HCFA-HCCD Memorandum of Understanding
November 20, 2015

The Hartnell Community College District and Hartnell College Faculty Association mutually agree to the following:

1. The parties agree to bring forward for immediate ratification the following tentative agreements:
   - Article 13 (Tenured Evaluation) as previously agreed, with one sentence added to the end of section E.1.c, to wit:
     "Neither "hybrid" courses nor lecture/lab courses will be considered a different modality that triggers an additional evaluation unless the component modalities are totally unrepresented in the rest of the faculty member's teaching load."
   - Article 14 (Probationary Evaluation) as previously agreed on.
   - Article 5 (Miscellaneous Salaries, Regular/Contract Faculty) changes as agreed on related to Athletic Coach compensation and load.

2. The parties agree to resume bargaining on Article 11 (Academic Calendar) as soon as the faculty group working on the 16-week calendar project have presented their conclusions on the feasibility of this movement to the College Planning Council or other appropriate body.

3. The parties acknowledge that evaluation forms for Articles 13 and 14 still need to be revised and will be handled in future bargaining.

Agreed to on January 15, 2016

For the District:

For the HCFA:

[Signatures]
ARTICLE 14. EVALUATION OF PROBATIONARY FACULTY/TENURE REVIEW

A. PURPOSE

1. The principal purposes of the probationary faculty evaluation process are (1) to improve the educational programs of the District, (2) to recognize and acknowledge good performance, (3) to assure compliance with the District policies and procedures, (4) to enhance satisfactory performance and help probationary faculty members further their own growth, (5) to identify weak performance and assist probationary faculty members in achieving needed improvement, (6) to document unsatisfactory performance and (7) to assist the Governing Board in determining continued employment by the District.

2. The evaluation process shall be sensitive to issues of diversity. All parties to the evaluation process shall adhere to the District's policy on integrity and ethics.

B. FREQUENCY

In order to achieve the goals and purposes of the probationary evaluation process, beginning with the 2015-16 academic year, probationary faculty shall undergo a comprehensive evaluation during the fall semester of each of the four years of the probationary period, according to the schedule and processes set forth below.

In addition to the comprehensive evaluation:

1. At least one additional worksite observation of probationary faculty will occur during the spring semester of the first year of hire, following the observations that were part of the comprehensive evaluation. These spring semester observations will be shared with the evaluatee, along with a summary report from the evaluation team on the results of those observations.

2. Probationary faculty will undergo additional observations during the spring semester of years two and three of the probationary period if any of the following occur:
   a. The probationary faculty member requests to be observed during the spring semester;
   b. At least two members of the evaluation team request worksite observations to occur in the spring;
   c. A remediation plan is in place for the probationary faculty member;
   d. The probationary faculty member’s duties are significantly different during the spring and fall such that a complete picture of the faculty member’s
performance cannot be adequately assessed without including the spring. (e.g., the coach of a spring sport).

3. Requests for additional spring worksite observations under paragraph 2 of this section shall be made before April 15, in sufficient time for those observations to be scheduled and occur.

4. Student evaluations will be required for both the fall and spring semesters during the entire probationary period.

C. ASSESSMENT CRITERIA

1. CORE DUTIES: The tenure review process should fairly assess the probationary faculty member’s performance of core duties, including but not limited to:

   a. Classroom teaching, including meeting with classes as scheduled, preparation of course materials that are consistent with approved curriculum, instruction that uses effective teaching methods and modalities, currency in field, the provision of feedback to students on assignments and class participation, and timely evaluation of student progress;

   b. Student advising and assistance, including the maintenance of office hours, availability to students outside the classroom, and other appropriate activities that promote student success, such as outreach and student recruitment;

   c. Accurate and timely record-keeping and submission of reports, including grade reports, attendance records, course syllabi, and recommendations and orders for textbooks and other instructional materials;

   d. Collegial participation in divisional and departmental meetings and activities, which may include assisting in program and curriculum review and development, articulation activities, and, as appropriate, faculty recruitment and hiring activities and peer evaluation activities (with the understanding that peer evaluation activities are not required of probationary faculty members);

   e. Participation in college-wide activities, which may include serving on committees or councils, accreditation activities, and activities in support of continuous improvement and institutional planning and effectiveness;

   f. Development and assessment of student learning and program level outcomes, including utilizing the results of those outcomes assessments to make improvement in teaching and learning, per the Accrediting Commission for Community and Junior Colleges, Standard II.

2. PROFESSIONAL COMPETENCE: In order to assess the achievement of these core faculty duties, the worksite observations of probationary faculty should assess at least these areas of Professional Competence:
a. **Teaching competence**, which includes, but is not limited to, teaching practices and techniques, classroom style, and efforts made to provide the maximum opportunity for student success.

**Examples include:**

1. Instructor demonstrates knowledge of the subject matter and currency in the field;
2. Classroom activities demonstrate effective preparation and planning for instruction, including laboratories, clinics, etc.;
3. Content covered in class appropriately addresses course curriculum;
4. Instructor uses appropriate teaching materials and methods that challenge students to grow, are appropriate to subject matter, and are sufficiently varied as to be responsive to student needs;
5. Instructor maintains order in the classroom to provide an environment conducive to student learning;
6. Instructor uses teaching techniques that actively engage students in the classroom activity (lecture, discussion, lab, or other activity);
7. Instructor communicates effectively, explaining key concepts and giving directions clearly, addressing all levels of students in the classroom;
8. Instructor is responsive to students’ questions and feedback, using classroom discussion to strengthen the learning environment;
9. Presentation conveys clarity, respect for differing viewpoints, and sound pedagogy;
10. Instructor provides an environment in which the dignity and individuality of students are respected, using teaching techniques that are sensitive to the diverse learning styles and educational and cultural background of students;
11. Instructor meets class for the full hours specified in the course outline.

b. **Counselor competence**, which includes teaching performance as above, for any counselors who teach classes. It also includes, but is not limited to, such counseling functions as student counseling and advising, development of education plans, career and education counseling, orientation, transfer preparation, assessments, and awareness of support and referral services.

**Examples include:**

1. Demonstrates knowledge of the subject matter and currency in field;
2. Demonstrates effective preparation and planning for counseling sessions;

3. Counseling sessions demonstrate commitment to assist students in meeting students’ goals and objectives;

4. Demonstrates clear communication, including effective listening, as well as patience, responsiveness, and respect and appreciation for all students;

5. Appropriate counseling modalities are used to meet student needs;

6. Provides an environment in which the dignity and individuality of students are respected, and is sensitive to diverse learning styles and educational and cultural backgrounds;

7. Demonstrates interest in and cooperation with other education professionals on campus and with partner institutions;

8. Manages time and counseling load effectively.

c. **Librarian competence**, which includes teaching competence, as above, for any librarians who teach classes. It also includes, but is not necessarily limited to, demonstrated librarianship in a specific area of responsibility, collection development participation, reference desk assignments, and collaboration with other faculty and staff colleagues.

**Examples include:**

1. Uses effective methods of teaching information competency while working with students;

2. Demonstrates the ability to conduct successful reference interviews;

3. Demonstrates knowledge of the library’s resources and services, and other instructional support resources and services available to students;

4. Demonstrates knowledge of college’s curriculum while working with students, and assists faculty in the integration of library resources into specific curricular areas;

5. Demonstrates best practices and effective performance in the area of responsibility, e.g., technical services, technology, reference, acquisitions, or instruction;

6. Uses effective oral and written communication skills, including effective listening;

7. Demonstrates sensitivity to the role of cultural factors in education and learning,
8. Demonstrates effective collaboration with instructional faculty on development of areas, grants, and projects that promote student learning and success;

9. Demonstrates effective organization skills through time management in working with students and through the preparation of presentation materials.

d. **Instructional specialist** competence, which includes teaching competence, as above, for any instructional specialists who teach classes or who teach individuals or small groups in a laboratory setting. It also includes, but is not necessarily limited to, effective interaction with learning laboratory patrons, efficient maintenance and organization of learning laboratory materials, and appropriate liaison activities with faculty and staff colleagues in appropriate departments.

**Examples include:**

1. Demonstrates knowledge of college’s curriculum while working with students, and assists faculty in the integration of laboratory enrichment resources and other instructional materials into specific curricular areas;

2. Demonstrates knowledge of learning resources available to students and ability to match those resources to particular student needs;

3. Uses effective oral and written communication skills, including effective listening;

4. Provides an environment in which the dignity and individuality of students are respected, and is sensitive to diverse learning styles and educational and cultural background of students;

5. Provides a lab environment that is conducive to learning and promotes student success;

6. Maintains posted lab hours.

3. **PROFESSIONAL CONDUCT:** Hartnell College faculty are responsible to set a professional tone in the classroom and on campus that exemplifies the highest standards of the profession and encourages student learning and success.

The comprehensive evaluation process will therefore also assess at least these areas of Professional Conduct:

a. Demonstrates a willingness to assist students with their academic growth and/or educational and career planning.
b. Meets obligations resulting from state mandates and District policies, rules, and regulations in a timely manner.

c. Acknowledges and defends free inquiry in the exchange of ideas and criticism.

d. Works cooperatively and professionally with others.

e. Shows consideration for constructive feedback and suggestions.

f. Evidences a willingness to investigate new ideas, methods, and techniques.

g. Avails himself or herself of opportunities for professional growth.

h. Demonstrates personal integrity and ethics of the profession.

4. PROFESSIONAL GROWTH: The comprehensive evaluation also will provide an opportunity for the evaluatee to demonstrate his or her commitment to growing professionally, to improving teaching, to increasing proficiency in the discipline, and to being better prepared to support students and enhance their success.

Indicia of this growth may include items from the following list:

a. Research or participation in activities designed to enhance teaching.

b. Research to maintain proficiency and growth in one’s field of professional specialization.

c. Research in the field that may lead to publication.

d. Development of innovative approaches, materials, curricula, and tools to enhance teaching, learning, and programs.

e. Practice and performance in fine and performing arts, vocational education, athletics, etc., as appropriate.

f. Editing professional journals or serving as a referee of manuscripts that have been submitted to a journal.

g. Reviewing texts in one’s field of specialization for publishers.

h. Holding membership or an office in professional associations related to education or one’s field of specialization.

i. Attending and participating in meetings, conferences, and conventions of professional associations related to education or one’s field of specialization.

j. Participation in grant writing or executing a grant at the college.
k. Acting as a consultant in education or one’s field of specialization.

5. COLLEGE-RELATED SERVICE: (Faculty shall not be required to serve during the first year of probation.)

Examples include, but are not limited to:

- Service on department and college committees.
- Service on Academic Senate committees.
- Service on participatory governance councils and committees.
- Participation in recruitment and outreach activities.
- Participation on articulation committees.
- Coordination, advisement, and supervision of Hartnell student organizations or student activities.
- Participation in community service or community projects that positively reflect on the District.
- Participation in organized student success efforts.

D. EVALUATION TEAM

1. Evaluation of all probationary faculty members will be done by an evaluation team created specifically for that employee. Each evaluation team shall consist of the evaluatee, an appropriate administrator (usually the direct supervisor or dean in the area), and two tenured faculty peers approved by the Academic Senate.[M3]

2. At least one of the peers should be from the discipline of the evaluatee or a closely related discipline. The other may be selected from any discipline. The evaluatee will select his or her peers by filling out a Peer Evaluator Selection Form (Appendix A), and forwarding it to the Academic Senate for approval. If the evaluatee declines to select peers, then the Academic Senate shall select the peers, using the guidelines above.

3. The vice president of each area will determine the administrative member of the evaluation team.

4. Evaluation team members shall participate in training on the evaluation process before serving on an evaluation team. This training will be provided by the District in cooperation with the Academic Senate.

5. The evaluation team shall be named before the end of the preceding semester, where possible.
6. Whenever possible, the evaluation teams shall be the same during the entire probationary period.

7. Changing team members: (a) The evaluatee may elect to change peer evaluators once, at which time he or she may replace one or both peer evaluators.

(b) For good cause, the evaluatee, peer evaluators, or the administrator may ask the appropriate vice president for a change in the evaluation team. With the exception of the evaluatee-initiated change described in (a) above, all changes in the evaluation team require the approval of the vice president, whose decision is final and binding. If the vice president agrees, the appropriate parties will name substitutes (the vice president is responsible for naming the substitute administrator, and the Academic Senate is responsible for appointing substitute peer evaluators.)

E. COMPONENTS OF THE COMPREHENSIVE EVALUATION

1. Student Appraisals

a. Students from each of the evaluatee’s classes shall be given the opportunity to participate in the evaluation by submitting written evaluations and comments utilizing the student appraisal form, either in paper or in the approved online format within the course shell of the course management system, currently Etudes. If distributed in paper, the evaluation team will select a person other than the evaluatee to administer the evaluations and return the forms to the appropriate administrator, who will have the material collated and summarized.

b. In classes in which the students need help in understanding the form, the evaluation team will select a person able to provide assistance. In such cases, the team may appoint the evaluatee to assist the person selected to administer the evaluations, but someone other than the evaluatee will collect the forms and deliver them to the appropriate administrator.

c. For counselors, evaluation forms, either in written or electronic form, will be sent to all students who have met with the counselor during an agreed-upon period during the evaluation period of at least two weeks’ duration and until a minimum of 20 students’ surveys are obtained. For any classes taught by the counselor during the probationary year, paragraphs a. and b. above additionally apply.

d. For librarians, the provisions of paragraphs a. and b. will be used for any teaching assignment. In addition, all students who received reference or other services from a librarian during a period of at least two weeks, to be selected by the evaluation team, will be given the opportunity to supply feedback using the Librarian Evaluation Form (Appendix K**). If the librarian has not provided reference services, the evaluatee, the immediate supervisor, and the peers shall each select five library users for a total of at least 20 who come in contact with the evaluatee to be interviewed by the immediate supervisor and at least one of the peers.
c. Student appraisals for the fall shall be completed by November 15, and for the spring by April 15, so that they can be collated and become part of the evaluation materials. Late appraisals will be accepted only if their lateness does not deprive the evaluation team of the opportunity to consider them in the evaluation.

2. Reports by Evaluatee

On or before October 15, the evaluatee shall submit to the evaluation team members:

a. Copies of instructional materials, including all course syllabi, samples of study guides and other instructional materials, and samples of quizzes and examinations for all classes taught. For nonteaching faculty, the evaluatee shall supply materials that he or she generated that are used in the performance of his or her duties.

b. Professional Growth Report (See 14.C.4. and Appendix **).

c. College-Related Service Activities Report (See 14.C.5 and Appendix **).

d. Self-appraisal report.

3. Work Site Observations

a. Each evaluator shall observe at least two (2) of the evaluatee’s classes, so that each class is observed at least once. More than the minimum number of observations is allowed, with notice to the evaluatee and an explanation as to why additional observations are scheduled.

b. When feasible, each observation should be for an entire instructional period, or at least for 50 minutes.

c. Each evaluator shall complete, for each class meeting observed, the appropriate work site observation form, found in the appendices hereto. Different forms than those found in the appendix may be used if all members of the evaluation team and the appropriate vice president agree in advance to their use, upon a finding that the alternate forms allow assessment of the criteria included in this article. In such a case, a copy of the alternate forms will be filed with the appropriate vice president before they are used in a worksite evaluation.

d. The class meetings to be observed shall be decided during the pre-evaluation conference by consensus among the members of the evaluation team, including the evaluatee. Determination of which class meetings/counseling sessions will be observed should take into consideration the best opportunities to allow a full picture of the faculty member’s talents and breadth of instructional methods and activities. If consensus cannot be reached, then the appropriate vice-president shall make the determination, which shall be final.

e. If the evaluatee is in a nonteaching position, e.g., counselor or librarian, the evaluation team members shall review relevant materials and observe, to the extent possible, the
performance of non-teaching duties that include significant time with students while performing academic functions. Each observation shall be at least one hour in length (two half-hour sessions or a single one-hour session), and each evaluator shall perform at least two evaluations.

f. For self-paced labs, observations shall be made during times when the faculty member is performing academic functions working with students. Each observation shall be at least one hour in length, and each evaluator shall perform at least two evaluations.

g. For faculty teaching distance education courses, a worksite observation shall consist of one (1) learning unit of a course, which should be roughly equivalent to the material that would be covered in one (1) week of class. Evaluators will be given access to all materials posted by the instructor and discussion thread posts by both the instructor and students for that learning unit and have access to some documents outside of the unit including: a syllabus, class policies, required class activities, exam questions, and any current announcements posted for the course. Just as with face-to-face classes, students may be told that a faculty worksite observation is being conducted. The unit to be evaluated will be agreed upon by the evaluators and evaluatee prior to the evaluation taking place. The evaluator will have access to the course management system as a guest during the one-week period referenced above.

h. Work site observations shall be completed by November 15 in the fall. Failure to complete observations by this deadline shall not preclude the administrator from scheduling late observations in order to get a more complete picture of the work performance of the evaluatee, prior to the post-evaluation conference.

i. Additional work site observations may be made by the evaluators prior to February 1, with notice to the evaluatee and an explanation as to why additional observations are scheduled.

4. Evaluators’ Assessments

The evaluation team shall review the work site observations, student appraisals, the evaluatee’s instructional materials and reports as outlined above (paragraph E.2.), and will prepare an assessment, either together or individually, that addresses the evaluatee’s performance of core duties, professional competence, professional conduct, professional growth, and college-related service. When the team is examining the development and assessment of course and program-level SLOs, it will not use student performances as a substitute for teacher performance. Each evaluator’s report shall contain a narrative and a rating, which shall be “satisfactory,” “needs improvement,” or “unsatisfactory.”

F. CONFERENCES

1. Pre-evaluation conference

Prior to the beginning of the tenure review evaluations, for each year of the tenure process, the evaluatee, the administrator and peers will meet and review the evaluation criteria and procedures and develop an evaluation plan which includes the evaluation time line, classes to
be observed, and the criteria for professional growth and professional activities. Beginning in the second year, this conference also will consider the results of the previous year’s evaluations so that areas of growth and improvement can be recognized.

2. Conference(s) with peers.

The peer who is in the same or a similar discipline and the evaluatee will meet at least twice a semester to discuss areas such as: teaching techniques, instructional materials, worksite observations, professional relationships, and routine requirements of the job. Additional conferences with either or both peers are encouraged.

3. Conference(s) with the administrator

The administrator and the evaluatee shall meet at least once a semester to discuss areas such as: teaching techniques, instructional materials, the worksite observations, district policies, and routine requirements of the job.

4. Evaluation Team Conference.

Prior to the post-evaluation conference, the administrator and the peer evaluators shall meet to determine if all agree on a rating and on the evaluatee’s general strengths and areas needing improvement. In the event there is disagreement, the administrator and the peer evaluators will discuss all of the evaluation materials and their differences so as to decide how and what to tell the evaluatee.

a. The evaluation shall contain an overall rating at the end of the first, second and third year of “satisfactory,” “needs satisfactory,” “needs improvement,” or “unsatisfactory.” At the end of the fourth year, the rating shall be “satisfactory” or “unsatisfactory.”

b. Summary Evaluation Report. The summary evaluation report will be prepared by the supervisor representing all members of the team and will contain an overall performance rating. In the first, second, and fourth year, the report also will contain a recommendation for renewal or nonrenewal. The report shall consider the worksite observations, student appraisals, evaluators' reports, evaluatee reports and materials, and other information concerning the performance of core duties, professional competence, professional conduct, professional growth, or college-related service activities of the evaluatee. If the administrator and peers disagree, each member of the evaluation team may include a separate statement addressing the area(s) of disagreement.

5. Post-evaluation Conference.

Prior to December 10, the administrator and peer evaluators will meet with the evaluatee in the post-evaluation conference and inform the evaluatee of their evaluation and provide the evaluatee with a copy of the worksite observations, student appraisals, evaluators' reports, and summary evaluation report.

G. REMEDIATION PLANS
1. During the first, second, or third year, if the administrator and/or peers evaluate the employee as “needs improvement,” a draft plan consisting of measurable and achievable objectives will be jointly developed by all parties at the post-evaluation conference or within 10 days thereof. A clear outline and procedure for the remediation process should be explained to the employee who needs remediation. The procedure should list the necessary steps that the employee must follow (i.e., visiting x number of instructors’ classrooms, turning in a progress report, etc.), and a timeline for doing so. A Remediation Form, attached as Exhibit #**, may be used for this purpose.

2. Remediation plans developed under this section may require additional worksite evaluations to take place during the spring semester. The written remediation plan should be in final form before the second-third week of the spring semester, and should be designed so that its objectives can be met before the end of the spring semester.

3. For good cause, deadlines set in the remediation plan can be extended by mutual written agreement between the evaluatee and his or her supervisor, and with notice to the peer evaluators. Good cause exists when, for instance, a good faith effort to accomplish the goals and objectives is being made.

4. If, during any year of review, the employee is rated as “unsatisfactory,” the evaluation team may postpone the creation of a Remediation Plan until after the Board of Trustees acts on contract renewal recommendations.

5. If an employee is given a remediation plan during the fourth year, the remediation process should be fully complete before December 1 of the next academic year.

6. Remediation plans and the results of the work done in remediation will become part of the employee’s evaluation file, which will be considered during the deliberations of the Tenure Review Committee and during the next evaluation cycle.

H. TENURE RECOMMENDATION

1. There shall be one college Tenure Review Committee to review the recommendations of the evaluation teams and to review any existing remediation plans in existence for the evaluatee. This committee will consist of the vice president of academic affairs or designee, the vice president of student affairs or designee, the president of the Academic Senate or designee, and the vice president of the Academic Senate or designee.

2. The Tenure Review Committee shall review the recommendations of the evaluators at the end of the first and second years to make the decision to recommend:

   a. Entering into the next contract.

   b. Not entering into a contract for the following academic year.
c. In exceptional cases, the Tenure Review Committee may recommend that tenure be granted at the end of the second or third year.

3. The Tenure Review Committee shall review the recommendations of the evaluators at the end of the fourth year to make the decision to recommend:
   a. Employing the probationary employee as a tenured employee for all subsequent academic years.
   b. Not entering into a contract for the following academic year.

4. If members of the Tenure Review Committee are not in agreement on the recommendation to be made under H.2. or H.3. above, then the recommendations of all members may be submitted to the superintendent/president.

5. The Tenure Review Committee may recommend that a remediation plan be developed by the evaluation team.

6. The Tenure Review Committee will forward to the superintendent/president its recommendation(s) for action.

7. The superintendent/president shall forward to the Governing Board the Tenure Review Committee report, all the evaluation materials, and his or her own recommendations. If the recommendation does not support tenure, the evaluatee shall be notified.

8. Prior to March 15, consistent with the requirements of the Education Code, the District and/or the chair of the Tenure Review Committee shall contact the evaluatee and inform him or her of the Board’s decision on contract renewal or nonrenewal.

I. GRIEVANCE PROCEDURES

1. Education Code Section 87610.1 b-d defines grievable issues.

2. A faculty member who is notified of nonrenewal or denial of tenure may appeal by filing a grievance. The faculty member may pursue the matter to arbitration with or without representation by the exclusive representative. If the representative does not initiate arbitration, the faculty member shall file with the college president adequate and reasonable security to pay the faculty member’s share of the arbitration.

3. A final decision reached following a grievance or hearing conducted pursuant to subdivision (b) of Section 87610.1 shall be subject to judicial review pursuant to section 1094.5 of the Code of Civil Procedure. (Education Code Section 87611)

J. MISCELLANEOUS

1. Refusal of the evaluatee to participate in any element of the evaluation shall release the District, other members of the evaluation team, and members of the Tenure Review
Committee, from the obligation to complete that part of the evaluation, and may result in termination of the individual’s employment contract.

2. Nonsubstantive procedural errors shall not constitute cause for invalidating the evaluation unless the errors are prejudicial errors.

3. All evaluation materials become part of the evaluatee’s personnel file. The evaluatee shall have ten (10) days, except non-teaching days within the academic year, to submit written comments regarding the evaluation. Any such comments shall be attached to the report and retained in the employee’s personnel file.

4. Upon 24 hours’ notice, a faculty member may examine his or her personnel file on days on which the Human Resources Office is open and may obtain copies of any material placed in the file as a result of the evaluation procedure. Upon written permission of the faculty member, an Association representative may review the faculty member’s file, or accompany the faculty member in his or her review of the file.

5. The District recognizes the right of the evaluatee to participate in Faculty Association activities. These activities will not be a part of the evaluation process.

Agreed to as a tentative agreement this _____ day of __________________, 2015.

For the District:                                                   For the HCFA:

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HCFA-HCCD TENTATIVE AGREEMENT
ON ARTICLE 13
FEBRUARY 5, 2015

ARTICLE 13. EVALUATION OF REGULAR (TENURED) ACADEMIC PERSONNEL

A. PURPOSE

1. The basic reasons for evaluation are to (1) improve the educational programs of the District; (2) recognize outstanding performance; (3) improve satisfactory performance and further the growth of employees who are performing satisfactorily; (4) identify weak performance and assist employees in achieving required improvement; and (5) document unsatisfactory performance.

2. The evaluation process shall be sensitive to issues of diversity. All parties to the evaluation process shall adhere to the District's policy on integrity and ethics.

B. FREQUENCY

1. Regular faculty shall be evaluated at least once every six (6) semesters in compliance with Education Code Section 87663.

2. More frequent evaluations may be conducted when the purpose of the evaluation process will be furthered, such as when the faculty member is completing a remediation plan or has received an unsatisfactory evaluation during the last evaluation period.

C. ASSESSMENT CRITERIA

Faculty members shall be assessed according to the core duties, and standards of professional competence, professional conduct, professional growth, and college-related service outlined in Article 14, section C, for probationary faculty, although a higher level of each may be expected of experienced, tenured faculty.

D. EVALUATION TEAM

1. The evaluation team shall consist of the faculty member’s direct supervisor and a tenured faculty peer.

   a. The evaluatee shall select a peer faculty member, normally from the same or a closely related discipline, to perform the peer evaluation.

   b. Faculty members may not choose each other as peer evaluators during the same evaluation period, provided this does not conflict with the need for disciplinary expertise in the evaluator or diversity in the evaluation team.
c. In order to benefit from varied perspectives, faculty should choose different peer evaluators during each evaluation period, unless the former peer is assisting the faculty member in achievement toward a particular goal, and consistency would be important in measuring that growth.

d. The vice president of academic affairs or student affairs, as appropriate, may choose an administrator other than the direct supervisor to serve on an evaluation team for a faculty member, when such a choice furthers the purposes of evaluation under this article.

e. When a faculty member has a documented grievance or complaint against his or her direct supervisor, he or she may request to be evaluated by an administrator in a closely related field; such a request will be handled by the appropriate vice president, whose decision shall be final.

2. Each faculty member may be required to perform up to 2 peer evaluations in any one semester on other faculty members and up to 3 peer-evaluations in any one academic year. Nothing in this section shall preclude a faculty member from agreeing to perform more evaluations.

E. COMPONENTS OF THE EVALUATION

1. Work Site Observations

   a. The direct supervisor and the peer evaluator shall observe the work performance of the evaluatee on at least one occasion each. The class meetings to be observed shall be decided during the pre-evaluation conference by consensus among the members of the evaluation team, including the evaluatee. Each observation shall be summarized on a work site observation form. The work site observation form is attached as an exhibit. Different forms than those found in the appendix may be used if all members of the evaluation team and the appropriate vice president agree in advance to their use, upon a finding that the alternate forms allow assessment of the criteria included in this article. In such a case, a copy of the alternate forms will be filed with the appropriate vice president before they are used in a worksite evaluation.

   b. Work site observations shall follow the rules outlined in Article 14, section E.3., including the duration of each observation, and special considerations for observation of non-traditional or distance education courses.

   c. If the faculty member’s teaching load includes different modalities, e.g., lecture and lab, face-to-face and distance education, worksite observations should include all modalities taught in, even if that requires more than the minimum number of observations. The different modalities currently include lecture, distance-education, hybrid, and laboratory courses. Neither “hybrid” courses nor lecture/lab courses will be considered a different modality that triggers an additional evaluation unless the component modalities are totally unrepresented in the rest of the faculty member’s teaching load.[M1]

2. Student Appraisals
a. Every student present in every class that the evaluatee teaches shall be requested to submit written evaluations and comments utilizing the student appraisal form, either in paper or online format.

b. The rules of administration of student appraisals in Article 14 shall be used for student appraisals under this article, including the provisions for student appraisals for non-instructional faculty. See Article 14, section E. 1.

3. Evaluatee’s Goals and Reports

a. Professional Growth Report--The evaluatee shall submit a written report chronicling professional development and growth activities since the last evaluation. This report can substitute, in an evaluation year, for the annual professional growth report (complying with article 5.B.6). This report covers the years between evaluations. The report should include course work, publications, conferences, workshops, curriculum and instruction development, and any non-traditional professional growth activities engaged in. A sample professional growth report is attached as an exhibit.

b. College-related Activities Report--The evaluatee shall submit a written report covering the years between evaluations, with supporting attachments as appropriate. The report should include all college-related committees, recruitment, retention, education liaison, special activities, and presentations that are related to the advancement of Hartnell College. A sample college-related activities report is attached as an exhibit.

c. Professional Goals Report—The evaluatee will identify one to three goals related to teaching, other academic matters, or student success, and will identify strategies and timelines for achieving those goals.

d. Self-Appraisal Report--The evaluatee’s written report shall include:

(1) a copy of course materials, including syllabi, course outlines, sample quizzes and tests, course websites, and any other instructional materials developed and used by the evaluatee that reflect changes, growth, or pedagogical experiments.

(2) A written statement of the evaluatee’s effectiveness in the classroom and/or counseling, librarian, or instructional specialist activities and in the profession, including an assessment of performance of core duties, professional competence, and professional conduct.

(3) Assessment of progress toward the Professional Goals as identified in the Professional Goals Report from the last evaluation period, as described in (c) above.

4. Evaluation Summary

The direct supervisor shall be responsible for preparing the evaluation summary.

Prior to the post-evaluation conference, the administrator and the peer evaluator shall meet to determine if they agree on a rating and on the evaluatee’s general strengths and
areas needing improvement. In the event there is disagreement, the administrator and the peer evaluator will discuss all of the evaluation materials and their differences so as to decide how and what to tell the evaluatee. Barring egregious circumstances, no rating of “unsatisfactory” shall be given without the agreement of both evaluators.

The evaluation summary shall address the evaluation criteria found in article 13.C, and assess all components of the evaluation. When the team is examining the development and assessment of course and program-level SLOs, it will not use student performance as a substitute for teacher performance. The evaluation shall rate the faculty member “satisfactory, "needs improvement,” or “unsatisfactory,” and shall give a full and specific explanation of any “unsatisfactory” rating. For faculty rated “needs improvement” or “unsatisfactory,” suggestions for improvement must be listed in this document, and a remediation plan must be developed in accordance with section G, below.

F. PROCEDURES, TIMELINES, CONFERENCES

1. Tenured faculty members will be evaluated every third year of employment in tenured status.
   a. Notification: The District will notify, in writing, any instructor who is to be evaluated during the upcoming academic year. This notice shall be given, in writing, prior to September 30 of the evaluation year.
   b. Peer selection: The evaluatee shall select a tenured faculty member, normally from the same or a closely related discipline, to perform the peer evaluation, and shall advise his or her supervisor of this selection by October 1 of the evaluation year.

2. Pre-evaluation conference: The direct supervisor will convene a pre-evaluation conference for the instructor, the peer evaluator, and the supervisor prior to the evaluation process beginning.
   a. This conference shall be held by October 15 of the evaluation year.
   b. The purpose of the conference will be to discuss the standards and procedures upon which the evaluation will be based, to coordinate the peer evaluation and worksite observations, and the timelines for the completion and submission of all reports and other documents.
   c. At the pre-evaluation conference, the evaluation team will review these procedures and all forms that will be used. A copy of these procedures and forms shall be provided to the evaluatee.

3. The specific evaluation timetable for any particular faculty member shall be determined by the direct supervisor and the faculty member, including a timeline for when the faculty member will turn in required and permissive reports. All deadlines chosen must give team members sufficient time to respond and consider preceding components of the evaluation.
a. Where the worksite observations are to be conducted in the fall, team members will use these guidelines:

(1) evaluatee goals and reports – submit by November 1

(2) worksite observations – conducted by November 15

(3) evaluation summary and post-evaluation conference – by December 15

b. Where the worksite observations are to be conducted in the spring, team members will use these guidelines:

(1) evaluatee goals and reports – submit by March 1

(2) worksite observations – conducted by March 15

(3) evaluation summary and post-evaluation conference – by April 15

4. Evaluation Team Conference.

To prepare for the post-evaluation conference, the peer and administrator will meet to review all of the materials submitted for the evaluation by the evaluatee, the student appraisals, and their work site observations. See E.4 above.

5. Post-evaluation conference:

a. The supervisor shall call a post-evaluation conference for the evaluation team to discuss all components of the evaluation, including the evaluation summary. The evaluation summary report can be discussed and amended.

b. The evaluatee shall have ten days, except non-teaching days within the academic year, to submit written comments regarding the evaluation or remediation. Any such written comments shall be attached to the evaluation report and retained in the employee’s personnel file.

5. If any of the September or October deadlines are not strictly met by the parties, the evaluation may nevertheless take place, but all deadlines must be extended accordingly so as to give all parties sufficient time to complete the process.

6. No evaluation shall extend beyond the academic year in which it was started without the mutual written consent of the evaluatee and the direct supervisor.

7. Summary of Team Members’ Responsibilities

a. The direct supervisor shall be responsible for: (1) calling the pre-evaluation conference; (2) coordinating the evaluation schedule; (3) performing work site observation(s); (4) administering student appraisals; (5) evaluating all materials
submitted; (6) preparing the supervisor evaluation report; (7) conducting the evaluation team conference; and (8) conducting the post-evaluation conference.

b. The evaluatee is responsible for: (1) selecting a peer evaluator; (2) attending pre-evaluation conference and participating in creating an evaluation schedule; (3) providing required instructional materials and reports; (4) identification of one to three goals; and (5) participating in the post-evaluation conference.

c. The peer evaluator shall be responsible for: (1) meeting and discussing evaluation objectives; (2) performing work site observation(s) and reports; (3) participating in the evaluation team conference; and (4) participating in the post-evaluation conference.

d. Remediation plans, if applicable, require participation from all parties.

G. REMEDIATION OF A NEEDS IMPROVEMENT OR AN UNSATISFACTORY EVALUATION RATING

1. The evaluation team, in consultation with the evaluatee, shall prepare a remediation plan in the areas that the evaluation identifies as needing improvement. The remediation plan shall be developed in the evaluation year, and implementation completed by December 15 of the year following the evaluation.

2. In the event that the evaluatee and/or the peer evaluator decline to participate in the development of a remediation plan, the supervisor shall develop the remediation plan in time to be put into effect during the fall of the following academic year. The evaluatee may choose to write, and have attached to the evaluation reports, a rebuttal to those specific area(s) identified by the supervisor as being unsatisfactory and have it placed in the evaluatee’s personnel file.

H. GRIEVANCE PROCEDURES

1. Education Code Section 87610.1 defines grievable issues.

2. Alleged violations in the procedures set forth in this article shall be subject to the grievance procedure set forth in article 16. However, the contents of an evaluation shall not be subject to the grievance procedure.

I. MISCELLANEOUS PROVISIONS

1. Upon 24 hours’ notice, a faculty member may examine his/her personnel file on days on which the Human Resources and Equal Employment Opportunity Office is open and may obtain copies of any material placed in the file as a result of the evaluation procedure. Upon written permission of the faculty member, an Association representative may review the teacher’s file, or accompany the teacher in his/her review of the file.
2. All evaluation materials become part of the evaluatee’s personnel file. The evaluate shall have ten (10) days, except non-teaching days within the academic year, to submit written comments regarding the evaluation. Any such comments shall be attached to the report and retained in the employee’s personnel file.

3. “Day” as used herein means any day that the District administrative office is open.

Agreed to as a tentative agreement this ______ day of __________________, 2015.

For the District:                                                   For the HCFA:

________________________________                    ____________________________________
________________________________                    ____________________________________
________________________________                    ____________________________________
________________________________                    ____________________________________
________________________________                    ____________________________________
Hartnell Community College District
and the
Hartnell College Faculty Association

SIDE LETTER OF AGREEMENT
August 8, 2014

The Hartnell Community College District (District) and the Hartnell College Faculty Association (Association) mutually agree to the following:

1. To amend Article 5C of the current collective bargaining agreement between the parties to add new paragraphs 1.d. through 1.f. to give head coaches who are full time faculty members 10 additional days, to add two more additional days for the athletic trainer; and to increase the stipends for other coaches:

   d. Head athletic coaches who are full time faculty shall work an additional 10 days per year for each sport in which they work in that capacity. The additional days shall be paid at 1/175 of the contract salary per day and shall be subject to the STRS Defined Benefit Plan. These additional days are to compensate for administrative and coordinating duties pertaining to the competitive season that are outside the normal work period. A head coaching assignment for a sport that has combined men’s and women’s teams shall be considered only one head coaching assignment.

   e. The athletic trainer shall work 24 additional days each year, reflective of the year-round commitment needed to support athletic competition. The additional days shall be paid at 1/175 of the contract salary per day and shall be subject to the STRS Defined Benefit Plan. These additional days may include work during July.

   f. Stipends for part-time head coaches, assistant, and positional coaches shall be paid in equal monthly installments over the course of the season. Stipend amounts are as follows:

   1. Part-time head coach: $8,000 per sport
   2. Assistant coach: $7,000 per sport
   3. Positional coach: $4,000 per sport

2. To change Article 9 to reflect that P.E. and kinesiology courses will be treated like all other classes with regard to load, and to add a measure of load in the off season for all head coaches. This will be accomplished by:

   a. deleting all of the current language, including the chart, in Paragraph B.
   b. adding a third paragraph to section A under the heading “Units shall be equated as follows:”

   One coaching or P.E. lab hour equals two-thirds equated units.

   c. creating a new section B. that says the following:

   B. In the off-season semester, the head coaches shall receive 2.0 equated units of load for promotion, recruiting, and placement of the athletes and the sport. Sports with combined men’s and women’s teams shall be treated as one team for
purposes of promotion and recruiting. For basketball, which spans two semesters, the off-season load factor will be coordinated with the Director of Athletics.

The provisions of this side letter of agreement will be effective with the beginning of the 2014-15 academic year.

This agreement will be incorporated into the collective bargaining agreement upon ratification of all parties, and is subject to the terms of the collective bargaining agreement.

For the District: 

[Signature]

For the Association:

[Signature] 8/19/2014

[Signature] 8/25/2014