

- f. Have tenure decisions which are not based upon criteria which are arbitrary, capricious, or unreasonable.
  - g. Review and receive copies of all documents developed or received during the Tenure Review process. (The District may charge for actual cost of reproduction.)
  - h. Take any leave guaranteed to probationary employees under the Ed. Code, the PFT Contract, or other state and federal laws without adversely affecting their tenure process.
  - i. Challenge the appointment of one faculty member of the TRC. The candidate shall give notice of the challenge to the College Academic Senate President and the College Tenure Facilitator within three weeks of the first meeting of the candidate with the TRC, or as soon as substantiated evidence of non-objectivity of a TRC faculty member is shown. The College Academic Senate President shall appoint the replacement faculty member. The candidate may exercise a challenge during any year of the four-year tenure evaluation process, but only once during the tenure process unless just cause for an additional challenge is shown. If just cause exists, additional challenge(s) may be heard by the District Academic Senate Ethics Committee along with the College Vice President of Instruction. The committee shall decide by majority vote if just cause exists for an additional challenge.
  - j. Consult as necessary with the College Tenure Facilitator about questions or problems which arise.
2. Responsibilities; The Candidate is required to:
- a. Attend all orientation sessions, as well as all meetings and conferences scheduled with the Tenure Review Committee.
  - b. Participate fully in the development of the Evaluation Plan
  - c. Assemble materials for the portfolio including submitting materials used in classes, self-evaluations as called for in the Tenure Review Process, and other materials relevant to the tenure decision.
  - d. Join with the Tenure Review Committee in creating an improvement plan to address any identified weaknesses, and to participate in the activities agreed upon in the plan. The candidate is required to cooperate with the TRC in the implementation of any improvement plan.
  - e. Maintain a professional and collegial relationship with the members of the Tenure Review Committee.
3. A long term substitute who teaches a full academic year and is hired under contract the following academic year will be considered in their second probationary year (Ed Code 87478). In this or any case where a candidate has not been or will not be evaluated in each of four years of probationary status, additional evaluations should be done to make up for this lack of a full four year evaluation process.

#### D. COLLEGE TENURE FACILITATOR

- 1. A College Tenure Facilitator shall be jointly appointed by the PFT Representatives (with both PFT Representatives sharing one vote), the College Faculty Senate President, and the Vice President of Instruction, by majority vote. Qualifications for College Tenure Facilitator will preferably include experience in implementing and applying written regulations and procedures.
- 2. College Tenure Facilitator will serve for a period of one year and can be reappointed for three additional one-year terms. The College Tenure Facilitator cannot serve for more than four consecutive years.
- 3. Release time for College Tenure Facilitators shall be allocated jointly by the President of the District Academic Senate, the President of the Peralta Federation of Teachers (PFT), and the Vice Chancellor for Educational Services in proportion to the expected workload of each member. Consideration shall be given to the number of first, second and third-year TRCs that each Officer will be working with.
- 4. An aggregate 1.2 F.T.E. release time will be granted, District wide, for the four College Tenure Facilitators. Either side may reopen this section of the agreement if there is a significant change in the expected workload of this position.

#### Responsibilities of the College Tenure Facilitators

The College Tenure Facilitators shall be responsible for:

- 1. Training TRC members to ensure that they are knowledgeable about the tenure review process including techniques and appropriate criteria for evaluating faculty.
- 2. Monitoring the TRC's implementation of the tenure review process. Such monitoring shall include a meeting each term with each TRC, the candidate's peer advisor, and the college Vice President of

Instruction in order to review the TRC's activities including whether recognized standards are being applied in the evaluation process, and whether the TRC is following the tenure review process, procedures and timetables.

3. Meeting at least once each term with the candidate to assure that any concerns about the TRC or the tenure review process are addressed.
4. Reviewing each tenure track portfolio every two weeks to check on compliance with Tenure Procedure guidelines, timelines, and the Evaluation (or Improvement) Plan.
5. Checking that the standards used in all portfolio documents are in compliance with the Statement of Faculty Excellence [*see Policy, Sec. B, above*]. Any documents containing allegations based on rumors or hearsay will not be allowed in the portfolio and may not be used at all in the Tenure process.
6. Immediately informing the Dean and the College Vice President of Instruction if they note any problems with compliance with timelines, guidelines or other areas in any tenure review, and work with the Vice President to resolve such problems.
7. There shall be monthly meetings between the College Tenure Facilitators, the Vice Presidents, and the Vice Chancellor of Educational Services to review the portfolios and to identify problems and develop plans of action. The monthly meetings shall be scheduled at the beginning of the academic year. The President of the District Academic Senate (or designee) and the President of the Peralta Federation of Teachers (PFT) (or designee) may attend these meetings.

#### E. SUPPORT FOR THE TENURE REVIEW COMMITTEE

*[See Appendix A.]*

#### F. CODE OF ETHICS FOR MEMBERS OF THE TENURE REVIEW COMMITTEE

TRC Members shall:

1. Read all tenure review materials and follow all guidelines, timetables and procedures.
2. Be as objective as possible in the evaluations when personally observing classroom performance. Judgments shall not be based on rumor or hearsay.
3. Be constructive in their criticism, pointing out specific areas of weakness and recommending a plan for correcting those weaknesses within a reasonable time frame.
4. Take care to evaluate the candidate on professional conduct and ability to teach rather than personal characteristics unrelated to job performance, such as general lifestyle, religious beliefs, sexual preferences, political affiliations, and social customs.
5. Recognize that the candidate may have a different philosophy of education and teaching style than theirs. The main concern should be the effectiveness of the candidate in the classroom.
6. Disqualify themselves if they believe they are prejudiced toward a candidate.
7. Decline to serve on the TRC for a candidate if they know that relatives or close friends have successfully or unsuccessfully applied for the position held by the candidate.
8. Respect the confidentiality of the tenure process, with evaluations and the views of members regarded as private information.

#### G. REPLACEMENT OF TRC MEMBERS

1. If a faculty member of the TRC is challenged, becomes unable to perform his/her responsibilities due to illness or injury; becomes an administrator, takes a leave, resigns, retires (and becomes the second retired TRC faculty member), or must be replaced for any other reason, a replacement shall be designated by the College Academic Senate President.
2. At the end of the second year of probationary status, if the prior years' overall performance ratings of the candidate have been "Satisfactory" (CCF. II.A.11.a) or "Superior", the TRC may determine to proceed with two faculty members and the Dean in probationary years three and four. In choosing the two continuing faculty members on such committees, the affirmative action guideline in 1.A.2.c shall apply, and all three faculty members on the TRC must agree on the choice.

Regarding divisions of the TRCs with only two faculty members, if the faculty members on the TRC do not reach consensus, the Dean may vote in case of a tie vote.