

ARTICLE 9

FACULTY EVALUATION

9.1 Introduction

- 9.1.1 This evaluation procedure will enable the Long Beach Community College District to meet the legal requirements of the Education Code for the evaluation of probationary and tenured faculty members. The District and LBCCFA have mutually agreed to the evaluation process and the evaluation forms. Copies are attached to the Master Agreement at Appendix E-1 through E-8.F for probationary faculty and Appendix E-9 through E-14 for tenured faculty. Copies are also available on the Human Resources Department website.
- 9.1.2 The evaluation system is based on the assumption that the faculty of the college are both professional and competent. It is intended to ensure the professional competence of the faculty and to ensure that every effort is made to assist and support these academic personnel to maintain a satisfactory level of performance of professional duties.
- 9.1.3 The evaluation procedure has been designed to provide a uniform process that is in accord with the principles of due process of law. The evaluation standards should be considered guidelines for the evaluation process rather than as an absolute measuring device. Evaluation and re-evaluation teams are expected to evaluate each evaluatee's qualifications as a whole, to exercise their best professional judgment in preparing their reports, and to present reports that have value to the evaluatee and to the District. The evaluation procedure is intended to be unbiased, data driven and primarily narrative based.
- 9.1.4 Evaluators are expected to base their judgments and their reports on general observation through normal contacts inside and outside of the classroom, conferences with supervising personnel and with the faculty member, and any documentation or other evidence submitted for evaluation purposes, as outlined in this Article.
- 9.1.5 The evaluation shall cover the period of time since the last evaluation or such period of time since the last evaluation should have taken place.
- 9.1.6 All evaluation forms (probationary, tenure review, tenured and part-time) are available from the Human Resources Office.
- 9.1.7 No member of the tenure review committee or evaluation team shall be a "close relative" of the evaluatee or another committee member (defined as spouse/partner, son, step-son, son-in-law, daughter, step- daughter, daughter-in-law, mother, step-mother, mother-in-law, father, step-father, father- in-law, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandmother, grandmother-in-law, grandfather, grandfather-in-law, grandchild of the employee, or any person living in the immediate household of the employee.)
- 9.1.8 All members of the tenure review committee shall support the diversity described in California Education Code §87663. Within thirty (30) days of the formation of the Tenure Review Committee (or a change in committee membership), if an evaluatee believes that the composition of their evaluation committee is not sufficiently diverse, the evaluatee shall have the right to request that an additional tenured faculty member from the evaluatee's department or tenured faculty member with documented equivalency to teach in that discipline or a tenured faculty member from a closely related discipline be added to the committee. The

selection of the additional member must be mutually agreed to between the evaluatee and the area dean/administrative supervisor.

- 9.1.9 The current LBCCFA President is prohibited from serving as a member of any tenure review committee unless specifically agreed to by the Vice President of Human Resources or designee.

9.2 Definitions

- 9.2.1 Tenured faculty member -- is a permanent (regular) faculty member.
- 9.2.2 Probationary faculty member -- is a non-tenured (contract) faculty member who will serve a four-year probationary period, commencing with the fall term of the first academic year in which the probationary member serves at least seventy-five percent (75%) of the days considered a full-time assignment.
- 9.2.3 Peer evaluator – is a tenured faculty member serving on an evaluation committee.

9.3 Professional Standards

All faculty members shall be evaluated by means of these professional standards.

9.3.1 Professional Competence

- 9.3.1.1 Demonstrates professional knowledge in their field of preparation/instruction during the performance of assigned duties.
- 9.3.1.2 Communicates ideas, instructions, assignments, and other presentations effectively, clearly, and accurately.
- 9.3.1.3 Knows and uses materials and delivery methods designed to achieve the objectives of the area of service assigned.
- 9.3.1.4 Exercises prudent, reasonable, and impartial judgment in reaching decisions, resolving problems, and evaluating the work of others.
- 9.3.1.5 Plans and organizes effectively the work involved in the assignment.

9.3.2 Professional Responsibilities

- 9.3.2.1 Meets promptly and effectively all contractual obligations to the District, including but not limited to turning in attendance, grades, and other reports on time, developing and distributing a welcoming course syllabus in a timely manner, keeping student office hours, and performing college service hours.
- 9.3.2.2 Develops and utilizes effective pedagogical techniques (as applicable) in order to enhance the communication of ideas and promote optimal learning, critical thinking, and performance skills.
- 9.3.2.3 Demonstrates, cultivates, and encourages courtesy, respect, and professionalism in relationships and learning environments with students, colleagues, staff members, and the community.

- 9.3.2.4 Adherence to ethical standards and principles as per Administrative Regulation 3008 – Institutional Code of Ethics.
- 9.3.2.5 Accepts responsibility in their assigned area for the development of the educational program of the District. This includes but is not limited to assisting in the development of the curriculum for the area of their assignment, reviewing and updating course outlines, as well as reviewing and updating the curriculum to meet timelines of the Curriculum Committee.
- 9.3.2.6 Accepts and respects differences of opinion, attitudes, and procedures in professional matters on the part of students, faculty, classified staff, and administration as important to the development of an educational institution.
- 9.3.2.7 Demonstrates conscientious use, care, and protection of District property, supplies, and equipment.

9.3.3 Professional Activities

- 9.3.3.1 Demonstrates interest in keeping current on issues and developments in their academic field.
- 9.3.3.2 Works cooperatively with students, faculty, and other members of the staff on matters of common interest and concern.
- 9.3.3.3 Evaluates own performance, seeks appropriate help when it is needed, and accepts constructive suggestions for improvement in the assignment.
- 9.3.3.4 Participates in and completes college service hours.

9.4 The Tenure Review Process for Probationary Faculty Members

9.4.1 Statement of Philosophy

- 9.4.1.1 Probationary employees must be evaluated annually during the first, second, and fourth year of the four-year probationary period. A rating of Needs Improvement in the second year requires a third-year evaluation. With a rating of Satisfactory in the second year, evaluation in the third-year shall be at the discretion of the Tenure Review Committee and determined by the Tenure Review Committee at the conclusion of the second-year evaluation. Notification regarding whether the probationary faculty member will be subject to a third-year review or not shall be provided to the probationary faculty member by the Tenure Review Committee as part of the second-year Recommendation Sheet (Appendix E-7). In the case of probationary faculty members hired initially in the spring semester, the annual evaluation process will commence in the succeeding fall semester.
- 9.4.1.2 Tenure review is the extension of the hiring process during which probationary faculty are integrated into the life of the College prior to becoming permanent members of the College community. The decision to grant tenure is as important as the initial employment decision.
- 9.4.1.3 A copy of the Master Agreement shall be made available to each new faculty

member during the orientation period.

9.4.2 Tenure Review Committee

9.4.2.1 Formation: The LBCCFA shall have the responsibility to notify the Human Resources Department of the names of the peer evaluators serving on the Tenure Review Committees.

9.4.2.2 Committee Composition

The Tenure Review Committee shall consist of the following:

9.4.2.2.1 The tenured department head of the department in which the faculty member is being evaluated, or their tenured designee from that department, who shall chair the Committee. In the nursing departments, the program director shall serve in this role.

- a) In the case of areas where there is no department head, the chair of the Committee shall be as listed in Appendix B of the Master Agreement.
- b) If the department head is a probationary faculty member, the chair of the Tenure Review Committee shall be appointed by LBCCFA from among the tenured faculty members of the probationary faculty member's primary department, and if that is not possible, from tenured faculty members with documented equivalency to teach in that discipline or the tenured faculty members from a closely related discipline.
- c) If a probationary faculty member's assignment is split between two (2) departments, LBCCFA and the District shall come to a mutual agreement as to what process will be utilized.
- d) The positions listed in Appendix B do not fit within the parameters as cited in Section 9.4.2.2.1.b above, therefore, the persons who have direct supervision over the positions listed in Appendix B will be designated as the Chair of the Tenure Review Committee. The Contract Administration Committee (Article 20) shall approve the evaluation chair if not covered under Appendix B. If the probationary faculty member has a concern about the assigned chair in Appendix B, the faculty member may request that the Contract Administration Committee review the assignment.
- e) When the department head is a close relative (as defined in Section 9.1.7) of the evaluatee or the department head is serving as President of LBCCFA, the Contract Administration Committee shall select the evaluation chair.
- f) If a probationary faculty member's assignment is in a non-general counseling department (EOPS, DSPS, Enrollment Services, CaWORKS), the manager of each of these departments will continue to serve as the chair of the Tenure Review Committee as is outlined in Appendix B, however, the counseling department head will serve as the LBCCFA faculty representative.

9.4.2.2.2 A tenured department member elected by the department or area in an election conducted by LBCCFA. If such an election is not possible due to the small size of the department or area, this member of the Committee shall be appointed by LBCCFA from tenured faculty members with documented equivalency to teach in that discipline or tenured faculty members from a closely related discipline.

9.4.2.2.3 A tenured faculty member, preferably from the evaluatee's department or area, or if that is not possible, with documented equivalency to teach in that discipline or from a closely related discipline, appointed by the Academic Senate. When making its appointment to the Committee, the Academic Senate shall support the diversity envisioned by California Education Code §87663.

a) If the Chair of the evaluatee's Tenure Review Committee is as listed in Appendix B, an additional tenured faculty evaluator shall be appointed to the Tenure Review Committee by LBCCFA. This tenured faculty evaluator shall be appointed from the evaluatee's area of assignment whenever possible. If that is not possible, the appointment shall be a tenured faculty member with documented equivalency to teach in that discipline or a tenured faculty member from a closely related area.

9.4.2.2.4 Area dean or a dean designated by the area vice president.

9.4.2.2.5 The probationary employee (the evaluatee) who is the subject of the tenure review process.

9.4.2.2.6 An alternate, in the event a member of the Tenure Review Committee is unable to fulfill their four-year term of service on the Tenure Review Committee, the alternate shall be determined as the runner-up in the Tenure Review Committee election. If this is not possible, the alternate should be selected by mutual agreement between the Tenure Review Committee. The alternate shall be from the evaluatee's department or area, or if this is not possible, from tenured faculty members with documented equivalency to teach in that discipline or tenured faculty members from a closely related discipline.

9.4.2.3 Participation and Voting

All members of the Tenure Review Committee, including the probationary faculty member, shall have the right to have their views heard by the Committee. The probationary faculty member shall be a nonvoting member of the Committee. The chair shall maintain within the evaluatee's tenure review file a record of all Committee actions. The tenure review file shall be maintained in a secured area in the departmental office. Tenure review files shall be accessible to Tenure Review Committee members, the appropriate Vice President, and the Superintendent- President.

9.4.2.4 Committee Service

Nothing in this section shall prevent a person from simultaneously serving on more than one Tenure Review Committee.

9.4.2.5 Term

Members of the Tenure Review Committee shall serve until the evaluatee has been either granted or denied tenure. This requires up to a four-year commitment by committee members. For this reason, those who anticipate a sabbatical or other extended leave of absence within the term of their committee should defer participation in tenure review until after said leave. In the event a member of the Tenure Review Committee anticipates that the member will be unable to fulfill their four-year term, prior to resignation from the committee, the department head, the Area Dean, and the affected member of the Tenure Review Committee shall meet to discuss the reasons for resignation and alternatives to resignation, if any.

9.4.2.6 Compensation

The Tenure Review Committee Chair shall receive one (1) additional discretionary day (not subtracted from sick leave) for each Tenure Review Committee per year, granted following the completion of the annual evaluation process.

9.4.2.7 Committee Member Resignation/Replacement

9.4.2.7.1 Upon receipt of a committee member's resignation, the alternate shall fill the seat vacated by the original committee member.

9.4.2.7.2 The committee may require that the Academic Senate or LBCCFA replace any faculty committee member who misses one or more meetings or who, in the Committee's opinion, is otherwise not participating in the tenure review process. In the event a committee member is replaced, the alternate shall fill the seat vacated by the original committee member.

9.4.3 Evaluations

9.4.3.1 The Evaluation Timeline

9.4.3.1.1 By the last day of the spring semester, Human Resources shall distribute a recommended evaluation timeline for the Tenure Review Committees to follow for the subsequent academic year. A copy of the recommended timeline shall also be provided to the LBCCFA President.

9.4.3.1.2 The Tenure Review Committee may adopt and/or modify the proposed timeline throughout the process as long as all Tenure Review Committee activities (along with the Board of Review) are completed one week prior to the February Board of Trustees meeting. Any subsequent modifications will be provided in writing to the evaluatee.

9.4.3.2 The Initial Evaluation Conference

9.4.3.2.1 The Tenure Review Committee shall conduct an Initial Evaluation Conference with the probationary faculty member for the purpose of discussing the evaluation timelines and procedures, the professional standards for evaluation, and evaluation forms (Appendix E-1 through E- 8.G.).

9.4.3.2.2 The forms related to the evaluation process are provided in this Agreement beginning at Appendix E-1 and will be available online through Human Resources. The forms to be used in the evaluation of probationary faculty are:

- Appendix E-1: Probationary Evaluation Checklist
- Appendix E-2.A: Probationary Faculty Observation Report
- Appendix E-2.B Probationary Faculty Online Course Checklist
- Appendix E-3: Probationary Faculty Response to Student Evaluation Form
- Appendix E-4: Self-Evaluation Report: Probationary Faculty
- Appendix E-5: Committee Member Evaluation Worksheet for Probationary Faculty
- Appendix E-6: Annual Evaluation Report for Probationary Faculty
- Appendix E-7: Recommendation Sheet: Probationary Faculty
- Appendix E-8.A: Student Evaluation of Classroom Faculty
- Appendix E-8.B: Student Evaluation of Counselor
- Appendix E-8.C: Student Evaluation of Librarian
- Appendix E-8.D: Student Evaluation of Instructional Specialist
- Appendix E-8.E: Student Evaluation of Clinical Nursing and Allied Health Program Faculty
- Appendix E-8.F: Student Evaluation of Online Teaching
- Appendix E-8.G: Student Evaluation Process Script

9.4.3.2.3 At the Initial Evaluation Conference, dates for scheduled observations and the Annual Evaluation Conference will be established by the Committee and provided to the evaluatee, in writing.

9.4.3.3 The evaluation of probationary faculty members shall include:

9.4.3.3.1 Self-Evaluation Report: Probationary Faculty (Appendix E-4)

The evaluatee shall complete a Self-Evaluation Report and present copies to all Committee members by the date that was established by the Tenure Review Committee during the Initial Evaluation Conference.

9.4.3.3.2 Student Evaluation (Appendices E-8.A, B, C, D, E, F, G)

a) Process for Conducting Classroom Student Evaluations

- 1) Student evaluations shall be conducted in each of the classes being taught by the evaluatee during the fall semester (excluding overload courses). A member of the Tenure Review Committee shall meet with the evaluatee's class during the first twenty (20) minutes of the designated class period (unless otherwise agreed to by the evaluatee) for the purpose of reviewing the Student Evaluation Process Script (Appendix E-8.G) and distributing a hard copy or electronic copy of the appropriate student evaluation forms to all students in each class. The evaluatee shall not be present while student evaluations are being conducted. All the hard copy student evaluation forms will be collected by the Tenure Review Committee member, placed in an envelope identified with information about the section number and instructor and sealed. The member of the Tenure Review Committee that conducts the student evaluations will deliver the sealed envelope to the Chair of the Tenure Review Committee. The original student evaluation forms shall be retained by the Chair of the Tenure Review Committee. The electronic student evaluation forms will be collected by the designated District repository and sent to the Evaluation Team Chair for disbursement.
- 2) After the evaluatee has posted grades for that class, the Chair will provide a copy of the student evaluation materials, including the written comments, to the evaluatee and to each voting member of the Tenure Review Committee. In the event the Annual Evaluation Conference, outlined in Section 9.4.3.3.6, with the evaluatee is held prior to the evaluatee posting grades, the Chair will provide a hard copy or electronic copy of the student evaluation materials including the written comments to the evaluatee and to each voting member of the Tenure Review Committee and collect such information at the conclusion of the conference.
- 3) The area dean/administrative supervisor may have access to the student evaluations any time after they have been distributed to the Tenure Review Committee members.
- 4) Per their request, the evaluatee may have access to the original student evaluation documents.

b) Process for Conducting Student Evaluations for Online Courses

- 1) Online evaluations will be sent to students registering in the course and returned to a designated District repository for collection purposes only.
 - 2) Collected evaluations will be sent in a batch file directly to the committee chair for disbursement as outlined in Section 9.4.3.3.2 of this Article.
- c) The student evaluation forms are provided at Appendices E-8.A, B, C, D, E, F and G.
 - d) There are separate forms to be used for both teaching and non-teaching faculty. The basic evaluation instrument appropriate for teaching shall be used in all classes, excluding overload classes and summer session classes, to which the faculty member is assigned. Departments may add questions to the basic instrument to satisfy their individual needs. If additional questions are added, they need to be approved by the Vice President of Human Resources or designee.
 - e) In the case of classes or services for the disabled, the student evaluation forms shall be distributed to all students that the probationary member meets on Monday and Tuesday, including night students. In such cases, the student assistants may assist the students in filling out the evaluation forms.
 - f) In the case of English as a Second Language courses, the department may simplify the language on the form for better student understanding. Student evaluation forms may be translated into other languages where appropriate.
 - g) The evaluatee shall complete the Probationary Faculty Response to Student Evaluation Form (Appendix E-3) and present copies to all Committee members.
 - h) This section shall not apply to faculty members with no student contact.

9.4.3.3.3 Evaluation of professional competence and Classroom/Worksite Observation:

- a) Each Tenure Review Committee member shall conduct a classroom/worksite observation. This evaluation shall be conducted during the fall semester with the exception of counseling, which may observe probationary faculty during registration during the summer.
- b) The classroom/worksite observation shall be concerned with professional performance and knowledge related to their subject matter as outlined below:
 - 1) In the case of instructional faculty, this evaluation shall be

concerned with the faculty member's preparation, teaching and/or content delivery, use of a variety of delivery methods if appropriate, and supervision of instructional activities and classroom/worksite management as well as the criteria outlined in Section 9.3.1 of this Article. The primary basis for this evaluation is classroom visits or in the case of non-teaching faculty, observation of the faculty member's performance of assigned duties. Tenure Review Committee members shall document their observations in this and all steps of the evaluation procedure for use in the final evaluation.

- 2) In the case of librarians, faculty members shall be observed while providing reference and other information assistance to students, faculty and staff; while giving class orientations and providing bibliographic instruction; and while performing various duties related to the faculty member's area of responsibility, such as automated services, cataloguing, and collection management.
 - 3) In the case of counselors, faculty members shall be observed while advising students in other non- confidential settings such as workshops or group advisement sessions. With the permission of the student, a counselor may be observed during an individual academic counseling session.
 - 4) In the case of instructional specialists, faculty members shall be observed teaching workshops, assessed in their ability to provide oversight and coordination to the Success Center, and (if applicable) providing instructional assistance to students.
- c) All members of the Tenure Review Committee are required to make one (1) scheduled classroom or worksite observation and complete a Probationary Faculty Observation Report (Appendix E-2). Observations shall occur within the first twelve (12) weeks of the semester. Observations will be for a minimum of fifty (50) minutes each for instructional assignments and a minimum of thirty (30) minutes each for non-instructional assignments. Each evaluator may make two (2) additional observations, either scheduled or unscheduled observation. Observations shall be recorded on the Probationary Faculty Observation Report (Appendix E-2), communicated with the evaluatee, and submitted to the evaluatee and the Tenure Review Committee. In the case of an overall less than satisfactory observation, the evaluator shall be required to meet with the evaluatee to discuss the observation within five (5) days of conducting the observation.
- 1) Faculty who are primarily non-teaching but who teach classes shall also be evaluated in those classes that they teach.

9.4.3.3.4 All faculty teaching a distance education course shall be evaluated in each distance education course during their normal evaluation cycle.

Committee members shall be trained to evaluate faculty teaching distance education courses.

- a) For approval of an online or hybrid teaching assignment, a bargaining unit member must complete one of two options:
 - 1) The LBCCD Online Teaching Certification; or
 - 2) Present documentation of satisfactory completion of an online teaching certification from a regionally accredited college
- b) A bargaining unit member shall present evidence of completion of an online teaching certification from the District and/or another regionally accredited college for review and approval prior to an assignment being given. Certification documentation shall be provided to the respective Department Head for consideration in assignment and provided to the Online Learning and Educational Technology Office for validation. Human Resources will include completion of an approved certification in the bargaining unit member's personnel file.
- c) As part of the ongoing evaluation process, online or hybrid courses must show evidence of faculty-initiated and student-to-student regular and effective contact and interaction consistently and ongoing throughout the length of the course. The LBCCD Probationary Faculty Online Course Checklist (Appendix E-2.B) shall be utilized to provide peer feedback in the areas of:
 - 1) Content Presentation
 - 2) Communication/Interaction
 - 3) Assessment
 - 4) Accessibility
- d) Instructors should regularly participate in professional development activities specifically related to online or hybrid instruction. These may include: District approved Learning Management System instruction, pedagogical discussions, equitable teaching and learning practices, etc.
- e) Regular contact hours should be listed through published student office hours (whether virtual or face-to-face) and availability for answering questions and giving feedback in all modes of instruction.

9.4.3.3.5 Faculty also serving as coaches, as listed in Appendix C Salary Schedule 3, will be evaluated separately for their coaching assignment. The evaluation shall be conducted by the Athletic Director under the supervision of the area dean. The assignment of a coach is separate and apart from their full-time faculty teaching assignment. A full-time faculty can be removed from their coaching assignment for violations

of District policy, misconduct and/or unsatisfactory performance in accordance with this Article.

9.4.3.3.6 Evaluation of professional responsibilities and activities

- a) The Tenure Review Committee shall confer with the evaluatee's area dean/administrative supervisor regarding any factual information that may exist which allows committee members to evaluate the evaluatee's ability to meet the professional responsibilities. No information shall be provided by the area dean/administrative supervisor that the evaluatee has not been previously advised of and to which the evaluatee has had an opportunity to respond. The evaluation of professional responsibilities and activities shall include the criteria outlined in Section 9.3, as well as any other factual data including, but not limited to, the following:
- 1) Timely submission of required grades, attendance reports and other records.
 - 2) Being present for scheduled hours of duty, including student office hours where appropriate.
 - 3) Evidence of completion of college service hours as reported by the faculty members self-evaluation.
- b) For all teaching faculty the evaluation of professional responsibilities shall also include:
- 1) Submission of a welcoming syllabus for each course that aligns course content to the course outline and includes:
 - Faculty contact information and student office hours
 - Relevant course information
 - Grading standard
 - Attendance policy
 - TBA compliance
 - Description of the means by which the course is taught (lecture, laboratory, outside assignments, etc.)
 - 2) Evidence that written/critical thinking assignments are required, as set forth in the course outline
- c) Evaluations also include:
- 1) Participation in discipline-connected community service.
 - 2) Attendance and participation in meetings, conferences and conventions of professional associations related to the discipline as District funding allows.
 - 3) Involvement in an on-going program of reading/research to

maintain proficiency and growth.

- d) The Tenure Review Committee Meeting
- 1) Each member of the Committee shall have communicated their classroom observations with the evaluatee, completed Probationary Faculty Observation Report or Probationary Faculty Online Course Checklist (Appendix E-2.B) for each observation, and completed their Committee Member Evaluation Worksheet for Probationary Faculty (Appendix E-5) for presentation at the Tenure Review Committee meeting.
- e) Each individual member of the Committee shall determine an overall rating for the evaluatee as outlined below:
- Satisfactory
 - Needs Improvement
 - Unsatisfactory
- 1) Each individual Committee member's rating shall be based upon the evaluator's overall assessment of the evaluatee's professional competency, ability to perform their professional responsibilities, evaluatee's self-report, and the student evaluations.
 - 2) A Committee member's overall rating shall include but is not limited to: professional knowledge/competence, professional activities, character/ethics, student engagement, effectiveness in the classroom or worksite, adherence to policies/practices, interpersonal skills, student evaluations, and participation within the department.
 - 3) Other items/issues may be considered by the evaluator as long as the evaluator deems the item/issue critical to the professional competency, expectations, and responsibilities of being a faculty member at Long Beach City College. This would require a written statement by the evaluator that makes a case for how the item/issue is critical to the professional competency, expectations, and responsibilities of being a faculty member at Long Beach City College. Such a statement must be in writing and shall be attached to their E-5 form.
- f) Appendix E-5 shall be signed and dated; no erasures shall be permitted. Copies of Appendix E-5 shall be maintained in the tenure review file.
- g) The Tenure Review Committee (with the exception of the evaluatee) will hold a meeting in order to review and discuss each committee member's Evaluation Worksheet for Probationary Faculty and the other documents pertaining to the evaluation process (Appendices E-1 through E-5). The Chair of the Tenure Review Committee will then tally the individual ratings on Appendix E-5, dividing the total

number of points by the number of committee members (excluding the probationary faculty member evaluated), and record the overall rating on the Annual Evaluation Report for Probationary Faculty (Appendix E- 6).

Overall rating scale:

Satisfactory	2.51 – 3.00
Needs Improvement	1.51 – 2.50*
Unsatisfactory	1.00 – 1.50

*In the event a probationary faculty member receives a respective score of 3, 3, 3, and 1, from the four members making up the Tenure Review Committee, the overall rating of such evaluation shall be deemed satisfactory. The Committee may also provide Committee comments on Appendix E-6. Each member of the Committee shall sign and date the Annual Evaluation Report for Probationary Faculty (Appendix E-6).

- h) At this Committee meeting, the Committee shall also complete the Annual Evaluation Report for Probationary Faculty (Appendix E-6), and the Recommendations Sheet: Probationary Faculty (Appendix E-7). Copies of all Probationary Faculty Observation Reports and Probationary Faculty Online Course Checklists (Appendix E-2), Probationary Faculty Response to Student Evaluation Form (Appendix E-3), Self-Evaluation Report: Probationary Faculty (Appendix E-4), and Committee Member Evaluation Worksheets for Probationary Faculty (Appendix E-5) shall be attached to the Annual Evaluation Report for Probationary Faculty (Appendix E-6) and the Recommendation Sheet: Probationary Faculty (Appendix E-7).
- i) The Committee may recommend that tenure be granted after completion of the annual evaluation process following any of the first four (4) years of employment.
- j) The Board of Trustees may grant tenure following completion of the first, second or third probationary year.

9.4.3.3.7 Annual Evaluation Conference

- a) Tenure Review Committee shall conduct an Annual Evaluation Conference with the evaluatee. All members of the Tenure Review Committee, including the evaluatee, must be present at the Annual Evaluation Conference. The purpose of the Annual Evaluation Conference is to present and discuss the results of the evaluation process with the probationary employee.

The basis upon which a “Needs Improvement” or “Unsatisfactory” rating was made will be discussed and assessed at the Annual Evaluation Conference. If the evaluatee needs additional time to respond to items raised at the Annual Evaluation Conference, the

Conference will be adjourned and reconvened within no more than five (5) working days.

- b) Within five (5) working days of the date of the Annual Evaluation Conference, the evaluatee may submit a written response to the Tenure Review Committee's findings, which will be attached to Appendix E-7.
- c) All the Committee's evaluation documents (Appendix E-1 through E-7), student evaluations (Appendix E-8), and the evaluatee's response will be forwarded to the Human Resources Office for inclusion in the evaluatee's personnel file. Copies of all tenure review documents will be maintained in the tenure review file until completion of the tenure review process, at which time these copies will be provided by the Committee Chair to the evaluatee.

9.4.3.3.8 Procedure for "Needs Improvement" or "Unsatisfactory" Evaluation

- a) If the overall rating is "Needs Improvement" at any time during the first three (3) years of probationary service, the Tenure Review Committee, in consultation with the evaluatee, shall develop a written improvement plan for the probationary faculty member. The plan must have identifiable objectives and include the timelines within which each objective is to be achieved. Determination by the Committee by majority vote that the improvement plan has not been satisfactorily implemented within the established timelines shall be grounds for an "Unsatisfactory" evaluation and a recommendation for non-renewal of employment.
- b) An "Unsatisfactory" evaluation shall be grounds for an immediate recommendation for non-renewal of employment in the first, second, or fourth year of probationary service. In addition, a "Needs Improvement" evaluation in the fourth year of employment shall be grounds for an immediate recommendation for non-renewal of employment.
- c) A "Needs Improvement" or "Unsatisfactory" evaluation in the third probationary year cannot result in an immediate recommendation for non-renewal of employment since the evaluatee will be serving under a two-year contract of employment. In case of either a "Needs Improvement" or "Unsatisfactory" evaluation in the third probationary year, a written improvement plan with specific assistance and support structure (as appropriate), in accordance with Section 9.4.3.3.6 (above) will be implemented.
- d) A Board of Review will be convened if the overall rating on Appendix E-6 and E-7 is "Unsatisfactory," utilizing the procedures outlined in Section 9.4.3.5 below. If the overall rating of Appendix E-6 and E-7 is "Needs Improvement," within ten (10) days of receiving such rating, the evaluatee may request a Board of Review be convened.

9.4.3.4 Length of the Tenure Review Process

- 9.4.3.4.1 If a probationary faculty member is working under their first contract, the Board of Trustees shall elect one of the following alternatives concerning continued employment:
 - a) Not enter into a contract for the following academic year.
 - b) Enter into a contract for the following academic year.
 - c) Employ the probationary employee as a permanent employee for all subsequent academic years.
- 9.4.3.4.2 If a probationary faculty member is working under their second contract, the Board of Trustees shall elect one of the following alternatives concerning continued employment:
 - a) Not enter into a contract for the following academic year.
 - b) Enter into a contract for the following two (2) academic years.
 - c) Employ the probationary employee as a permanent employee for all subsequent academic years.
- 9.4.3.4.3 If a probationary faculty member is employed in the fourth full year of employment, the Board of Trustees shall elect one of the following alternatives concerning continued employment:
 - a) Not employ the probationary faculty member as a permanent faculty member.
 - b) Employ the probationary employee as a permanent faculty member for all subsequent academic years.

9.4.3.5 Board of Review for Probationary Faculty Members

- 9.4.3.5.1 If the overall rating on Appendices E-6 and E-7 at any time during the tenure review process is "Unsatisfactory," the Chair of the Tenure Review Committee shall immediately advise the evaluatee and the administrator/dean serving on the Tenure Review Committee shall immediately notify the Vice President of Human Resources of the need for a Board of Review. Within ten (10) days of receiving an overall rating of "Needs Improvement" on Appendices E-6 and E-7, the evaluatee may request a Board of Review be convened.
- 9.4.3.5.2 The Board of Review shall be composed of the appropriate Vice President or designee and the LBCCFA President or designee. The Board of Review shall be chaired by a third party acceptable to the other two. No member of the Board of Review shall have served on the Tenure Review Committee that submitted the evaluation in question.
- 9.4.3.5.3 The Board of Review's sole responsibility is to provide an advisory finding whether or not the tenure review process was carried out in accordance with the procedures outlined in this Article and, if an error occurred, whether that error was substantial enough to potentially

change the outcome of the evaluation. The Board of Review does not substitute its judgment for the Tenure Review Committee and makes no judgment on the merits of the evaluation.

The parties recognize that there are many deadlines and procedural requirements in the process and that peers are involved in the process. While the parties expect the process to be followed as written, they recognize that a non-substantive procedural error could occur but may not require a change in the result. A "substantive error," described as one which, if not made could have changed the result, is subject to the remedies of California Education Code §87610.1 per the arbitrator's decision.

The Board of Review shall meet as often as its members decide by majority vote to be necessary in order to reach their findings one week prior to the February Board of Trustees meeting. If meetings conflict with the class assignments of the Board of Review members or the evaluatee, classroom substitutes shall be provided by the District. The evaluatee shall be notified by the Chair of the Board of Review as to all scheduled meetings of the Board of Review. Though the evaluatee is invited, the evaluatee is not required to attend and will be excluded while the Board of Review deliberates on its decision. All decisions made by the Board of Review shall be determined by majority vote and signed immediately by all members who are in agreement. Any minority reports shall be signed at the same time.

9.4.3.5.4 The advisory findings of the Board of Review shall be submitted to the Vice President of Human Resources, within two (2) working days of the last meeting of the Board of Review. The Board of Review findings shall be attached to the Recommendation Sheet: Probationary Faculty (Appendix E-7) for consideration by the Vice President of Human Resources and the Superintendent-President.

9.4.3.5.5 The Superintendent-President shall forward their written recommendation for action to the Board of Trustees along with the recommendation of the Tenure Review Committee (as specified in Section 9.4.3.5.4 above).

9.4.3.6 Granting of Tenure

9.4.3.6.1 Degree Requirements for Tenure

The Board may grant tenure to faculty members who do not meet the minimum degree requirement for tenure specified in the Education Code if both the following are met:

- a) The Board determines that rare and compelling reasons exist justifying the action.
- b) The process by which the Board reaches the determination has been developed and agreed upon jointly by representatives of the Board and the Academic Senate, and approved by the Board.

9.4.3.6.2 Tenure Denial

- a) The Board of Trustees may deny tenure to probationary faculty members after consideration of the recommendations of the Tenure Review Committee, the findings of the Board of Review and the recommendation of the Superintendent-President.
- b) Should the probationary faculty member be served with a Notice of Non-Renewal, then the probationary faculty member shall have twenty (20) calendar days to file a request for a hearing with the office of the Vice President of Human Resources.
- c) If a hearing is requested by the probationary faculty member, the Vice President of Human Resources shall notify the LBCCFA President personally of the date, time and place of the hearing, confirmed in writing, at least five (5) calendar days in advance of the hearing.

9.5 The Evaluation Process for Tenured Faculty Members

9.5.1 The list of tenured faculty members to be evaluated shall be provided by the Human Resources Department to the LBCCFA President, Academic Senate President, Evaluatee, department chairs and deans. Once the list has been received, the department chair shall submit to the Vice President of Human Resources and the dean the list of the evaluation team members for each tenured faculty member to be evaluated that year (see Section 9.5.3, below, for the membership of the Evaluation Team).

9.5.1.1 Tenured faculty members shall be evaluated at least once in every three (3) years.

9.5.1.2 When a probationary faculty member becomes a tenured faculty member at the conclusion of the probationary period, that faculty member will be scheduled for the next regular evaluation in the third full year following the probationary period.

9.5.1.3 Tenured faculty members will be scheduled for evaluation every third year unless evaluated again due to an "Unsatisfactory" or "Needs Improvement" evaluation. If a faculty member is on a leave of absence at the time of their regular evaluation cycle, the faculty member will be evaluated in the first year following the termination of the leave of absence.

9.5.1.4 If a tenured faculty member is not evaluated in a given academic year, the faculty member's evaluation shall be continued and completed in the following academic year.

9.5.2 If a faculty member has an assignment in more than one department, LBCCFA and the District shall come to a mutual agreement as to what process will be utilized.

9.5.3 The Evaluation Team shall consist of the following members:

9.5.3.1 The evaluatee (as a nonvoting member).

9.5.3.2 Evaluation Team Chair – The Evaluation Team Chair shall be the tenured

department head or tenured designee. In the nursing departments, the tenured program director or tenured designee shall serve in this role.

9.5.3.2.1 In the case of a department chair's evaluation as a faculty member, the immediate line administrator shall serve as Chair of the Evaluation Team.

9.5.3.2.2 The positions listed in Appendix B do not fit within the parameters as cited in Section 9.5.3.2, therefore, the person who has direct supervision over the position will be designated as the Chair of the Evaluation Team.

9.5.3.2.3 If the faculty member has a concern about the assigned chair in Appendix B, the faculty member may request that the Contract Administration Committee review the assignment.

9.5.3.2.4 The Contract Administration Committee (Article 19) shall approve the Evaluation Team chair if not covered under Appendix B or Section 9.5.3.2 below.

9.5.3.2.5 If the department head is a probationary faculty member, the chair of the Evaluation Committee shall be appointed by LBCCFA from among the tenured faculty members of the evaluatee's department, and if that is not possible, from the tenured faculty members of a closely related discipline.

9.5.3.3 One (1) tenured department member in the evaluatee's department or area of specialization (and if that is not possible, from a closely related discipline) selected by the Academic Senate. If the evaluatee objects to the selection on the basis of bias, the evaluatee shall present in writing the basis for the contention of bias. The written document shall then be submitted to the Evaluation Team Chair and the area dean/administrative supervisor for consideration and a determination as to whether or not a replacement is warranted. The decision as to whether or not a replacement is warranted shall be determined through mutual agreement by the Evaluation Team Chair and the area dean/administrative supervisor. If a request for a replacement is mutually approved, the Evaluation Team Chair shall notify the Academic Senate that a replacement is needed.

In the event that the person serving as Evaluation Team Chair is the area dean/administrative supervisor, the LBCCFA President and the Evaluation Team Chair shall decide whether a replacement is appropriate.

9.5.3.4 One (1) tenured evaluator in the evaluatee's department or area of specialization selected by LBCCFA President.

9.5.4 When the department head is a close relative (as defined in Section 9.1.7) of the evaluatee, the dean shall convene a team composed of:

9.5.4.1 The evaluatee (as a nonvoting member).

9.5.4.2 Two (2) tenured faculty members selected by the Academic Senate from their department or area of specialization.

- 9.5.4.3 One (1) tenured faculty member from the evaluatee's department or area of specialization selected by the LBCCFA President.
- 9.5.4.4 A tenured department head selected by the appropriate dean from the evaluatee's school who shall serve as chair (as a nonvoting member).

9.5.5 Duties of the Evaluation Team

9.5.5.1 The evaluation of tenured faculty shall include:

- Appendix E-8.A: Student Evaluation of Classroom Faculty
- Appendix E-8.B: Student Evaluation of Counselor
- Appendix E-8.C: Student Evaluation of Librarian
- Appendix E-8.D: Student Evaluation of Instructional Specialist
- Appendix E-8.E: Student Evaluation of Clinical Faculty Nursing
- Appendix E-8.F: Student Evaluation of Online Teaching
- Appendix E-8.G: Student Evaluation Process Script
- Appendix E-9: Tenured Faculty Evaluation Checklist
- Appendix E-10: Self-Evaluation Report: Tenured Faculty
- Appendix E-11.A: Peer Observation Report - Tenured Faculty (one by each peer evaluator)
- Appendix E-11.B: Online Course Checklist – Tenured Faculty
- Appendix E-12: Tenured Faculty Response to Student Evaluation
Dean's job-related written evaluation comments (when provided)
- Appendix E-13: Committee Member Evaluation Worksheet for Tenured Faculty
- Appendix E-14: Annual Evaluation Report for Tenured Faculty

The evaluation forms are provided in this Agreement beginning at Appendix E-8 and will be available online through Human Resources.

- 9.5.5.2 The Evaluation Team shall conduct a meeting with the evaluatee for the purpose of discussing the evaluation process and procedures, and reviewing Appendices E-8 through E-14, and Dean's job-related written evaluation comments (when provided).
- 9.5.5.3 During the course of the evaluation process, the Evaluation Team shall meet as often as the members decide by majority vote to be necessary.
- 9.5.5.4 All meetings of the Evaluation Team shall include the evaluatee.
- 9.5.5.5 The faculty member shall, on request or if the faculty member desires, submit to the Evaluation Team information of a professional nature regarding their

performance. Other members of the Evaluation Team may also submit such information.

9.5.5.6 Each member of the Evaluation Team shall individually determine an overall rating on Appendix E-13 for the evaluatee on a three-point scale prior to the Annual Evaluation Conference:

- Satisfactory (3)
- Needs Improvement (2)
- Unsatisfactory (1)

9.5.5.7 Appendix E-13 shall be completed, signed (no erasures shall be permitted) and dated by each evaluator prior to the Annual Evaluation Conference.

9.6 Professional Standards

All faculty members shall be evaluated by means of the professional standards listed in Section 9.3 of this Article. The area dean/administrative supervisor may provide to the Evaluation Team Chair a written statement from the area dean/administrative supervisor that speaks to any factual evidence that exists related to an assessment of the evaluatee's adherence to their professional responsibilities. This document shall be distributed to all members of the Evaluation Team (if provided) and shall be taken into consideration by each committee member in their overall assessment of the evaluatee. No information shall be provided to the Evaluation Team by the area dean/administrative supervisor that the evaluatee has not been previously advised of and to which with the evaluatee has had an opportunity to respond.

9.7 Distance Education Teaching Assignments

9.7.1 For approval of an online or hybrid teaching assignment, a bargaining unit member must complete one of two options:

- 1) The LBCCD Online Teaching Certification; or
- 2) Present documentation of satisfactory completion of an online teaching certification from a regionally accredited college

9.7.2 A bargaining unit member shall present evidence of completion of an online teaching certification from the District and/or another regionally accredited college for review and approval prior to an assignment being given. Certification documentation shall be provided to the respective Department Head for consideration in assignment and provided to the Online Learning and Educational Technology Office for validation. Human Resources will include completion of an approved certification in the bargaining unit member's personnel file.

9.7.3 As part of the ongoing evaluation process, online/hybrid courses must show evidence of faculty-initiated and student-to-student regular and effective contact and interaction consistently and on-going throughout the length of the course. The LBCCD Online Course Checklist (Appendix E-11.B) shall be utilized to provide peer feedback in the areas of:

- 1) Content Presentation
- 2) Communication/Interaction

- 3) Assessment
- 4) Accessibility

- 9.7.4 Instructors should regularly participate in professional development activities specifically related to online or hybrid instruction. These may include: District approved Learning Management System instruction, pedagogical discussions, equitable teaching and learning practices, etc.
- 9.7.5 Regular contact hours should be listed through published office hours (whether virtual or face-to-face) and availability for answering questions and giving feedback.
- 9.7.6 Committee members shall be trained to evaluate faculty teaching distance education courses.

9.8 Student Evaluation of Tenured Faculty

- 9.8.1 The student evaluation process of tenured faculty member(s) shall be initiated every three (3) years during the evaluation cycle for all scheduled sections. Student evaluations will be considered as a part of the process for evaluating tenured faculty members.
- 9.8.2 Each department shall develop its individual student evaluation instrument, with all faculty member(s) in that department having the opportunity for input into the content of the instrument. Each department will file a copy of the document with the Academic Senate and the appropriate Vice President.
- 9.8.3 A member of the Evaluation Team (not the evaluatee) shall distribute the appropriate student evaluation forms to all students in each class and leave the classroom while the student evaluation is being completed. All the student evaluation forms will be collected by the Evaluation Team member in each class, placed in an envelope identified with information about the section number and instructor, sealed and returned to the Chair of the Evaluation Team for distribution to the Team members in accordance with Section 9.4.3.3.2 of this Article.
- 9.8.4 Faculty members are encouraged to conduct their own student evaluations on an ongoing basis. Nothing in this section shall prevent a faculty member from conducting such evaluations.
- 9.8.5 Nothing in this section shall be interpreted to prevent any department or area of the College from conducting general evaluations of its services, provided such evaluations do not identify specific faculty members and are non-punitive.
- 9.8.6 Student Evaluation (Appendices E-8.A, B, C, D, E, F, G)
 - 9.8.6.1 Process for Conducting Classroom Student Evaluations
 - 9.8.6.1.1 Student evaluations shall be conducted in at least three (3) of the classes being taught by the evaluatee during the fall semester. A member of the Evaluation Team shall meet with the evaluatee's class during the first twenty (20) minutes of the designated class period for the purpose of distributing a hard copy or electronic copy of the appropriate student evaluation forms to all students in each class. The evaluatee shall not be present while student evaluations are being conducted. All hard copy

student evaluation forms will be collected by the Evaluation Team member, placed in an envelope identified with information about the section number and instructor and sealed. The member of the Evaluation Team that conducts the student evaluations will deliver the sealed envelope to the Chair of the Evaluation Team who will then have both the ratings and comments compiled into a single separate document to ensure confidentiality that will then be distributed to the Evaluation Team with a copy to the evaluatee. The electronic student evaluation forms will be collected by the designated District repository and sent to the Evaluation Team Chair for disbursement. The original student evaluation forms shall be retained by the Chair of the Evaluation Team so that the evaluatee may have access to the original documents after the evaluatee has posted grades for that class.

9.8.6.1.2 The area dean/administrative supervisor may have access to the student evaluations any time after they have been distributed to the Evaluation Team members.

9.8.6.2 Process for Conducting Student Evaluations for Online Courses

9.8.6.2.1 Online evaluations will be sent to students registering in the course and returned to a designated District repository for collection purposes only.

9.8.6.2.2 Collected evaluations will be sent in a batch file directly to the Evaluation Team chair for disbursement as outlined in Section 9.4.3.3.4.b of this Article.

9.9 Annual Evaluation Conference

The Evaluation Team will meet with the evaluatee to conduct the Annual Evaluation Conference.

9.9.1 The Evaluation Team will receive input from the evaluatee and discuss Appendix E-10 through Appendix E-13, classroom/worksite observations, the student evaluations, and the dean's job-related written evaluation comments (when provided).

9.9.2 The Evaluation Team Chair will tally the ratings on each Appendix E-13, dividing the total number of points by the number of Evaluation Team members (excluding the faculty member evaluated) in order to determine the final rating on the Annual Evaluation Report (Appendix E-14).

Overall rating scale:

2.50 – 3.00	Satisfactory
1.50 – 2.49	Needs Improvement
1.00 – 1.49	Unsatisfactory

9.9.3 A "Final Rating" of "Satisfactory" on the Annual Evaluation Report (Appendix E-14) shall not be given unless the evaluatee presents a listing of activities for college service hours and in the case of teaching faculty, evidence that written/critical thinking and/or demonstration/critical thinking assignments are required, as set forth in the course outline. In addition, examples of their welcoming course syllabus and curriculum review activities (if appropriate) must be provided.

- 9.9.4 The Evaluation Team shall complete the Annual Evaluation Report (Appendix E-14) by May 22.
- 9.9.5 In the case of the Vocational Nursing Department, all evaluation instruments shall be submitted to the Program Director, who shall then submit them to the dean.

9.10 Evaluation Ratings

- 9.10.1 If the “Final Rating” is “Satisfactory,” no other meeting is necessary.
- 9.10.2 “Unsatisfactory” and “Needs Improvement” ratings require written substantiation. If the evaluatee receives a “Needs Improvement” or an “Unsatisfactory” evaluation, the evaluatee may have a LBCCFA representative present at any Evaluation Team meetings concerning their current evaluation or re-evaluation if the evaluatee chooses. The role of the LBCCFA representative shall be limited to ensuring that the procedures regarding the evaluation process outlined in this Agreement be followed, and that due process be awarded the evaluatee.
- 9.10.3 When a faculty member receives a “Needs Improvement” evaluation, the Evaluation Team in consultation with the evaluatee shall prepare a plan for improvement. The plan must have identifiable objectives and include the timelines within which each objective is to be achieved. The plan will be attached to the final evaluation report and will be used as part of the next regular evaluation of the faculty member. Determination by the Evaluation Team, by majority vote, that the improvement plan has not been satisfactorily implemented within the established timelines shall be grounds for an “Unsatisfactory” evaluation. If a faculty member receives a “Needs Improvement” evaluation, the faculty member may have a LBCCFA representative present at any future Evaluation Team meetings concerning their current or next regular evaluation if the faculty member chooses. The role of this LBCCFA representative shall be limited to ensuring that the procedures regarding the evaluation process outlined in this Agreement are followed and that due process be awarded the evaluatee. Faculty members who have received a “Needs Improvement” evaluation shall have their next regular evaluation in one (1) year. The Evaluation Team shall remain the same if at all possible.
- 9.10.4 If a majority of the Evaluation Team agrees upon a final rating of “Unsatisfactory” at the conclusion of the evaluation process, the Evaluation Team shall immediately advise the evaluatee and the Vice President of Human Resources of the need for a Board of Review.
- 9.10.5 The original completed E-9, E-10 and E-14 forms shall be submitted to the Human Resources Department for inclusion in the evaluatee’s personnel file, as well as the completed student evaluation forms, if requested by the evaluatee. The evaluatee shall have the opportunity to respond within ten (10) working days to the Annual Evaluation Report. This response shall be attached to the Annual Evaluation Report and placed in the evaluatee’s personnel file. Copies of all evaluation materials, documentation, reports, and recommendations that are forwarded to the Vice President of Human Resources shall be given to the evaluatee.

9.11 Board of Review for Tenured Faculty Members

- 9.11.1 The Board of Review shall be composed of the appropriate Vice President or designee and the LBCCFA President or designee. The Board of Review shall be chaired by a third party

acceptable to the other two. No member of the Board of Review shall have served on the Evaluation Team or re-evaluation team that submitted the evaluation or re-evaluation in question.

9.11.2 The Board of Review has the responsibility to review the evaluation process. It shall determine whether the evaluation or re-evaluation process was conducted in accordance with the procedures outlined in this Article. The Board of Review shall meet within ten (10) days of formation and as often as the members decide by majority vote to be necessary. Meetings of the Board of Review shall be held at times when all participants can be present. If meetings cannot be scheduled without conflicting with the class assignments of the Board of Review members or the evaluatee, classroom substitutes shall be provided by the District. The evaluatee shall be present at all meetings of the Board of Review, unless the evaluatee declines to do so, though will be excluded while the Board of Review deliberates on its decision. All decisions made by the Board of Review shall be determined by majority vote of the members of the Board of Review and signed immediately by all members who are in agreement. Any minority reports shall be signed at the same time.

9.11.3 The findings of the Board of Review shall be submitted to the Vice President of Human Resources within three (3) working days of the last meeting of the Board of Review.

9.11.3.1 If the Board of Review finds that the evaluation or re-evaluation was not conducted in accordance with the procedures of this Article, the matter should be submitted to the Vice President of Human Resources or their designee. If that person finds the error(s) to be substantive, i.e., that the evaluation may have been significantly different than what the committee produced, then the evaluation should be declared invalid and the evaluatee shall be evaluated or re-evaluated in the academic year following the academic year in which the Board of Review made its finding. However, if the error(s) are determined to not be substantive (as described above), the evaluation shall stand, but the errors will be noted on an attachment to the evaluation by the Vice President of Human Resources or their designee. In addition, if the Vice President of Human Resources or designee determines that the errors can be corrected, the Vice President of Human Resources or designee has discretion to direct that they be corrected.

9.11.3.2 If the Board of Review finds that the evaluation or re-evaluation was conducted in accordance with the procedures outlined in this Article, one of the following shall occur:

9.11.3.2.1 In the case of an “annual evaluation”, the re-evaluation shall be conducted the following semester.

9.11.3.2.2 In the case of a “re-evaluation”, the Vice President of Human Resources shall forward all findings, recommendations, statements, and reports prepared by the Evaluation Team, the re-evaluation team, and the findings of both Boards of Review, to the Superintendent-President. Copies of these materials shall be given to the evaluatee immediately and copies shall be retained in the files of the Human Resources Office.

9.11.3.3 The Superintendent-President shall forward their written recommendation for action to the Board of Trustees along with the Evaluation Team’s recommendation.

- 9.11.4 If a dismissal hearing is held, the Vice President of Human Resources shall notify the LBCCFA President of the date, time and place of the hearing, by email at least five (5) working days in advance of the hearing.
- 9.11.5 If the employee is not dismissed, then all findings, recommendations, statements, and reports and all copies of such held by the Evaluation Team, re-evaluation team and the Boards of Review shall be forwarded to the Vice President of Human Resources, who shall seal the documents and place them in the employee's personnel file.

9.12 Process in the Case of an Unsatisfactory Rating of a Tenured Faculty Member

- 9.12.1 Whenever the Evaluation Team reports a "Final Rating" of "Unsatisfactory" on the Annual Evaluation Report for Tenured Faculty (Appendix E-14) and the Board of Review has found that the evaluation was conducted in accordance with the procedures outlined in this Article, the re-evaluation process shall be implemented in the following fall semester. The purpose of the re-evaluation process is for the Evaluation Team in consultation with the evaluatee to develop and implement a plan for improvement in the area or areas of deficiency noted by the Evaluation Team, to assist the evaluatee to make improvements, and to evaluate the evaluatee's performance under the plan. This process requires the formation of a re-evaluation team.
- 9.12.2 The re-evaluation team is an augmented evaluation team, chaired by the appropriate dean. In order to form this team there will be an immediate selection of two (2) additional tenured faculty members from the evaluatee's department or area of specialization to serve as advisors to the evaluatee. One of the advisors shall be selected by the Academic Senate and the other by the evaluatee's department chair. If there is an insufficient number of tenured faculty members in the evaluatee's department or area of specialization, then these advisors shall be selected from outside the evaluatee's department or area of specialization, but from a related discipline whenever possible. The two (2) advisors shall be added as voting members to the original evaluation team for the re-evaluation process. The re-evaluation team shall meet as often as the members decide by majority vote to be necessary. All meetings of the re-evaluation team shall include the evaluatee.
- 9.12.3 The Evaluation Team in consultation with the evaluatee shall develop and submit an improvement plan to the re-evaluation team.
- 9.12.4 Implementation of the improvement plan will occur during the fall semester. The evaluatee shall submit to the re-evaluation team a new Self-Evaluation Report: Tenured Faculty (Appendix E-10).
- 9.12.5 The re-evaluation of the evaluatee's performance shall be completed by the end of the fall semester. Any evidence that could lead to an "Unsatisfactory" rating of the evaluatee by the re-evaluation team shall be submitted in writing by the re-evaluation team members.
- 9.12.6 Each member of the re-evaluation team, with the exception of the evaluatee, shall individually prepare a new Peer Observation Report-Tenured Faculty (Appendix E-11) and a new Committee Member Evaluation Worksheet for Tenured Faculty (Appendix E-13) and submit them to the Evaluation Team Chair for use in the preparation of a new Annual Evaluation Report for Tenured Faculty (Appendix E-14). All decisions and recommendations by the re-evaluation team shall be determined by majority vote and signed immediately by all members who are in agreement. Any minority reports and recommendations shall be signed

at the same time.

9.12.7 When a majority of the re-evaluation team agrees upon a final rating of “Unsatisfactory” at the conclusion of the re-evaluation process, each member of the team with the exception of the evaluatee shall append to their Committee member Evaluation Worksheet (Appendix E-13) a signed written statement giving the reasons and supporting evidence for the ratings assigned.

9.12.7.1 A Board of Review will be convened if the overall rating on the new Annual Evaluation Report for Tenured Faculty (Appendix E-14) is less than “Satisfactory”, utilizing the procedures outlined in Section 9.6, above.

9.12.7.2 All evaluation documents, majority and minority reports shall be appended to the new Annual Evaluation Report for Tenured Faculty (Appendix E-14). The evaluatee shall receive copies of these materials at the time that the Annual Evaluation Report is signed. The Annual Evaluation Report and all materials appended to it shall be forwarded by the re-evaluation team chair to the Vice President of Human Resources for filing in the faculty member’s personnel file. The evaluatee shall be given a period of ten (10) working days in which to submit a response to the Vice President of Human Resources.

9.13 This Article is not subject to the Grievance Procedure as outlined in Article 4. However, should LBCCFA become aware that a procedural error has occurred during the process (or within thirty [30] days of the conclusion of the process), LBCCFA will submit the procedural error in writing to the Vice President of Human Resources or designee who shall have the responsibility of evaluating whether or not an error has occurred and, if so, determining an appropriate resolution for the particular error.