

**ARTICLE 20 - PROCEDURES FOR FACULTY EVALUATION**

The following tentative agreement regarding Article 20 language changes is agreed.

For the El Camino College Federation of Teachers

For the El Camino College District

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Date: 12/5/2022

The purpose of this Article is to improve instruction, counseling, and other educational services assigned by the District through the periodic evaluation of contract (probationary), regular (tenured), part-time, and full-time temporary Faculty Members. All matters described in this section relating to tenure, dismissal of contract (probationary) Faculty Members, termination, and the evaluation process are intended to conform to the California Education Code. In this regard the District, the Federation, and all bargaining members retain all rights provided in Sections 87600-87612, et seq. of the California Education Code as such Code is amended from time to time. A summary evaluation schedule is included at Section 8.

Student surveys collected in the evaluation process shall not be the only evidence considered by any evaluator in the determination of an overall rating of “satisfactory,” “needs improvement,” or “unsatisfactory,” in the evaluation process.

Section 1. Evaluation Probationary ~~Instructors~~ Faculty

(a) Probationary Faculty Evaluation Timeline

(1) Frequency

Each probationary Faculty Member will be evaluated five (5) times during their first four (4) years of employment. For probationary Faculty Members first hired in a Spring semester, this evaluation schedule will commence in the Fall of that same calendar year. A probationary faculty member will be deemed to have completed the first, second, third, or fourth contract year as applicable if the faculty member provides service for 75% of the academic year. Time spent on paid or unpaid leave of absence shall be included in computing service if the probationary faculty member serves sufficient time to allow for completion of the evaluation process as required by Article 20, Section 1.

(2) March 15 Notice of Non-Renewal

If the probationary Faculty Member's contract is not renewed for a second contract year, a notice of non-renewal (hereinafter referred to as a "March 15 notice") shall be provided by March 15 of the first contract year. Any March 15 notice will be approved by the Board of Trustees. The combined third and fourth year of employment and the decision by the evaluation panel whether or not to recommend tenure, will be approved before March 15 of the fourth contract year. The March 15 notice of non-renewal shall be served personally or mailed via Certified Mail, Return Receipt Requested by the 15<sup>th</sup> of March.

(3) Awarding of Tenure

Upon satisfactory evaluation during the Year 3 evaluation, the evaluation panel will meet during the Year 4 evaluation to evaluate and recommend whether or not to grant tenure. This recommendation shall be stated on the Conference Evaluation Form. If no March 15 notice of non-renewal is approved and issued, the probationary faculty member will be deemed automatically renewed for the following academic year and tenure is granted upon approval of the Board of Trustees.

If recommended and approved, tenure will commence at the beginning of the Year 5 contract and the first **tenured** evaluation ~~tenure status~~ shall be in the third academic year of tenure **(Note: see chart in Section 8 regarding contract Year 5 tenured evaluation)**. A probationary Faculty Member may be granted tenure upon recommendation of the evaluation panel, the Superintendent/President, and approval by the Board of Trustees at the end of any contract year.

(b) **Probationary Faculty** Requirements

The **Dean, Associate Dean, or Director shall notify the** evaluatee and evaluator(s) ~~shall be notified by the Dean or Director at the beginning by the last work day of the second week of instruction of a the~~ semester in which an evaluation will occur. The evaluation will consist of (1) a self-evaluation, (2) student **evaluations surveys**, (3) peer evaluations, and (4) the evaluation by the Dean/**Associate Dean**/Director. The peer evaluation will include (1) ~~a review of the student evaluations which will be administered by the Dean or Designee,~~ (2) a classroom **or learning management system (LMS)** or work site **observation visitation** by the evaluators and the Dean/**Associate**

Dean/Director, and (3 2) a the Probationary Faculty Evaluation Conference with the evaluatee, and (3) a review of the student survey results. For in-person classes, the evaluatee may elect to do an LMS walkthrough with evaluators, but it shall not be required. One or more of the peer members of the evaluation panel ~~will be~~ are encouraged to provide collegial advice concerning the evaluation. Copies of the completed conference report will be provided to the evaluatee and the Dean/Associate Dean/Director. A copy of the conference report will be stored electronically by the District and considered to be part of the evaluatee's permanent personnel file. **NOTE: Online evaluation procedures are provided for in Section 6, Distance Education (DE) Instruction.**

(c) **Probationary Faculty Evaluation Panel**

The purpose of this panel is to assess ~~whether the effectiveness of the evaluatee and other duties, including committee work, appropriate to a probationary Faculty Member as defined by this document to ascertain if~~ the evaluatee's **total overall** performance is satisfactory, needs improvement, or is unsatisfactory, and to recommend future employment status. In the fall semester of the fourth contract year, the evaluation determination will be whether the evaluatee's overall rating is "satisfactory" or "unsatisfactory" and to recommend tenure or non-renewal employment status. During the first and second academic year evaluations, the evaluation will be conducted by two regular Faculty Members, one of whom must be from the **search hiring** committee, and the Dean, Associate Dean, or Director. Thereafter, the evaluation will be conducted by a Full-Time Faculty Member and the Dean, Associate Dean, or Director, ~~as appropriate~~. The peer evaluator(s) will be chosen by the Dean/Associate Dean/Director from the evaluatee's discipline. In the event there is no regular Full-Time Faculty Member in the discipline to provide subject matter expertise, the Dean/Associate Dean/Director may recruit an evaluator from a similar discipline within the District or, **if none is available,** from a neighboring college. If the peer evaluator(s) is/are not acceptable to the evaluatee, **the evaluatee shall send** an e-mail ~~shall be promptly sent~~ to the Dean/Associate Dean/Director within **eight (8) five** days of the evaluator's(s') appointment. The Dean/Associate Dean/Director and the senior representative of the Academic Senate from the Division will choose three names of Full-Time Faculty Members in the following

priority of selection, first from the evaluatee's discipline, second from the evaluatee's department, and third from the Division. The evaluatee will then choose one to serve as the peer evaluator.

(d) **Probationary Faculty Special Responsibilities**

The **search hiring** committee which recommended the hiring of the probationary Faculty Member shall set forth in writing those special responsibilities applicable to the position for which the probationary Faculty Member was employed and upon which the probationary Faculty Member shall be evaluated in addition to the responsibilities generally outlined in **the Position Description** (Appendix A), ~~Position Description~~ **Instructor**. The Dean/**Associate Dean/Director** shall provide the probationary Faculty Member with a copy of such special responsibilities at the time of employment.

(e) **Probationary Faculty Self-Evaluation**

Student surveys **results** will be provided to the faculty by the end of the 11<sup>th</sup> week of the semester. By the end of the 12<sup>th</sup> week of the semester, each probationary Faculty Member shall complete a self-evaluation report on a standardized form (See Appendix J) and email copies to all panel members. In the event the District is not able to provide the completed student survey results to a faculty member by the **end Friday** of the 11<sup>th</sup> week of the semester, then **the faculty member and peer evaluator(s) shall be notified by the Dean/Associate Dean/Director on or before that date informing them** that **the faculty member evaluatee** will not be required to discuss student surveys on their self-evaluation. In addition to the self-evaluation report, the probationary Faculty Member will provide:

- (1) Copies of course syllabi which include the probationary Faculty Member's classroom policies, grading procedures and course content timeline. In addition the panel may request from the evaluatee up to ~~two~~ **four** samples (**cumulative total taken from the following:** ~~of~~ 1) exams, 2) quizzes, 3) class assignments/activities, 4) lab assignments/activities (when applicable), 5) homework assignments and 6) grade records, **7)** and other appropriate materials prepared by non-teaching faculty members.
- (2) A list of College committees on which the evaluatee is serving or has served since the last evaluation **or other comparable non-committee duties performed**

in the same timeframe or both (not required for the first semester).

(f) Probationary Faculty Student Evaluation

A student survey shall be administered ~~by the Dean or designee~~ each semester ~~of evaluation~~ to ~~all~~ students to evaluate of the ~~Instructor~~ Faculty Member. ~~The Dean's designee shall not be the evaluatee.~~ This survey shall be completed on a standardized form ~~which has been~~ designed and approved by the Evaluation Procedures Committee. Additional forms may be utilized by Divisions or departments, subject to approval of the Evaluation Procedures Committee. The survey will be administered to all classes of ~~the~~ probationary instructional Faculty Members during the seventh (7<sup>th</sup>) or eighth (**8<sup>th</sup>**) week of the semester. **For non-instructional probationary faculty, the student survey will be administered no later than the ninth (9<sup>th</sup>) week of the semester.** Exceptions may be made for those courses that are less than one (1) semester in length, or when the evaluatee is not available for a substantial portion of the semester. The results of all student surveys must be returned to the probationary Faculty Member one (1) week before the self-evaluation is due conference. Peer and Dean/Associate Dean/Director observations shall be completed prior to the consideration of student surveys.

(g) Probationary Faculty Observation Schedule

All members of the evaluation panel are required to make at least one (1) classroom **(either in-person or online)** or other work-site observation, ~~including online classrooms,~~ with prior notice to the evaluatee, during the each semester of evaluation and complete a Peer Observation Evaluation or Dean/Director Observation Evaluation found in Appendix J. The Dean, Associate Dean, or Director and members of the evaluation panel have the prerogative to make classroom/worksite observations at any time. Observations by panel members shall be no shorter than 30 minutes in length and up to the entire class period.

(h) Probationary Faculty Evaluation Conference

~~The An~~ evaluation conference will be **held scheduled no later than the end of the fourteenth week of the semester** by the Dean, Associate Dean, or Director during each of the five probationary evaluations ~~one (1) through five (5) normally no later than the end of the fourteenth week of the semester.~~

(1) Prior to the evaluation conference, the Dean/Associate Dean/Director and the peer evaluators will meet to review and discuss their respective observations. At this pre-conference meeting the observation and evaluation reports prepared by the Dean/Associate Dean/Director and the peer evaluator(s) will be summarized into one document without indicating the individual evaluator. This document will be referred to as the “Combined Peer/Dean Evaluation Report,” signed and dated by the Dean/Associate Dean/Director and the peer evaluators, and will be one of the documents attached to the “Conference Report for Faculty.” The purpose of the “Combined Peer/Dean Evaluation Report” and the “Conference Report for Faculty” is to focus on the evaluatee’s overall effectiveness as a faculty member, as opposed to comments submitted by individual evaluators on the panel. Any “needs improvement” or “unsatisfactory” designations on the report shall include examples and evidence ~~in the text of the report that resulted in the “needs improvement” or “unsatisfactory” designation.~~

(2) All members of the evaluation panel must be present (in-person or virtually) when the Combined Peer/Dean Evaluation Report is presented to the evaluatee at the evaluation conference. This meeting shall will also include a discussion to confirm that the evaluatee was evaluated in accordance with this article. The evaluation conference report will include, but will not be limited to, the items listed in the evaluatee's self- evaluation report, the student surveys evaluation, and the Combined Peer/Dean Evaluation Report. The basis upon which any "needs improvement" or "unsatisfactory" comments are made will be discussed and assessed at such conference. A short continuance of the conference will be granted if the evaluatee needs additional time to respond to items raised at the conference. At the evaluatee's request, a Federation representative may attend the conference. However, an already scheduled conference will not be postponed more than ~~five (5)~~ seven (7) work days unless otherwise mutually agreed between the evaluatee and the Dean/Associate Dean/Director to accommodate attendance of a Federation representative.

(i) **Probationary Faculty Conference Report for Faculty**

(1) The Dean/**Associate Dean/Director** will submit the Conference Report for Faculty which is comprised of **the** Combined Peer/Dean Evaluation Report, the self-evaluation report, and the student survey results, if available, to any evaluatee with an overall evaluation of "needs improvement" or "unsatisfactory" within seven (7) work days following the evaluation conference. Overall "satisfactory" Conference Reports will be submitted within fourteen (14) work days. The Conference Report shall not include any items of a derogatory nature respecting the evaluatee unless such items have been discussed at the evaluation conference and the evaluatee is given an opportunity to respond to such items. All reports will reflect the evaluation conference discussions. A majority of the panel must concur in recommending an overall rating of "satisfactory," "needs improvement," or "unsatisfactory." If the Dean/**Associate Dean/Director** and the evaluator(s) in the third- or fourth-year evaluations cannot agree on the overall rating, resulting in a tied vote, then these two individuals will select a third evaluator. The third evaluator shall be a tenured full-time faculty member who is selected by the panel and will review all evaluation reports and documentation, meet with the evaluatee regarding their self-evaluation and meet with the evaluation panel for discussions of their reports. **and then Subsequently, they will** cast the deciding vote to break the tie.

(2) If a probationary Faculty Member is judged to have an overall rating of "satisfactory," the next evaluation will occur in accordance with the Schedule of Evaluations table found in Section 8. A copy of the Conference Report will be stored electronically by the District and considered to be a part of the evaluatee's permanent personnel file. Should the overall evaluations in subsequent semesters be less than "satisfactory," then the following procedures **in (i) (3-6)** will apply.

(3) If a probationary Faculty Member is judged to have an overall rating of "needs improvement" or "unsatisfactory," specific reasons must be itemized in the "Combined Peer/Dean Evaluation Report" that will guide the probationary Faculty Member in improving, including suggestions for improvement. **Additionally, at least one individual category rating in the Combined Peer/Dean Evaluation**

**Report must have the same or lower rating as the overall rating assigned.** The report shall not include any items of a derogatory nature respecting the evaluatee unless such items have been discussed at the evaluation conference and the evaluatee is given an opportunity to respond to such items. If the probationary Faculty Member or any member of the panel does not concur with the report, such individual(s) may submit a written and signed statement of dissent, which statement shall include the reasons for the disagreement. This dissenting statement shall be included with the Combined Dean/Peer Evaluation Report.

(4) A copy of the Conference Report will also be submitted to the Vice President - Academic Affairs, and/or the appropriate Vice President with respect to those conference reports with an overall rating of “needs improvement,” or “unsatisfactory”. In addition, the evaluatee and any member of the panel may submit a written signed statement expressing a dissenting opinion with reasons for the disagreement within seven (7) work days. All evaluation materials will be **electronically** forwarded ~~by the Vice President~~ to Human Resources for inclusion in the employee personnel file. A copy of the conference report may be stored electronically by the District and considered to be a part of the evaluatee’s permanent personnel file.

(5) If a probationary Faculty Member is given an overall evaluation rating of "needs improvement" they will not be eligible for overload or any assignment beyond a regular load until they receive a “satisfactory” evaluation rating.

(6) If a probationary Faculty Member is given an overall evaluation rating of "unsatisfactory," the probationary Faculty Member will not be eligible for winter session assignments, summer session assignments, overload or any assignment beyond a regular load until they receive an overall “satisfactory” evaluation rating.

(j) **Procedure For Probationary Faculty With an Overall "Needs Improvement" Rating**

(1) If the first-year probationary Faculty Member is identified with an overall evaluation of "needs improvement," during the first or second evaluation, the panel and the evaluatee will develop recommendations for the probationary Faculty Member to improve ~~their his/her~~ effectiveness. The panel is encouraged to provide

collegial advice for improving performance to the probationary Faculty Member. The panel must conduct classroom or other appropriate observations of the probationary Faculty Member, hold conferences with the probationary Faculty Member, and may require the probationary Faculty Member to present other materials ~~such as~~ follows: student records and tests.

- (1) Copies of course syllabi which include the probationary Faculty Member's classroom policies, grading procedures, and course content timeline.
- (2) Copies of grade records.
- (3) The panel/evaluator may request from the evaluatee any of the following: a) quizzes/exams, b) class assignments/activities, c) lab assignments/activities (when applicable), d) homework assignments, and e) other appropriate materials prepared by non-teaching faculty members.
- (4) A list of College committees on which the evaluatee is serving or has served since the last evaluation or other comparable non-committee duties performed in the same timeframe or both.

On the basis of the above, an overall rating of either "satisfactory" "needs improvement," or "unsatisfactory" will be assigned by the end of the third evaluation. If the probationary Faculty Member is assigned an overall rating of "unsatisfactory" at the end of the third evaluation this will result in a recommendation on the evaluation form for a March 15 notice to the Superintendent/President, who shall then determine if the recommendation for non-renewal will be forwarded to the Board of Trustees for their review and consideration. If approved by the Board of Trustees, notice of non-renewal shall be served personally, or mailed by Certified Mail, Return Receipt Requested, by March 15th.

(2) If the second-year or third-year probationary Faculty Member is identified with an overall evaluation "needs improvement" at the end of the third or fourth evaluation semester, the panel and the evaluatee will develop recommendations for the probationary Faculty Member to improve their his/her effectiveness. The panel

will evaluate and continue to work with the probationary Faculty Member each semester through the fifth evaluation, unless the panel determines that additional evaluation is not necessary. Before the end of the 5<sup>th</sup> evaluation semester, the panel will determine whether the overall evaluation for the fifth evaluation is “satisfactory” or “unsatisfactory.” It is agreed that the 5<sup>th</sup> and last evaluation for the probationary Faculty Member will occur in the fall semester of the fourth year. An overall “satisfactory” evaluation for the 5<sup>th</sup> evaluation will result in a recommendation on the evaluation form for granting tenure. However, an overall rating of “unsatisfactory” for the 5<sup>th</sup> evaluation will result in a recommendation on the evaluation form for a March 15 notice to the Superintendent/President, who shall then determine if the recommendation for non-renewal will be forwarded to the Board of Trustees for their review and consideration. If approved by the Board of Trustees, notice of non-renewal shall be served personally or mailed via Certified Mail, Return Receipt Requested, by March 15<sup>th</sup>.

(k) Procedure For **Probationary Faculty With an** Overall "Unsatisfactory" Rating

If the first, third, or fifth evaluation of a probationary Faculty Member’s “Combined Peer/Dean Evaluation Report,” is identified with an overall evaluation of "unsatisfactory," a March 15 notice will be recommended by the panel to the Superintendent/President, who shall then determine if the recommendation for non-renewal will be forwarded to the Board of Trustees for their review and consideration. If approved by the Board of Trustees, the notice of non-renewal shall be served personally or mailed via Certified Mail, Return Receipt Requested.

(l) If a March 15 Notice is issued to a probationary Faculty Member, then the following procedures will apply:

(1) A first- or second-year probationary Faculty Member may file a grievance per the formal complaint procedures of Section 4, Article 22, within ten (10) working days after receipt of the so-called “March 15 Notice.” If the grievance is not resolved at Section 4, then the Federation shall give written notice to the President of its desire to arbitrate the grievance under the provisions of Section 12, Article 22 within 30 calendar days following receipt of the written reply from the

Dean under Section 4. It is understood that with respect to first or second year probationary Faculty Members, the jurisdiction of the arbitrator will be limited to determine whether or not the procedures under this article for evaluating the first or second year probationary Faculty Member have been followed. If the Arbitrator finds in favor of the probationary faculty member, the Arbitrator will recommend appropriate remedies. Upon receipt of the appropriate remedies, the District, Federation, and Probationary Faculty member shall meet to discuss whether or not to implement ~~of~~ the recommended remedies.

(2) A fourth year probationary Faculty Member may file a grievance per the formal complaint procedures of Section 4, Article 22, within ten (10) working days of receipt of the so-called “March 15 Notice.” If the grievance is not resolved at Section 4, Article 22, then the Federation shall give written notice to the President of its desire to arbitrate the grievance under the provisions of Section 12 within 30 working days following receipt of the written reply from the Dean under Section 4. It is understood that with respect to a fourth year probationary Faculty Member, the jurisdiction of the arbitrator will be limited to determine (1) whether or not the procedures under this article for evaluating the fourth year probationary Faculty Member have been followed, and, if not, what is the appropriate remedy, and (2) whether with respect to the decision not to grant tenure, that the denial of tenure would be deemed to be unreasonable to a reasonable person, and if deemed to be unreasonable, what is the appropriate remedy, recognizing that only the Board of Trustees and not the arbitrator has the power or authority to convey tenure on the fourth year probationary Faculty Member. Upon receipt of the appropriate remedies, the District, the Federation and the Probationary Faculty member shall meet to discuss whether or not to implement the recommended remedies.

(3) A final decision reached following a grievance or hearing pursuant to subdivision (b) of Section 87910.1 of the Education Code shall be subject to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure. (Ed Code 87611).

(m) Full-Time Temporary Faculty **Members Evaluations**

Full-time Temporary Faculty Members will be evaluated as provided in Section 1, subsections (a-h), with the understanding:

(1) Full-time Temporary Faculty Members can serve in this capacity only two (2) semesters out of any consecutive six (6), with the exception of nursing faculty which may serve in this capacity for four (4) semesters out of any consecutive six (6) per AB 1051.

(2) If, however, a Full-Time Temporary Faculty Member is selected as a contract Faculty Member in the year following the full-time temporary assignment, that Faculty Member will be evaluated during the second, third and fourth years as specified in the Summary Schedule of Evaluations. **NOTE: Online evaluation procedures are provided for in Section 6, Distance Education (DE) Instruction.**

Section 2. Evaluation Of Regular (Permanent) Tenured Faculty

(a) **Tenured Faculty Evaluation** Timeline

Tenured Faculty Members will be evaluated every three (3) years **from the last evaluation. For newly tenured faculty, the first evaluation shall be in the third academic year of tenure.** They may also be subject to the evaluation process for cause at a time other than the normal evaluation rotation schedule. **In such a case, the evaluatee's Dean/Associate Dean/Director shall submit their reasons, in writing, for this off-cycle evaluation to the evaluatee,** subject to the approval of the appropriate Vice President and provided that at least one (1) semester has passed since the last evaluation for which the Tenured (Regular) Faculty Member received an overall rating of satisfactory before an evaluation for cause is permissible. The District will notify Faculty, **in writing,** regarding **any changes to** their evaluation sequence **that result from this additional evaluation.** Faculty whose retirement/resignation will occur in the year of a scheduled evaluation will be exempt from the formal evaluation process. If the evaluation is not done the year required, the faculty member may be evaluated the subsequent year. If the evaluation is not done the subsequent year, the faculty member shall be deemed satisfactory and shall not be evaluated for another 3 years or for cause.

(b) **Tenured Faculty Evaluation** Postponement

After the announcement of evaluatees for the semester but before classroom/worksites observations have begun, a tenured Faculty Member may request a postponement due to hardship or personal catastrophic circumstances which would adversely affect that semester's evaluation. With the approval of the Dean/**Associate Dean**/Director, the evaluation of that Faculty Member will be postponed until the next semester. If, due to hardship or personal catastrophic circumstances, the Faculty Member requests a postponement after the classroom/worksites observations have begun, the evaluation procedure may be suspended with the permission of the Dean/**Associate Dean**/Director and be recommenced the next semester. An overall rating will not be given during the semester when the evaluation process was suspended; however, materials gathered during that evaluation may be used by the evaluator and the Dean/**Associate Dean**/Director when the process is resumed. The postponement or suspension of the evaluation process will not exceed one (1) semester from the original announcement of the evaluation.

(c) **Tenured Faculty Evaluation** Requirements

The evaluation will consist of (1) a self-evaluation, (2) student surveys, and (3) a peer evaluation. The peer evaluation will include (1) a review of the student surveys ~~which will be administered by the Dean or a designee,~~ (2) two or more classroom (**either in-person or online**) or worksite observations by the evaluator and, where appropriate, the Dean/**Associate Dean**/Director, and (3) a conference with the evaluatee. Observations shall be no shorter than thirty (30) minutes in length. One of the two required observations will be with prior notice to the evaluatee. **For in-person classes, the evaluatee may elect to do an LMS walkthrough with evaluators, but it shall not be required.** Copies of the completed Conference Report will be provided to the evaluatee and the Dean/**Associate Dean**/Director. A copy of the completed Conference Report will be stored electronically by the District and considered to be part of the evaluatee's permanent personnel file. Needs improvement and unsatisfactory Conference Reports will also be submitted by the Dean/**Associate Dean**/Director and to the appropriate Vice President. **NOTE: Online evaluation procedures are provided for in Section 6, Distance Education (DE) Instruction.**

(d) **Tenured Faculty Evaluation** Panel

The evaluation will be conducted by a Full-Time Tenured Faculty Member chosen by the Dean/**Associate Dean/Director** from the evaluatee's discipline or related discipline if no faculty member in the discipline is available. The evaluator will be responsible for writing the conference report and for submitting all evaluation materials to the ~~Dean's~~ office **of the Dean/Associate Dean/Director**, if the Dean/**Associate Dean/Director** is not a member of the evaluation panel. If there is not a Full-Time Tenured Faculty Member in the discipline or a related discipline, the Dean/**Associate Dean/Director** may choose a Full-Time Tenured Faculty Member from a discipline in the Division. If the peer evaluator is not acceptable to the evaluatee, the Dean/**Associate Dean/Director** and the senior representative from the Academic Senate from the Division will choose three (3) names of Tenured Full-Time Faculty Members in the following priority of selection, first from the evaluatee's department and second from the Division. The evaluatee will then choose one (1) or more to serve as the peer evaluator(s). The evaluatee or the evaluator may also request that the Dean/**Associate Dean/Director** participate in the evaluation, or the Dean/**Associate Dean/Director**, at their option, may do so. **The Dean/Associate Dean/Director, following the procedures for initiating a "for cause" evaluation outlined in Section 2(a), may participate in the evaluation.** The Dean/**Associate Dean/Director** would serve in the capacity of an additional evaluator. The purpose of this panel is to assess the teaching effectiveness of the evaluatee and other duties, including committee work, appropriate to a tenured Faculty Member as defined by this Agreement and to ascertain if the evaluatee's overall performance is "satisfactory," "needs improvement," or is "unsatisfactory."

(e) **Tenured Faculty** Evaluation Procedures

The evaluation procedures shall include:

1. Completion of a self-evaluation on the standardized form (see Appendix J) by the end of the 12<sup>th</sup> week, **which is then and emailed copies** to all evaluators. Student surveys will be provided to Tenured Faculty by the **end Friday** of the 11<sup>th</sup> week of the semester. In the event the District is not able to provide the completed student survey results to a Tenured Faculty member by the **end Friday** of the 11<sup>th</sup> week of the semester, then the faculty member **and peer evaluator(s) shall be notified by the Dean/Associate Dean/Director on or before that date informing them that the evaluatee** will not be

- required to discuss student surveys on their self-evaluation.
2. Two or more classroom/work site observations, one with prior notice to the evaluatee. Observations will be for a minimum of 30 minutes, ~~including online classrooms.~~
  3. Student surveys shall be **administered provided electronically.** ~~by the Dean or designee each semester of evaluation to all students of the faculty member. The Dean's designee shall not be the evaluatee.~~ This survey shall be completed on a standardized form which has been designed and approved by the Evaluation Procedures Committee. Additional forms may be utilized by Divisions or departments, subject to approval of the Evaluation Procedures Committee. The survey will be administered during the seventh (7<sup>th</sup>) or eighth (8<sup>th</sup>) week of the semester. Exceptions may be made for those courses that are less than one (1) semester in length, or when the evaluatee is not available for a substantial portion of the semester. The results of all surveys must be returned to the evaluatee by the end of the 11<sup>th</sup> week of the semester. Peer and Dean/Associate Dean/Director observations will be completed prior to the consideration of student surveys.
  4. ~~Copies of~~ **In addition to the evaluatee's self-evaluation report, the evaluatee will provide copies of course syllabi and requested items as described below in 2(e)(4)(1-2) all of the items listed in section 2(e)(1-3) shall be presented** to all evaluators by the end of the 12<sup>th</sup> week of the semester:
    - (1) **Copies of course syllabi which include the Faculty Member's classroom policies, grading procedures and course content timeline. In addition the panel may request from the evaluatee up to four samples (cumulative total) taken from the following: 1) exams, 2) quizzes, 3) class assignments/activities, 4) lab assignments/activities (when applicable), 5) homework assignments, and 6) grade records, 7) and other appropriate materials prepared by non-teaching faculty members.**
    - (2) **A list of College committees on which the evaluatee is serving or has served since the last evaluation or other comparable non-committee duties performed in the same timeframe or both.**
  5. Before the evaluation conference, the evaluators(s) will meet to review and discuss the evaluation materials and their respective observations. **Any faculty evaluation conducted shall only consider the Faculty Member's period of service and professional development since the last evaluation when determining individual**

**and overall evaluation ratings.**

6. The evaluation conference will be **held** ~~scheduled normally~~ no later than the **fourteenth** week of the semester with the evaluatee to discuss the evaluation and complete a Conference Report for Faculty on a standardized form prior to the end of the semester.

6.1. This conference **shall will** also include a discussion to confirm that the evaluatee was evaluated in accordance with this article. The Conference Report for Faculty will include, but will not be limited to, the items listed in the evaluatee's self-evaluation report<sub>2</sub> and the student surveys. The basis upon which any "needs improvement" or "unsatisfactory" comments are made will be discussed and assessed at such conference. A short continuance of the evaluation conference will be granted if the evaluatee needs additional time to respond to items raised at the conference. At the evaluatee's request, a Federation representative may attend the conference. However, a scheduled conference will not be postponed more than **seven (7) five (5)** work days to accommodate attendance of a Federation representative.

7. The Conference Report shall not include any items of a derogatory nature respecting the evaluatee unless such items have been discussed at the evaluation conference and the evaluatee is given an opportunity to respond to such items.
8. Copies of the completed Conference Report will be provided to the evaluatee, and the Dean. A copy of the completed Conference Report will be stored electronically by the District and considered to be a part of the evaluatee's permanent personnel file. Copies of Conference Reports with "needs improvement" or "unsatisfactory" ratings will be submitted by the Dean to the appropriate Vice President.

However, if a Faculty Member is assigned an overall "needs improvement" or "unsatisfactory" and there are no tenured faculty in the discipline, the evaluation **committee panel** will first attempt to identify qualified Full-Time **Faculty Instructors** from other local community colleges to augment the committee. If none are available, the **panel committee** will propose three (3) names from the community, and the District and the evaluatee will agree on one (1). If no agreement can be reached, names will be

stricken from the list alternately with the first strike being determined by a coin toss.  
The function of this person will be to provide technical expertise to the rating panel.

(f) **Tenured Faculty** Procedure For Overall "Needs Improvement" Rating

If the **Tenured** Faculty Member is assigned an overall rating of "Needs Improvement" under the provisions of Section 2(e), the panel/evaluator and the evaluatee will develop an improvement plan for the Faculty Member to improve their effectiveness. The Dean/**Associate Dean/Director** and the evaluating faculty member will be encouraged to work with the Faculty Member during the subsequent semester. The evaluator must conduct classroom or other appropriate observations of the Faculty Member, ~~administer student surveys as appropriate,~~ hold conferences with the Faculty Member, and may require the Faculty Member to present other materials, such as:

- (1) **Copies of course syllabi which include the Faculty Member's classroom policies, grading procedures and course content timeline. In addition the panel may request from the evaluatee up to four samples (cumulative total) taken from the following: 1) exams, 2) quizzes, 3) class assignments/activities, 4) lab assignments/activities (when applicable), 5) homework assignments, and 6) grade records, 7) and other appropriate materials prepared by non-teaching faculty members.**
- (2) **A list of College committees on which the evaluatee is serving or has served since the last evaluation or other comparable non-committee duties performed in the same timeframe or both.**

~~student records and tests.~~ The Faculty Member will be re-evaluated the semester following the "Needs Improvement" rating. Failure of the Faculty Member to show improvement will result in an "Unsatisfactory" rating and the procedures described in Section 2(g) shall be implemented.

(g) **Tenured Faculty** Procedure For Overall "Unsatisfactory" Rating

If the **Tenured** Faculty Member is assigned an overall rating of "unsatisfactory" under the provisions of Section 2(e), an evaluation team will be selected. The team shall include the appropriate Vice President, who shall chair the team, the Dean/**Associate Dean/Director** of the Division or **Program Director**, four (4) tenured Faculty Members. At least one of the four faculty members shall be a currently trained equal employment representative. Two (2) of the tenured Faculty Members shall be appointed by the President of the Academic Senate from the Faculty Member's Division and two (2) by the President of the Federation from the faculty at large. The evaluation team and the evaluatee will meet to develop an improvement plan for the Faculty

Member to improve their effectiveness. The team members will observe the Faculty Member for at least 30 minutes during **a classroom and learning management system (as appropriate in consultation with the evaluatee) or work site visitation.** ~~instruction or.~~ **F**for non-instructional faculty, **the evaluation team will observe the Faculty Member** in the work setting with students as many times as is necessary, ~~and~~ **The evaluation team will also** conduct any type of student and/or peer survey that may be helpful in analyzing the Faculty Member's performance. The evaluation team will hold conferences with the Faculty Member for the purpose of discussing the improvement plan and their findings and recommendations during the semester and prior to preparing their written report for that semester.

(h) **Tenured Faculty** Written Report

The evaluation team shall prepare a written report with recommendations, ~~which~~ **and this** report will be signed by the **Tenured** Faculty Member and by each member of the evaluation team prior to the last day of the semester. The appropriate Vice President may assign the drafting of the report to a member of the team prior to the last day of the semester. If the evaluation team concludes that the **Tenured** Faculty Member has made the necessary improvement, the evaluation will be determined to be "satisfactory." If at least four (4) members of the evaluation team conclude that the **Tenured** Faculty Member has not made sufficient improvement, the committee shall recommend the President give consideration that the ~~regular~~ **Tenured** Faculty Member receive a written notice of unsatisfactory performance. A tie vote will mean that the **Tenured** Faculty Member will be retained. However, if the evaluation team concludes that the faculty member has made satisfactory progress but still needs to improve in some areas, the faculty member will be retained, receive an overall "needs improvement" evaluation, and the evaluation team will reevaluate the faculty member in the next semester. If the evaluation team concludes that the **Tenured** Faculty Member has made the necessary improvement, the overall evaluation will be determined to be "satisfactory." A full report shall be prepared and submitted to the President in support of the recommendation. If the **Tenured** Faculty Member or any member of the team does not concur with the report, such individual may submit a written, signed statement on the dissenting opinion, ~~which~~ **and this** statement shall include the reason for the disagreement. This dissenting statement shall be included with the combined Dean/Peer report and the Conference Report.

- (i) **Tenured Faculty** Restrictions Relating To An Overall Rating of "Needs Improvement" or "Unsatisfactory"

If a ~~regular~~ **Tenured** Faculty Member receives an overall evaluation of "needs improvement" or "unsatisfactory," that Faculty Member will not be eligible for sabbatical leave unless and until the Faculty Member is determined to be "satisfactory," except that the District may approve a sabbatical leave for such Faculty Member if it determines that a sabbatical leave would assist the Faculty Member in obtaining a "satisfactory" evaluation. In addition, the "unsatisfactory" Faculty Member will not be eligible for winter session and/or summer session assignments, overload, or assignment beyond a regular load. The "needs improvement" faculty member will not be eligible for overload or assignment beyond a regular load. **If the "needs improvement" or "unsatisfactory" evaluation was based on online courses, sabbatical leave, winter/summer session assignments for in-person classes, and overload for in-person classes will not be restricted.**

### Section 3. Part-Time Faculty Member Evaluation Process

- (a) **Part-Time Faculty Evaluation** Timeline

Part-Time Faculty Members shall be evaluated during the first or second semesters of employment. Thereafter, the Part-Time Faculty Member will be evaluated at least once every 5 semesters of employment. If there is a break of service of two or more years (fall/spring semesters), the evaluation cycle will start over.

- (b) **Part-Time Faculty Evaluation** Requirements

The evaluation will consist of (1) a self-evaluation, (2) student surveys, and (3) a peer evaluation. The peer evaluation will include (1) review of the student surveys ~~which will be administered by the Dean or Designee~~; (2) classroom **or work site observation visitation** by the evaluator, and where appropriate, the Dean, Associate Dean, or Director; (3) a conference with the evaluatee; and (4) copies of the conference report to the evaluatee, **and Dean/Associate Dean/Director, and the evaluatee's permanent personnel file.** The Dean, Associate Dean, or Director may participate in classroom observation and/or the evaluation process. No Full-Time Faculty Member other than faculty coordinators shall be required to evaluate more than two Part-Time Faculty Members during any academic semester. This is designed to be a maximum and not

a required minimum. ~~Faculty Members may choose to do more than two evaluations.~~ Deans/Associate Deans/Directors shall make every effort to rotate equitably evaluation assignments. If a scheduled evaluation is not completed by the end of the evaluation year, the part-time faculty member is deemed satisfactory, and shall not be evaluated again until required to do so by this Section or for cause. **NOTE: Online evaluation procedures are provided for in Section 6, Distance Education (DE) Instruction.**

(c) **Part-Time Faculty** Evaluation Process

The evaluation will be completed by one Full-Time Faculty Member chosen by the Dean/Associate Dean/Director from the evaluatee's discipline to the extent they are available. Deans, Associate Deans, or Directors may serve as the Full-Time Faculty Member. The purpose is to assess their effectiveness and other duties appropriate to the Part-Time Faculty Member, and to ascertain if the Part-Time Faculty Member's overall performance is "satisfactory," "needs improvement," or "unsatisfactory." **Any faculty evaluation shall only consider the period of service since the last evaluation, including the prior evaluation itself, when determining individual and overall evaluation ratings.**

(d) **Part-Time Faculty** Self-Evaluation

Student surveys will be provided to Part-Time Faculty by the **Friday end** of the 11<sup>th</sup> week of the semester. By the end of the 12<sup>th</sup> week of the semester, each Part-Time Faculty Member shall complete a self-evaluation report on a standardized form (See Appendix J) and email copies to the evaluator. In the event the District is not able to provide the completed student survey results to a Part-Time Faculty member by the **end Friday** of the 11<sup>th</sup> week of the semester, then the faculty member **and peer evaluator(s) shall be notified by the Dean/Associate Dean/Director on or before that date informing them that they** will not be required to discuss student surveys on their self-evaluation. In addition, the part-time faculty member will also email copies of course syllabi, which include the part-time faculty member's classroom policies, grading procedures, and course content timeline **to the evaluator(s). In addition the evaluators may request from the evaluatee up to four (4) samples (cumulative total) taken from the following: 1) exams, 2) quizzes, 3) class assignments/activities, 4) lab assignments/activities (when applicable), 5) homework assignments, and 6) grade records, 7)** and other appropriate materials prepared by non-teaching faculty members one week prior to the evaluation conference.

(e) **Part-Time Faculty** Student Evaluations

A student survey shall be administered ~~by the Dean or designee~~ each semester of evaluation to all students of the Instructor. Additional forms may be utilized by Divisions or departments, subject to approval of the Evaluation Procedures Committee. The survey will be administered to at least one class, during mid-semester, typically the seventh or eighth week of the semester. The results of all surveys must be returned to the part-time faculty member one week before the **self-evaluation is due conference**. Peer and Dean/**Associate Dean/Director** observations shall be completed prior to **the** consideration of student surveys.

(f) **Part-Time Faculty** Observation Schedule

The evaluators are required to make at least one classroom **(either in-person or online) or learning management system** or other work-site observation for a minimum of 30 minutes, ~~including online courses~~, with prior notice to the evaluatee, **during the semester of evaluation**, and complete the Part-Time Faculty evaluation form found in Appendix J. The Dean, Associate Dean, or Director, and evaluators have the prerogative to make additional classroom observations at any time. **For in-person classes, the evaluatee may elect to do an LMS walkthrough with evaluators, but it shall not be required.**

(g) **Part-Time Faculty** Evaluation Conference

If the overall evaluation is less than “satisfactory,” an evaluation conference will be **held scheduled** by the evaluator before the end of the **14th week of the** semester to meet and discuss the Evaluation Report. An evaluation conference may also be scheduled at the request of either the evaluator or the evaluatee.

(1) The basis upon which any “needs improvement” or “unsatisfactory” comments are made will be discussed and assessed at the evaluation conference.

(h) **Part-Time Faculty** Evaluation Report

(1) The evaluator will submit the Evaluation Report to the division and the evaluatee by the end of the semester.

(2) If the evaluatee receives an overall evaluation rating of “unsatisfactory,” the part-time faculty member will not be eligible for future employment with the College. An overall evaluation of “needs improvement” may result in a decision not to reemploy the part-time faculty member.

(3) The employment status of Part-Time faculty on the **Reemployment Preference Priority Rehire** List who receive an overall “Needs Improvement” or overall “Unsatisfactory” evaluation shall be in accordance with Article 8, Section 14 of this Agreement.

(4) All records and reports of the evaluation procedure will be stored electronically by the District and considered to be a part of the part-time faculty member’s permanent personnel file.

(i) **Non-Instructional** Faculty Members ~~Other Than Instructors~~

Evaluation of part-time faculty members who are not instructors shall generally follow the procedures set forth in Section (a)-(i) of Section 3 as appropriate. If the student and peer evaluation procedures set forth in Section 3 are deemed inappropriate by the Dean, **Associate Dean**, or Director, alternative procedures will be determined in accordance with **and per the recommendations from the Evaluation Procedures Committee (refer to Article 20, Section 5)**.

**Section 4. Non-Instructional Faculty Members** ~~Other Than Instructors~~

Evaluation of Faculty Members (whether Full-Time or Part-Time) who are not instructors shall generally follow the procedures set forth in Sections 1, 2, or 3 as appropriate. If the student surveys or peer evaluation procedures set forth in Sections 1, 2, or 3 are deemed inappropriate, alternative procedures will be recommended for negotiation between the District and Federation with prior written input from Faculty Member(s) in a particular position, the Academic Senate per Section 5, and the responsible Dean, **Associate Dean**, or Director. Such procedures shall be submitted to the Evaluation Procedures Committee for approval. Once procedures have been negotiated in any given position(s), the procedures will be established in a Memorandum of Understanding between the Federation and the District that is considered to be included within Article 20.

**Section 5. Evaluation Procedures Committee Recommendations**

An Evaluation **Procedures** Committee of three (3) persons, one (1) appointed by the District, one (1) appointed by the President of the Academic Senate, and one (1) appointed by the Federation, will evaluate the effectiveness of evaluation forms and make recommendations to the District and the Federation for any change. Any recommended change to the evaluation forms will

be negotiated between the District and the Federation for inclusion in a Memorandum of Understanding. This committee has the responsibility of preparing and revising, as necessary, all standardized surveys and report forms to be used in the evaluation process and for the design and approval of the student surveys, which vary by department/Division/work site, subject to negotiations between the District and the Federation prior to implementation. All recommendations by the Evaluation Committee must be reviewed by the Academic Senate Council **and the Federation Executive Board.**

#### **Section 6. Distance Education (DE) ~~Online~~ Instruction**

When faculty are evaluated in **distance education online** instruction, the following procedures should be observed:

(1) Whenever practicable, the peer evaluators should be faculty with experience in teaching online courses and with expertise in the subject matter.

(2) For **DE online** classes, the panel in consultation with the evaluatee will determine a timeframe to **include observe observing online live sessions chat rooms, in-person sessions (if hybrid),** announcements, discussion boards, and ~~for~~ instructional materials to meet the requirement of “classroom or other work site observation.” **There shall be a single walkthrough of the evaluatee’s LMS for the course, guided by the evaluatee, lasting no longer than 30 minutes. If at least one evaluator is in attendance during this walkthrough, further walkthroughs shall not be required.**

(3) The division will provide to the evaluatee and the designated observer(s) a range of dates during which the course will be open for observation. The evaluator will be granted an “observer” role in the learning management system, which will give the evaluator limited access to the course.

(4) The **evaluators evaluation committee** will follow guidelines developed by the Distance Education Advisory Committee. The observer(s) will focus on determining whether the course is well-organized and easy to navigate; the instructor engages in and initiates regular and substantive student interaction; creates substantive student-to-student interaction; uses technology appropriately; and that methods of online instruction meet the needs of students consistent with the maintenance of quality education.

(5) Student surveys evaluating faculty effectiveness will be deployed in the evaluatee's online course through the El Camino College learning management system. Students will also be notified about the survey and the timeframe in which the survey needs to be completed. Peer and Dean/Associate Dean/Director observations will be completed prior to their consideration of student surveys.

(6) ~~An unsatisfactory performance in teaching an online course does not constitute an independent basis for an overall rating of "unsatisfactory," but may preclude the faculty member from further assignment to an online course.~~ When the faculty member's deficiency is **solely** related to the unique nature of online teaching, the District will not rely on such documentation in connection with future evaluations if that faculty member is no longer teaching online. The District will suggest to faculty, who would like to continue to teach online but received an **"needs improvement" or "unsatisfactory"** overall rating, to develop an improvement plan in which faculty will utilize campus resources to address the issue which led to the **needs improvement or unsatisfactory** performance rating. This may include distance education resources, including guidance from the Distance Education Faculty Coordinator.

#### Section 7. General

(a) Where appropriate, an **Associate Dean**, Director or Faculty Coordinator, when assigned by the Vice President - Academic Affairs; or Vice President - Student Services; or the Division Dean, will perform the duties of the Dean as provided in this Article. Except in emergency situations, the ~~Faculty Member~~ **evaluator(s) and evaluatee** will be informed in writing at the beginning of the semester of evaluation as to the Dean, **Associate Dean**, Director, or Faculty Coordinator who will be responsible for the Faculty Member's evaluation.

(b) All records and reports of the evaluation procedure will be retained electronically by the District in the Faculty Member's personnel file and such reports and records may be utilized in any proceeding subject to the provisions of the Education Code. These records and reports will be made available to the evaluatee upon request.

(c) A Faculty Member who received an overall rating of "needs improvement" or "unsatisfactory" has the right to file a grievance on either one of two bases: (1) the

evaluation is alleged to be unreasonable; or (2) improper procedures are alleged to have been followed. Any grievance filed must be accompanied by specific reasons as to how the evaluation is alleged to be unreasonable or how the procedures are alleged not to have been followed. The grievance shall be filed within ten (10) working days of receipt of the “needs improvement” or “unsatisfactory” evaluation.

(d) When a Full-Time Faculty Member is being evaluated, they will not be required to do probationary faculty evaluations the semester they’re being evaluated if possible.

(e) **A peer evaluator has ten (10) working days from being assigned to notify the Dean by email that they have cause not to participate in the evaluation process. In such case, the Dean shall immediately select an alternate.**

#### Section 8. Summary Schedule of Evaluations (Table)

Contract (Probationary) Tenured Track Faculty are hired for first year, second year, and then a combined third and fourth year.

Evaluation schedule	CONTRACT (PROBATIONARY) FIRST YEAR		CONTRACT (PROBATIONARY) SECOND YEAR		CONTRACT (PROBATIONARY) THIRD YEAR		CONTRACT (PROBATIONARY) FOURTH YEAR		TENURED FIFTH YEAR
	Fall	Spring	Fall	Spring	Fall	Spring	Fall	Spring	Fall
Probationary Tenure Track Faculty (Fall hire)	1st Eval	2nd Eval	3rd Eval	or 3 <sup>rd</sup> Eval if extenuating circumstances exist	4th Eval	or 4 <sup>th</sup> Eval if extenuating circumstances exist	5th Eval	or 5 <sup>th</sup> Eval if extenuating circumstances exist	TENURED

Evaluation schedule	1 <sup>st</sup> Spring Semester	CONTRACT YEAR 1		CONTRACT YEAR 2		CONTRACT YEAR 3		CONTRACT YEAR 4		CONTRACT YEAR 5
		Fall	Spring	Fall	Spring	Fall	Spring	Fall	Spring	Fall
Probationary Tenure Track Faculty (Spring hire)	No Eval	1st Eval	2nd Eval	3rd Eval	or 3 <sup>rd</sup> Eval if extenuating circumstances exist	4th Eval	or 4 <sup>th</sup> Eval if extenuating circumstances exist	5th Eval	or 5 <sup>th</sup> Eval if extenuating circumstances exist	TENURED

- Regular (Tenured) Faculty – **Beginning at Year 5, evaluate every third year (Year 7 will be the first tenured evaluation) following tenure**, “two **years** off, one **year** on.”
- Part-Time Temporary Faculty – Evaluate 1<sup>st</sup> Semester or 2<sup>nd</sup> Semester Thereafter, the Part-Time Faculty Member will be evaluated at least once every five semesters of employment. These semesters need not be consecutive.
- Full-Time Temporary Faculty – same as Probationary Tenure Track faculty; fall or spring hire as applicable.
- If Contract (Probationary) Tenured Faculty are initially hired in the Spring Semester then the first evaluation will occur in the following fall semester.