The process also provides a basis for retention decisions.

### B. Requirements

1. **Uniform and Consistent:** There shall be a uniform and consistent evaluation policy for all adjunct 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 adjunct faculty member.
3. **Limited to Contractual Duties:** Adjunct faculty will be evaluated only on contractual duties.
4. **Based on Performance not Technology:** A distinction shall be made between adjunct 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.
6. **Content is not Grievable:** The content of evaluations collected in a manner consistent with this Article shall not be grievable.
7. **Allows for Faculty Response:** Faculty evaluatees shall have two opportunities to respond in writing during the evaluation process. At the Evaluation Summary Meeting, faculty members shall sign a statement that acknowledges evaluation findings have been presented to them and they have 10 working days to respond to the committee's findings. After receiving an electronic copy of the fully executed evaluation, the faculty

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Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

member shall have 10 working days to respond to any additional administrative comments on the faculty evaluation coversheet.

**C. Process**

1. **Criteria:** Because adjunct 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. Effective Teaching Methods

2. **Timelines:**

Adjuncts shall be evaluated their first semester at a college. Upon receiving a satisfactory rating on the first evaluation, an adjunct shall be evaluated in the third year and every three years thereafter. The adjunct evaluation form shall note ADJ-1 for first semester evaluations and ADJ-3 for all subsequent evaluations.

Student evaluations shall occur in every section taught by an adjunct faculty member. During the first semester evaluation, peer observations shall occur in every section. In the third year and subsequent evaluations, peer observations will occur in one section, mutually agreed upon by the adjunct faculty member and the faculty chair/designee. The evaluation shall optimally occur between weeks 5-8 in semester length courses. In courses that run less than a full semester, the evaluation shall occur approximately 35% of the way through the course.

Upon completion of the evaluation, the evaluator will make a recommendation, based on the ratings in Article 7.C.4, either to retain or not retain the faculty member within the adjunct hiring pool.

In the case of an observation rating of “unsatisfactory,” the adjunct faculty member, who may consult CCA, will be observed again by a tenured faculty member chosen by the evaluatee, and the educational administrator. Where there are not sufficient department/program area members to conduct the observations, the evaluatee may choose a tenured faculty member from a related discipline. The evaluation will be completed by the end of the semester.

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

A decision regarding retention within the hiring pool will be made after the committee evaluation.

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Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

3. **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. **Peer and Administrative Materials Review and Classroom Observations:** Announced and scheduled observations by committee members of adjunct faculty work and interaction with students. For ADJ-1, observation should be made of all instructional, counseling and library assignments. For ADJ-3, the faculty chair or designee shall observe one assignment, mutually agreed upon with the evaluatee. (Forms appropriate to adjunct assignment; see **Checklist** in Article 7 Appendix.)
  - b. **Student Evaluations:** Evaluative reviews by students about interactions with the evaluatee conducting various duties, such as teaching, counseling, library, and other support services. (Forms appropriate to assignment; see **Checklist** in Article 7 Appendix)
  - c. **Administrative Assessment Review:** Evaluative review by Educational Administrator. (See Form Q/ADJ on District’s portal, “Employee Forms” tab.)
  - d. **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. (See Form P/ADJ on District’s portal, “Employee Forms” tab; all adjunct faculty with non-instructional duties that have no student contact hours, other optional.)
  - e. **Evaluation Summary:** Chair/designee or committee, as appropriate, develops the Evaluation Summary based upon data from the evaluation process and the elements of the evaluation packet. The narrative summary should include an assessment of the syllabi, observations and student surveys. The committee’s recommendation may include a minority report.
  - f. **Evaluation Summary Meeting:** Meeting to clarify the Evaluation 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/ADJ no later than the end of the term of evaluation.
  
4. **Ratings**
  - a. **Satisfactory:** In the case of a re-evaluation report of “satisfactory,” the employee will be retained within the hiring pool.
  - b. **Needs to Improve:** In the case of an evaluation report of “needs to improve,” any recommendation for reappointment shall be given with specific recommendations for improvement. This rating will result in a follow-up evaluation the following semester
  - c. **Unsatisfactory:** In the case of an evaluation report of “unsatisfactory,” the adjunct

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Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

faculty member will not be eligible for rehire.

**5. Participants**

**a. The Evaluation Committee**

- 1) Faculty Chair will complete the following or designate another tenured faculty member to do so:
  - Make arrangements for observation dates.
  - Complete the observations and observation forms appropriate to assignment.
  - Give the evaluatee timely feedback upon completion of the observation.
  - Arrange for additional observations as required by Article 7.C.2.
  - Develop Evaluation Summary (except in the event of an unsatisfactory observation) and make a recommendation based upon data from the evaluation process. Summary may include a minority report.
  - Sign the final report.
- 2) Educational Administrator shall:
  - Complete administrative assessment form Q/ADJ.
    - In the event of an unsatisfactory observation or a special evaluation, complete the observations and observation forms appropriate to the assignment.
    - Coordinate the evaluation committee as it jointly completes the Evaluation Summary, based upon the majority opinion of the group.
    - Types summary report.
    - Sign the final report.
- 3) Tenured faculty member chosen by chair/designee (in the event the adjunct faculty member has multiple assignments to be observed, and at the discretion of the chair/designee) shall:
  - Make arrangements for observation dates.
  - Complete the observations and observation forms appropriate to assignment.
  - Give the evaluatee timely feedback upon completion of the observation.
  - Sign the final report.
- 4) Tenured faculty member chosen by evaluatee in the event of an unsatisfactory observation or special evaluation) shall:
  - Make arrangements for observation dates.
  - Complete the observations and observation forms appropriate to assignment.
  - Give the evaluatee timely feedback upon completion of the observation.
  - Sign the final report.

**b. Evaluatee shall:**

- Provide his/her Faculty Chair with the following prior to the observations:

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Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

- Syllabi, including grading procedures, for courses taught in the current semester.
- Provide course materials for evaluation.
- When appropriate, send out faculty service survey to individuals the evaluatee chooses, with instructions to return the form to the Educational Administrator.
- Sign a statement that acknowledges the evaluation committee's findings have been presented at the Evaluation Summary Meeting and the evaluatee has 10 working days to respond to the committee's findings.
- After receiving an electronic copy of the fully executed evaluation, the evaluatee shall have 10 working days to respond to any additional administrative comments on the faculty evaluation coversheet.

**D. Special Adjunct Evaluation:** If in the College President's judgment circumstances warrant evaluation other than the normal cycle, he or she may declare a Special Evaluation. At that time the College President shall enumerate and describe the reasons for the Special Evaluation in writing to the faculty member. The College President shall provide notice to the Association President that a Special Evaluation has been declared.

1. Committee: Within two (2) weeks of the receipt of the notification letter by the evaluatee, a committee composed of one (1) educational administrator appointed by the College President or designee and two (2) tenured faculty members shall be appointed.

The faculty members on the committee shall include the faculty chair or designee and one (1) member chosen by the evaluatee in consultation with the Association President or designee. In the event that the Special Evaluation is declared near the end of the term, the committee members will be appointed the first two (2) weeks of the next semester.

2. 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.
3. Upon completion of this evaluation, the evaluation committee will make a recommendation, based on the ratings in Article 7.C.4., either to retain or not retain the faculty member within the adjunct hiring pool.

**E. Mode R Evaluations:** Mode R Evaluations shall only be for those faculty members whose evaluation cycle falls during the year of their retirement and who have submitted their retirement notifications to Human Resources no later than January 15<sup>th</sup> of the evaluation year. The Mode R Evaluation consists of a short self-evaluation form that discusses three faculty accomplishments

since the last evaluation and how to support teaching or service in the discipline in the future. Mode R does not include professional goals. Mode R also includes student evaluations but no classroom observations. The Mode R committee shall be the faculty member's chair and an Educational Administrator, and the process and timelines shall follow that of Mode B Brief Evaluations.

**F. Online Faculty Evaluations**

1. Observations of faculty teaching online classes shall be conducted at a scheduled time. CCA and the District agree to work with College Instructional Technology so online evaluators shall be limited to a set time to observe the class site, just as evaluators of face-to-face classes are limited to a set time. The time for evaluators to observe an online class shall not exceed that of an evaluator observing a face-to-face class.

**G. Adjunct Priority Rehire List**

**1. Applicability:**

This section shall apply to part-time faculty assigned to teach instructional classes or perform non-instructional academic assignments for not more than 67 percent (67%) of the hours per week which are considered a full-time assignment for regular employees having comparable duties pursuant to Education Code section 87482.5.

This section supersedes all previous language related to adjunct seniority contained in the MOU dated May 2, 2018, and any seniority number received under that MOU.

This section does not apply to any person excluded from the bargaining unit as noted in Article 1B1b.

This section also does not apply to any person compensated to provide instructional hours if such instructional hours are not provided as part of load, for example, dual enrollment instructors employed by the high school district, or a person providing tutoring assistance in a lab or resource center setting.

**2. Assignment and Retention:**

Each division/department chair, in consultation with, and approval by, applicable educational administrator, shall establish an adjunct priority rehire list based on adjunct faculty date of hire, which is deemed the date that the adjunct faculty member first rendered paid service at the college in a department or division as an adjunct faculty member. Temporary and full-time assignments do not count toward service considered for adjunct priority rehire list. Human Resources will provide a list notating hire date and Faculty Service Area for adjunct faculty.

Adjunct priority rehire list will be established based on the following criteria:

- a. Length of service with the College
- b. Based on evaluation
- c. Does not transfer across colleges
- d. Summer appointments are excluded
- e. Adjunct faculty members expertise for the assignment

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Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

Adjunct faculty shall be placed on the priority rehire list after successfully completing four (4) semesters of adjunct faculty work, and receiving a “satisfactory” evaluation.

Adjunct faculty can decline their full assignment for 2 consecutive semesters before being removed from the adjunct priority rehire list. Failure to respond to an offer of assignment will be considered a declination of that assignment. Should adjunct faculty decline an assignment, the District is not obligated to offer another during that semester. An adjunct faculty member who declines only a portion of the offered assignment, but accepts at least one offered assignment, will not be considered to have declined the assignment.

An adjunct faculty member will be removed from the priority rehire list for any of the following reasons:

- a. Declining a full offered assignment for the 3<sup>rd</sup> consecutive semester.
- b. Advising the department/division in writing of their intent to resign from part-time employment with the District.
- c. Receiving an “Unsatisfactory” evaluation.
- d. Termination for cause

Adjunct faculty who have not had an assignment with the District, whether by declining their full offered assignment or the unavailability of assignments, for four (4) consecutive semesters will be removed from the priority rehire list and will be separated from employment with the District. Adjunct faculty who apply to be rehired after they have been separated will be processed as a new employee.

Retired faculty members who return to teach adjunct shall start over as adjunct faculty in terms of priority rehire and evaluation. They will be placed on the priority rehire list after successfully completing four (4) semesters.

If adequate class sections are available, the department/division chair, in consultation with the appropriate educational administrator, shall strive to assign an adjunct faculty member the same load as assigned during the previous two (2) semesters, excluding summer.

Factors considered when making assignments will be:

- i. Past experience in assignment
- ii. Expertise in area of instruction/service
- iii. Previous performance evaluations in assignment

Additional units taught beyond a maximum adjunct faculty load (.067) do not count toward historical load. Temporary and Full-time assignments do not count toward historical load.

The District reserves the right of assignment. Nothing in this provision provides unit members with rights to specific classes or assignments.

Each semester, at the discretion of the department/division chair, one (1) course section OR eight (8) hours/week in a non-teaching area, may be excluded from the assignment of adjunct faculty on the priority rehire list for the express purpose of hiring new adjunct faculty who have not previously held an assignment with the district.

Article 7 EVALUATION, SECURITY, AND SENIORITY OF ADJUNCT FACULTY (continued)

**3. Maximum Full-Time Overload**

Full-time faculty members' semester workloads shall not exceed 0.67 above a full load if adjunct faculty members are available to teach additional classes that are offered.

## Checklist of Adjunct Faculty Evaluation Guidelines and Forms

Adjunct faculty evaluation teams will use the following two (2) required forms:

- Form A/ADJ Adjunct Faculty Evaluation Coversheet Form
- Q/ADJ: Administrative Assessment Review

Below is a checklist of the additional forms that shall be included according to the adjunct faculty assignment.

### Instructional Faculty

- B/ADJ: Materials Review and Classroom Instruction Observation
- E/ADJ: Student Evaluation for Instructional Faculty

### Instructional Faculty - Open Lab

- G/ADJ: Materials Review and Open Lab Activity Observation
- H/ADJ: Student Evaluation for Open Lab Faculty

### Instructional Faculty - Clinical

- B2/ADJ: Observation for Clinical Instruction
- E2/ADJ: Student Evaluation for Clinical Faculty

### Instructional Faculty - Online

- C/ADJ: Materials Review and Online instruction Observation
- F/ADJ: Student Evaluation for Online Instructional Faculty

### Non-Instructional Faculty with Student Contact Hours

- L/ADJ: Student Evaluation for Non-Instructional Faculty
- J/ADJ: Observation for Counseling/ Non-Instructional Faculty
- I/ADJ: Student Consent Form for Observation of Faculty/Student Interaction
- K/ADJ: Student Evaluation for Counseling Faculty

### Non-Instructional Faculty without Student Contact Hours

- P/ADJ: Faculty Service Surveys that reflect the full range for faculty service

### Library Faculty/Non-Instructional

- M/ADJ: Observation form for Library Faculty
- N/ADJ: Student Evaluation for Library Faculty

### Counseling/Non-Instructional Faculty

- I/ADJ: Student Consent Form for Observation of Faculty/Student Interaction
- J/ADJ: Observation for Counseling/Non-Instructional Activity
- K/ADJ: Student Evaluation for Counseling Faculty

### Faculty with Director Responsibilities

- O/ADJ: Faculty Director Evaluation

### Remediation

- R-1/ADJ: Special Evaluation Plan
- R-2/ADJ: Special Evaluation Plan Report

### Instructional/Non-Instructional Faculty who have Submitted Notice of Retirement

- Mode R/FT/ADJ: Faculty Self-Evaluation
- RE/FT: Student Evaluation for Instructional Faculty

### Examples of Faculty with Multiple Assignments Library Faculty/Instructional

- B/ADJ: Materials Review and Classroom Instruction Observation
- E/ADJ: Student Evaluation for Instructional Faculty
- M/ADJ: Observation form for Library Faculty
- N/ADJ: Student Evaluation for Library Faculty

### Counseling Faculty/Instructional

- B/ADJ: Materials Review and Classroom Instruction Observation
- E/ADJ: Student Evaluation for Instructional Faculty
- J/ADJ: Observation for Counseling/Non-Instructional Faculty
- K/ADJ: Student Evaluation for Counseling Faculty
- I/ADJ: Student Consent Form for Observation of Faculty/Student Interaction