ARTICLE 11 TENURE REVIEW

All contract faculty members employed in a position designated by the District as "tenure track," and governed by the provisions of California Education Code §87604 through §87609 shall be evaluated during the first years of their employment according to the policies, criteria, and procedures enumerated in this Article.

11.1 Statement of Purpose

The tenure review process should ensure that students have access to the most knowledgeable and student-oriented faculty available. To that end, the four-year probationary period should provide sufficient time for contract employees to understand the expectations for tenure, to develop the skills and acquire the experience, to participate successfully in the educational process, and to use appropriate resources for professional growth. Based upon clear evaluation criteria, the process should enhance academic growth by providing a useful assessment of performance.

11.2 Evaluation Criteria

11.2.1 Students

The contract employee who merits tenure:

1. is concerned about, and acts to enhance, students' academic success;

2. respects the opinions and concerns of the students;

3. is willing and available to assist students; and

4. is responsive to the educational and individual needs of students by exhibiting awareness of, and sensitivity to, the diversity of cultural backgrounds, lifestyles, learning styles, and goals of students, as well as gender and age differences.

11.2.1 Professional Responsibilities

The contract employee who merits tenure:

1. participates in division activities and at least one college standing committee, student club or college advisory committee;

2. maintains ethical standards;

3. makes a reasonable effort to develop and to maintain workable relationships with colleagues and staff; and

4. demonstrates a commitment to the profession of teaching and to his/her area of expertise.

11.2.3 Duties

The following duties reflect the different roles of teaching faculty, counselors, librarians, and non-instructional faculty members.

11.2.3.1 Classroom Teaching Duties

The classroom instructor who merits tenure:

1. is clearly knowledgeable in the discipline.

2. is aware of current developments and research in the field;

3. communicates effectively with students and colleagues;

4. uses effective teaching methods that are appropriate for the subject matter;

5. uses appropriate assessment and testing methods to measure student progress;

6. covers course content as contained in the course outlines, while recognizing the needs of individual classes and students; and

7. maintains and submits classroom and college records and reports in accordance with District policies.

11.2.3.2 Counseling Duties

The counselor who merits tenure:

1. is clearly knowledgeable in academic, career, and personal counseling;

2. is aware of current developments and research in educational counseling;

3. communicates effectively with students and colleagues;

4. uses appropriate methods to evaluate and monitor student progress;

5. maintains and submits counseling and college records and reports in accordance with District policies.

11.2.3.3 Librarian Duties

The librarian who merits tenure:

1. is clearly knowledgeable in the area of librarianship; library operations, services and materials;

2. is aware of current developments and research in librarianship;

3. communicates effectively with students and colleagues;

4. uses methods and resources appropriate to the job assignment and is responsive to the needs of students;

5. uses appropriate methods to evaluate and monitor the work of library staff and students;

6. stimulates the students' use of, and interest in, the library and its facilities; and

7. maintains and submits library and college records and reports in accordance with District policies.

11.2.3.4 Non-Classroom Faculty Duties

The non-classroom faculty member who merits tenure:

1. is clearly knowledgeable in the area of the assignment;

2. is aware of current developments and research in the field;

3. communicates effectively with students and colleagues;

4. uses methods and resources appropriate to the job assignment;

5. uses appropriate methods to evaluate and monitor work;

6. stimulates use of, and interest in, work assignment; and

7. maintains and submits work assignment and college records and reports in accordance with District policies.

11.3 Individual Tenure Review Committee

11.3.1 Composition of the Committee

The Individual Tenure Review Committee shall be composed of three members:

1. the current academic area faculty leader, or appropriate faculty designee (Department Chairperson, head counselor, or a tenured faculty member from within the division, selected by the supervising administrator or Vice President if there is no Department Chair or head counselor in the academic area);

2. a tenured faculty member selected by the candidate (may be from within or without the division);

3. the Vice President for Academic Services, the Vice President for Student Services, as appropriate, or an appropriate Academic Administrative designee, such as the academic Dean of the area in which the faculty member works.

The same committee members will serve for the duration of the candidate's probationary period, with replacements made by the current academic area faculty leader for members who retire, resign from the college, or remove themselves for cause, with the following exceptions:

1. if the individual holding the position of Department Chairperson or head counselor changes during the period of an ongoing tenure review, the outgoing Department Chairperson or head counselor shall remain on the committee for the entire tenure review period, and not be replaced by the incoming Department Chairperson or head counselor. The incoming or sitting Department Chairperson or head counselor shall be responsible only for submitting the professional duties portion of the tenure review to the Individual Tenure Review Committee for their evaluation.

2. the faculty member under review may request to replace the faculty member he initially selected to serve on the committee without cause, once during the four year tenure review process.

If a conflict of interest exists or arises during the four year tenure review period, the involved member should disqualify him/herself for cause or be subject to disqualification by the other two members of the Individual Tenure Review Committee.

11.3.2 Duties of the Individual Tenure Review Committee

11.3.2.1 Academic Area Leader

The academic area leader has the following responsibilities:

1. to establish committee membership following the guidelines described below in section 11.4;

2. to convene the first meeting in accordance with the timelines established in these tenure review procedures; and

3. to inform all committee members of their duties and responsibilities as specified in these tenure review procedures.

11.3.2.2 Committee Members

The Individual Tenure Review Committee members' duties and responsibilities are:

1. to be knowledgeable concerning all tenure review laws, policies, and agreements;

2. to be objective when evaluating the candidate's performance, basing judgments on the criteria outlined in section 11.2 of these tenure review procedures.

3. to take care to base the evaluation only on the candidate's professional characteristics and ability to teach;

4. to recognize that the candidate may have a different philosophy of education and teaching, counseling or work style than theirs, and let the main concern be the effectiveness of the candidate's work with students;

5. to respect the confidentiality of the tenure review process, and treat evaluations and the review of members, as private information.

11.3.2.3 Committee Chairperson

The Chairperson of the tenure review committee shall be responsible for:

1. notifying the candidate at the beginning of the appropriate semester of the required tenure review activities to be completed;

2. calling all required meetings of the tenure review committee;

3. ensuring that all tenure review activities are completed as required and in a timely manner.

11.3.3 District Authorized Leave

A committee member may be granted District Authorized Leave when required tenure review obligations conflict with the committee member's teaching schedule.

11.4 Evaluation Process

The evaluation process shall include the following general steps:

1. an orientation meeting called by the academic area leader, during which a committee chairperson shall be elected and the candidate shall have explained the evaluation criteria, the evaluation process, and the timelines;

2. the formal evaluation of the candidate in accordance with the tenure review procedures;

3. a meeting of the Individual Tenure Review Committee to consider all evaluation input, and to decide on the recommendation for the candidate's status for the subsequent year, and to design a plan of instructional improvement for the candidate, if appropriate.

4. a meeting of the Individual Tenure Review Committee with the candidate to discuss the employment recommendation, and to recommend a plan for instructional improvement, if appropriate; and

5. the submission of the Individual Tenure Review Committee's recommendation to the Superintendent/President.

11.4.1 Orientation Meeting

An orientation meeting shall be held for all newly hired full-time probationary faculty members during the fall semester of the first full contract year of employment (first academic year). The academic area leader shall call this meeting at which the first order of business shall be election by the committee of the chairperson of the Individual Tenure Review Committee. The elected chairperson shall preside over the remainder of that meeting and over all subsequent meetings. The Individual Tenure Review Committee chairperson shall designate a

substitute to serve in his or her absence. The Individual Tenure Review Committee form (form A) shall be completed.

Each probationary faculty member shall be given a copy of the job announcement under which s/he was hired, a blank copy of the administrative and peer evaluation form, and a blank copy of the student evaluation form. The probationary faculty member will be evaluated based upon the criteria described on these forms and the criteria enumerated in section 11.2 above. The chairperson of the Individual Tenure Review Committee shall be responsible for ascertaining that the probationary employee has received a description of and has clearly understood the evaluation process and the criteria under which s/he shall be evaluated.

11.4.2 Formal Evaluation

The candidate shall be evaluated in the following areas and in the following manner appropriate to his/her category of employment.

11.4.2.1 Teaching Faculty

1. An evaluation of classroom performance shall be made by the Individual Tenure Review Committee in accordance with the following:

    a. one classroom observation per committee member will be conducted during the appropriate semesters as described in sections 11.5 through 11.8 below;

    b. the candidate shall be given a minimum of five (5) workdays notice regarding the date and time of each specific observation; and

    c. the candidate may request a pre-observation meeting with the evaluator(s) and/or provide a brief lesson plan to the evaluator(s) prior to the observation.

2. An evaluation of classroom performance by students shall be completed using a student evaluation form, Evaluation of Teacher by Students (form M), or SGID, collected by the candidate or deposited in a locked drop box, or delivered to the academic area leader, as appropriate;

3. An evaluation of professional duties and responsibilities of the candidate shall be conducted by the sitting academic area leader, regardless of that individual's status on the Individual Tenure Review Committee, who shall evaluate the

candidate's performance on the professional duties criteria enumerated in section 11.2.2 above;

4. An evaluation of course informational documents shall be made consisting of the examination of course introduction sheets and syllabi to be submitted by the candidate; and

5. An evaluation shall be made of any other information deemed by the Individual Tenure Review Committee to be relevant to its employment recommendation.

11.4.2.2 <u>Counseling Faculty</u>

1. An evaluation of counseling performance shall be made by the Individual Tenure Review Committee in accordance with the following:

   a. one observation per committee member will be conducted during the appropriate semesters as described below in sections 11.5 through 11.8 below ;

   b. the candidate shall be given a minimum of five (5) workdays notice regarding the date and time of each specific observation; and

   c. the candidate may request a pre-observation meeting with the evaluator(s) and/or provide a brief student history to the evaluator(s) prior to the observation.

2. An evaluation of counseling performance by students shall be completed in accordance with the following:

   a. an Evaluation of Counselors by Students (form N) shall be distributed to those students provided counseling assistance by the candidate;

   b. students will deposit their completed forms in a locked collection box;

   c. forms from the locked box will be retrieved and tabulated by the chairperson of the Individual Tenure Review Committee; and

   d. the forms will then be made available to the candidate for his/her review.

3. An evaluation of professional duties and responsibilities of the candidate shall be conducted by the sitting academic area leader, regardless of that individual's status on the Individual Tenure Review Committee, who shall evaluate the candidate's performance on the professional duties criteria enumerated in section 11.2.2 above;

4. An evaluation of appropriate counseling documents shall be conducted; and

5. An evaluation shall be made of any other information deemed by the Individual Tenure Review Committee to be relevant to its employment recommendation.

11.4.2.3 <u>Librarians</u>

1. An evaluation of librarianship performance shall be conducted by the Individual Tenure Review Committee in accordance with the following:

   a. one observation per committee member will be conducted during the appropriate semesters as described below in sections 11.5 through 11.8 below;

   b. the candidate shall be given a minimum of five (5) workdays notice regarding the date and time of each specific observation; and

   c. the candidate may request a pre-observation meeting with the evaluator(s) and/or provide a brief student history to the evaluator(s) prior to the observation.

2. An evaluation of performance by students shall be conducted using a student evaluation form or the Evaluation of Librarian by Students (Form O), collected by the candidate or deposited in a locked drop box, or delivered to the academic area leader, as appropriate.

3. An evaluation of professional duties and responsibilities of the candidate conducted by the sitting academic area leader, regardless of that individual's status on the Individual Tenure Review Committee, who shall evaluate the candidate's performance on the professional duties criteria enumerated in section 11.2.2 above;

4. An evaluation of appropriate library records and documents shall be made; and

5. An evaluation shall be made of any other information deemed by the Individual Tenure Review Committee to be relevant to its employment recommendation.

11.4.2.4 Non-Classroom Faculty

1. An evaluation of performance shall be conducted by the Individual Tenure Review Committee in accordance with the following:

   a. one observation per committee member will be conducted during the appropriate semesters as described below in sections 11.5 through 11.8 below ;

   b. the candidate shall be given a minimum of five (5) workdays notice regarding the date and time of each specific observation; and

   c. the candidate may request a pre-observation meeting with the evaluator(s) and/or provide an outline of the workshop or training session to the evaluator(s) prior to the observation.

2. An evaluation of performance by clients using a client evaluation form or the Evaluation of Non-Classroom Faculty by Clients (Form P), collected by the candidate or deposited in a locked drop box, or delivered to the academic area leader, as appropriate.

3. An evaluation of professional duties and responsibilities of the candidate conducted by the sitting academic area leader, regardless of that individual's status on the Individual Tenure Review Committee, who shall evaluate the candidate's performance on the professional duties criteria enumerated in section 11.2.2 above;

4. An evaluation of appropriate library records and documents; and

5. Any other information deemed by the Individual Tenure Review Committee to be relevant to its employment recommendation.

11.4.3 Candidate's Self-Assessment

The candidate shall complete a self-assessment as part of the evaluation process, utilizing the Candidate's Self-Assessment form (form C). The candidate

may submit additional information concerning professionally related activities such as conference or workshop attendance, professional association memberships, scholarly publications, and research as part of this self-assessment.

11.4.4 Right of Response

The candidate has the right to respond in writing to any complaint, concern, or other issues raised during or regarding this tenure review process.

11.5 First Contract Period

The first contract period of the probationary period shall be for the first full academic year of employment (Ed. Code §87600-87608)

11.5.1 First Semester

The following duties are to be performed during the candidate's first semester of the first contract period:

1. the Individual Tenure Review Committee shall be established; and

2. an orientation meeting with the candidate shall be held to discuss the evaluation process and the timelines.

11.5.2 Second Semester

The following duties are to be performed during the candidate's second semester of the first contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and evaluation materials;

2. one observation shall be made by each of the committee members, unless the candidate requests additional observations;

3. the candidate shall submit Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and, if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of weakness and, the committee shall complete the Evaluation and Recommendations form (form B);

7. The committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. The Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, and in accordance with California Education Code §87608, the governing board shall elect one of the following alternatives:

    a. not to enter into a contract for the following academic year;

    b. to enter into a contract for the following academic year;

    c. to employ the candidate as a tenured employee for all subsequent academic years.

11.6 Second Contract Period

The second contract of the probationary period shall be for the second academic year (Ed. Code §87600-87608.5).

If during the first evaluation cycle during the first contract period the candidate received an overall evaluation, as listed on the Evaluation and Recommendation Report (form B), of Needs to Improve, the following procedures shall be undertaken during the candidate's first semester of the second academic year.

If during the first evaluation cycle during the first contract period the candidate received an overall evaluation, as listed on the Evaluation and Recommendation Report (form B), of Exceeds Expectations or Satisfactory, the following procedures shall be undertaken during the candidate's second semester of the second academic year.

The following duties are to be performed during the candidate's second contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and the evaluation materials;

2. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

3. the candidate shall submit the Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of weakness, and shall complete the Evaluation and Recommendations form (form B);

7. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, and in accordance with California Education Code §87608, the governing board shall elect one of the following alternatives:

    a. not to enter into a contract for the following academic year;

    b. to enter into a contract for the following academic year;

    c. to employ the candidate as a tenured employee for all subsequent academic years.

11.7 Third Contract Period

The third contract of the probationary period shall be for the third and fourth academic years (Ed. Code §87600-87609).

During the candidate's first and second semesters of the third contract, the Individual Tenure Review Committee shall perform such duties as are called for in the Candidate's Improvement Plan (form Q) if such a program was instituted.

The following duties are to be performed during the candidate's third semester of the third contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and the evaluation materials;

1. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

2. the candidate shall submit the Candidate's Self-Assessment (form C);

3. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

4. the committee shall decide upon an employment recommendation for the candidate, and if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

5. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of weakness, and shall complete the Evaluation and Recommendations form (form B);

6. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

7. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, and in accordance with Education Code §87609, the governing board shall elect one of the following alternatives:

a. to employ the candidate as a tenured employee for all subsequent academic years; or

b. not to employ the probationary employee as a tenured employee.

11.8 Modified Tenure Review Procedure

In cases where Voluntary or Involuntary Transfer or Reassignment, or Reclassification of a unit member from non-tenure track to tenure-track positions as outlined in Articles 8.3, 8.4, and 8.6 of this agreement takes place, or if a unit member is hired into a tenure-track position after having served as a full-time temporary faculty member for the entire academic year immediately preceding his/her appointment into a tenure-track position, this modified tenure review procedure shall be used in place of the full tenure review procedure.

If the unit member has two or more full years of service with the District at the time when the Transfer, Reassignment or Reclassification takes place then the modified tenure review shall be for a two year period, as described in Article 11.8.1 below.

If the unit member has at least one full year of service but less than two full years of service with the District at the time when the Transfer, Reassignment or Reclassification takes place, then the modified tenure review shall be for a three year period as described in Article 11.8.2 below.

If a unit member is hired into a tenure-track position after having served as a full-time temporary faculty member for the entire academic year immediately preceding his/her appointment into a tenure-track position, the modified tenure review shall be for a three year period as described in Article 11.8.2 below.

If the unit member has less than one full year of service with the District at the time when the Transfer, Reassignment, Reclassification or hire into a tenure-track position takes place, then the full tenure review procedure shall be used.

All unit members evaluated under the Modified Tenure Review Procedure are expected to fulfill their duties and responsibilities under the same evaluation criteria as described above in the full tenure review procedure in Article 11.2 above.

The Individual Tenure Review Committee shall be created and structured in the same way and fashion as described above in the full tenure review procedure in Article 11.3 above.

The Evaluation Process under the Modified Tenure Review Procedure shall be conducted in the same manner and following the same basic structure as outlined above for the full tenure review procedure in Article 11.4 above.

11.8.1 Two Year Modified Tenure Review

11.8.1.1 First Contract Period

The first contract period of the probationary period shall be for the first full academic year of employment in the new position.

11.8.1.1.1 First Semester

The following duties are to be performed during the candidate's first semester of the first contract period:

1. the Individual Tenure Review Committee shall be established; and

2. an orientation meeting with the candidate shall be held to discuss the evaluation process and the timelines.

11.8.1.1.2 Second Semester

The following duties are to be performed during the candidate's second semester of the first contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and evaluation materials;

2. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

3. the candidate shall submit Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and, if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to

present a course of action for the candidate to improve in recognized areas of weakness and, the committee shall complete the Evaluation and Recommendations form (form B);

7. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, and in accordance with Education Code §87608, the governing board shall elect one of the following alternatives:

    a. not to enter into a contract for the following academic year;

    b. to enter into a contract for the following academic year;

    c. to employ the candidate as a tenured employee for all subsequent academic years.

11.8.1.2 Second Contract Period

The second contract of the probationary period shall be for the second full academic year employed in the new position.

The following procedures shall be undertaken during the candidate's first semester of the second academic year:

1. the committee shall meet to review all the pertinent areas of the evaluation and the evaluation materials;

2. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

3. the candidate shall submit the Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of weakness, and shall complete the Evaluation and Recommendations form (form B);

7. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, the governing board shall elect one of the following alternatives:

    a. to employ the candidate as a tenured employee for all subsequent academic years; or

    b. not to employ the probationary employee as a tenured employee.

11.8.2 Three Year Modified Tenure Review

11.8.2.1 First Contract Period

The first contract period of the probationary period shall be for the first full academic year of employment in the new position.

11.8.2.1.1 First Semester

The following duties are to be performed during the candidate's first semester of the first contract period:

1. the Individual Tenure Review Committee shall be established; and

2. an orientation meeting with the candidate shall be held to discuss the evaluation process and the timelines.

11.8.2.1.2 Second Semester

The following duties are to be performed during the candidate's second semester of the first contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and evaluation materials;

2. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

3. the candidate shall submit Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and, if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);
6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of

weakness and, the committee shall complete the Evaluation and Recommendations form (form B);

7. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, the governing board shall elect one of the following alternatives:

    a. not to enter into a contract for the following academic year;

    b. to enter into a contract for the following two academic years;

    c. to employ the candidate as a tenured employee for all subsequent academic years.

11.8.2.2 Second Contract Period

The second contract of the probationary period shall be for the second and third academic years of employment in the new position.

During the candidate's first and second semesters of the third contract, the Individual Tenure Review Committee shall perform such duties as are called for in the Candidate's Improvement Plan (form Q) if such a program was instituted.

The following duties are to be performed during the candidate's third semester of the third contract period:

1. the committee shall meet to review all the pertinent areas of the evaluation and the evaluation materials;

2. one observation shall be made by each of the committee members, unless additional observations are requested by the candidate;

3. the candidate shall submit the Candidate's Self-Assessment (form C);

4. the candidate's sitting academic area leader shall conduct the duties and responsibilities evaluation;

5. the committee shall decide upon an employment recommendation for the candidate, and if appropriate, shall establish a specific course of action for helping the candidate improve in recognized areas of weakness, and the committee shall complete the Candidate's Improvement Plan (form Q);

6. the committee shall meet with the candidate to discuss the recommendation, and, if appropriate, to present a course of action for the candidate to improve in recognized areas of weakness, and shall complete the Evaluation and Recommendations form (form B);

7. the committee shall submit its employment recommendation, along with copies of appropriate substantiating documents, and with a cover letter explaining the recommendation to the Superintendent/President. The recommendation shall be based upon the unanimous opinion of the committee. If there is a difference of opinion among members of the committee, the recommendation of the majority shall be submitted. The committee member in the minority may, if s/he chooses, submit a letter of objection with supporting documentation;

8. the Superintendent/President shall present the employment recommendation to the Board of Trustees. Based upon the employment recommendation of the Individual Tenure Review Committee, the governing board shall elect one of the following alternatives:

    a. to employ the candidate as a tenured employee for all subsequent academic years; or

    b. not to employ the probationary employee as a tenured employee.

11.9 Right to Protest the Decision of the District

An allegation that the District, in a decision not to reappoint a contract employee or not to grant tenure, made a decision that to a reasonable person was unreasonable, or violated, misinterpreted, or misapplied any of its policies and procedures concerning the evaluation of contract employees shall be classified, and procedurally addressed, as a grievance. However, as per California Education Code §87610.1, the grievance process in such cases shall proceed to independent arbitration utilizing the procedures and timelines outlined in California Education Code §87740.