



CALIFORNIA STATE UNIVERSITY, SACRAMENTO
UNIVERSITY POLICY MANUAL

University Appointment, Retention, Tenure and Promotion Policy (UARTP)

Policy Administrator: Vice President for Human Resources and Vice President for Academic Affairs

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UNIVERSITY ARTP POLICY

Policy Statement

The University Appointment, Retention, Tenure and Promotion (UARTP) policy sets forth the campus policies for the appointment, retention, tenure and promotion for faculty.

Who the policy applies to

Faculty at California State University, Sacramento

Why the policy is necessary

The policy is necessary for faculty to have the guidelines for appointment, retention, tenure, and promotion.

Responsibilities

The Vice President for Human Resources and the Vice President for Academic Affairs are the responsible policy administrators.

UNIVERSITY ARTP POLICY
PM HR 07-04
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University Appointment, Retention, Tenure and Promotion Policy (UARTP)

1.00 GENERAL REFERENCES

All criteria, policies, and procedures in this document are intended to be consistent with and supplemental to the following documents where not superseded by the Memorandum of Understanding between the California State University and Unit 3 Faculty:

- A. The laws of the State, especially Education Code, Division 8, Part 55, and interpretations thereof in California Administrative Code, Title 5.
- B. Regulations approved by the Trustees of the California State University, especially:
 - 1. The Report of the CSUC Ad Hoc Committee on Procurement and Retention of a Quality Faculty (1971).
 - 2. The Report of the CSUC Ad Hoc Committee on the Procurement and Retention of a Quality Faculty (1975).
 - 3. The University and Colleges Administrative Manual (UCAM).
- C. Directives of the Chancellor of the California State University.
- D. The Constitution of the Faculty of California State University, Sacramento.
- E. The approved Affirmative Action Plan for California State University, Sacramento.
- F. Agreement between the Board of Trustees of the California State University and the California Faculty Association Unit 3 Faculty.

2.00 APPLICATION

Unless otherwise expressly excepted, faculty unit employees and administrators shall be governed by the University ARTP Policy and the unit document consistent with it that governs the level of evaluation at which they are acting.

2.01 Responsible for Personnel Matters

A. All personnel criteria, policies, procedures, and actions (appointment, retention, tenure, promotion) are the responsibility of the President, or designee, in keeping with procedures herein set forth.

B. Presidential Memoranda formally discussing University ARTP policy may be issued from time to time after consultation with appropriate faculty bodies.

3.00 UNIVERSITY ARTP COMMITTEE

3.01 Composition

A. The University ARTP Committee shall be composed of one student selected by the Associated Students, Inc. Board of Directors, one member elected by the Library unit, one member elected by the counseling faculty unit, and tenured faculty members elected by and from their tenured and probationary colleagues in each college. Each college shall elect one member of the University ARTP Committee for each 100 probationary and tenured faculty or fraction thereof assigned to that college as of the current year. No more than one faculty member may be elected from the same primary unit.

FTEF UARTP Representative(s)

1 - 100	One member
101 - 199	Two members
200 - 299	Three members
300 - 399	Four members
400 - 499	Five members

The President's designee shall serve as a non-voting ex-officio member of the University ARTP Committee.

B. 1. Nomination to serve on the University ARTP Committee shall not be limited to self-nomination. The right to nominate shall be limited to eligible voters.

2. Whenever a call for nominations to serve as an elected member of the University ARTP Committee produces no more than one nominee, the college faculty shall vote in an election called for the purpose to confirm or reject that nominee's offer to serve.

C. Any change in the composition of the University ARTP Committee shall be subject to recommendation by a vote of the entire faculty and the approval of the President.

D. It is imperative that the members of the University ARTP Committee be persons with such concern for the quality of the University and with the function of the University in its local, regional, and national setting, that they will be able to set aside the interest they will have in some particular part of the University, so that these special interests will not intrude upon the deliberations of the University ARTP Committee.

3.02 Duties and Procedures

A. In General

The University ARTP Committee shall serve as a committee of the Faculty Senate. The committee shall:

1. Forward any recommended changes in University ARTP policy through the Faculty Senate to the President.
2. Review and recommend directly to the President department, division and college criteria, policies, and procedures applicable to the evaluation of faculty unit employees for the purpose of appointment, retention, tenure, and promotion.
3. Advise the President on the allocation of all University promotion monies.
4. Recommend to the President the annual ARTP calendar prior to the end of the spring semester.

B. Procedural Reviews

1. Each primary level (department or equivalent unit) ARTP committee shall be required to submit to the University ARTP Committee for review and recommendation to the President its criteria, policies, and procedures to govern the appointment, retention, tenure, and promotion of permanent faculty and the appointment and evaluation of temporary faculty.
2. The policies and procedures submitted by a primary level committee shall be approved by a vote of the probationary and tenured faculty of the primary unit acting in their own right.
3. Each secondary level (college or equivalent unit) ARTP committee shall be required to submit to the University ARTP Committee for review and recommendation to the President its policies and procedures for appointment, retention, tenure, and promotion.
4. The policies and procedures submitted by a secondary level committee shall be approved by a vote of the probationary and tenured faculty of the secondary unit acting in their own right or by means of a faculty committee elected by them for the purpose.
5. The University ARTP Committee shall review the criteria, policies, and procedures of departments (or equivalent units) and colleges for consistency with applicable authority referenced in Section 1.00 of this document and with the University-wide criteria, policies, and procedures.
6. Proposed changes in the primary and/or secondary level criteria, policies, and procedures for appointment, retention, tenure, and promotion of permanent faculty and evaluation of temporary faculty shall be approved by the President upon recommendation of the University ARTP Committee prior to implementation in the next annual faculty evaluation cycle.

C. Allocation of Promotion Monies

1. The University ARTP Committee shall recommend to the President a plan for the university-wide allocation of promotion monies, based upon appropriate demographic data.
2. When the President has approved an allocation plan, the University ARTP Committee shall communicate the plan and the resulting allocation to the secondary level ARTP committees.

4.00 PERSONNEL ACTION FILE

4.01 Definitions

A. "The Personnel Action File shall be defined as the one (1) official personnel file for employment information and information that may be relevant to personnel recommendations or personnel actions regarding a faculty unit employee." (M.O.U. 11.1)

B. "The Working Personnel Action File shall be defined as that file specifically generated for use in a given evaluation cycle. That file shall include all required forms and documents, all information specifically provided by the employee being evaluated, and information provided by faculty unit employees, students and academic administrators. It shall also include all faculty and administrative level evaluation recommendations from the current cycle, and all rebuttal statements and responses submitted" (M.O.U. 15.8) (Please see Section 4.08 D. of this document).

4.02 Custodian

A. "For each faculty unit employee, the President shall designate an office in which the Personnel Action File shall be maintained and shall designate a custodian for the Personnel Action File. It is the intent of the CSU to maintain accurate and relevant Personnel Action Files. There may be copies of material contained in the official file in other working files for the convenience of the Employer. Only the official Personnel Action File may be used as the basis of personnel actions." (M.O.U. 11.1)

B. The Personnel Action File shall be retained by the custodian of the file.

4.03 Submissions

A. "A faculty unit employee shall have the right to submit material to his/her Personnel Action File. A faculty unit employee shall also have the right to submit a written rebuttal to any material in his/her Personnel Action File, or scheduled for placement in his/her Personnel Action File after notification of such placement pursuant to provision 11.4 (Section 4.03 C of this document) of this Article." (M.O.U. 11.2) A faculty member may add materials to his/her Personnel Action File at any time.

B. "Any material identified by source may be placed in the Personnel Action File. Identification shall indicate the author, the committee, the campus office, or the name of the officially authorized body generating the material." (M.O.U. 11.3) The custodian shall decide which materials submitted by persons other than the faculty unit employee may be accepted for placement in the file. The custodian shall notify in writing a faculty unit employee of the custodian's decision to place or not to place material submitted under this section in the faculty unit employee's file. The written notice shall contain a copy of the material sought to be placed in the file as provided in Section 4.03 C. below.

C. "The faculty unit employee shall be notified of the placement of any material in his/her Personnel Action File that the appropriate administrator initially considers to be accurate and relevant, and the faculty unit employee shall be provided with a copy of such material at least five (5) days prior to such placement. (M.O.U. 11.4)

D. "Upon request, a faculty member shall be provided the opportunity to meet with the appropriate administrator regarding material to be placed in the file to which the faculty member objects. The request to meet, if any, shall be made within five (5) days of the receipt of the notification. If no meeting is requested, the material will be placed in the

file. If a meeting is requested, it shall take place within ten (10) days of the request made by the faculty member." (M.O.U. 11.5)

E. "Following the meeting in provision 11.5, above, the appropriate administrator shall consider all information provided by the faculty member concerning the relevancy and accuracy of any material to be placed in the file prior to making a final decision to place material in the file. The appropriate administrator may grant the request by the faculty member for a correction of the material and/or a deletion of all or a portion of the material. Should the appropriate administrator determine that all or part of the contested material is accurate and relevant and will be placed in the file, the faculty member may file a rebuttal as provided in provision 11.2 (Section 4.03 A of this document) and/or seek removal of said material by appeal as provided in provision 11.14. This provision, and provisions 11.4 and 11.5 above (Sections 4.03 C and 4.03 D of this document), shall not apply to material placed in the file created for the periodic evaluations or performance reviews conducted pursuant to Article 15, Evaluation, of this Agreement, nor to material referenced in the Temporary Suspension or Disciplinary Action Procedure Articles of this Agreement." (M.O.U. 11.6) (Please see in general Section 9 of this document)

F. "A specific deadline before the recommendation is made at the first level of evaluation shall be established by campus policy, at which time the Personnel Action File is declared complete with respect to documentation of performance for the purpose of evaluation. Insertion of material after the date of this declaration must have the approval of a peer review committee designated by the campus and shall be limited to items that became accessible after this declaration. Material inserted in this fashion shall be returned to the initial evaluation committee for review, evaluation and comment before consideration at subsequent levels of review." (M.O.U. 15.12 b) On this campus, the peer review committee for purposes of this procedure shall consist of one member from each secondary committee, chosen by the secondary committee. The review committee shall approve the insertion only of material which became accessible after the declaration date and which in its judgment is significant. This decision shall be limited in its effect to the question of admissibility and shall not extend to the question of the weight or value which shall be given to the evidence by the evaluation committee(s). The decision of the review committee to admit evidence under this section shall be final. For periodic evaluation and performance review, each primary committee shall establish a deadline for the candidate's submission of materials for inclusion in the Working Personnel Action File. There shall be no more than a three week interval between the deadline and the beginning of the committee's deliberations.

G. "During the time of periodic evaluation and performance review of a faculty unit employee, the Working Personnel Action File, which includes all information, materials, recommendations, responses and rebuttals, shall be incorporated by reference into the Personnel Action File." (M.O.U. 11.8)

H. "Materials for evaluation submitted by a faculty unit employee shall be deemed incorporated by reference in the Personnel Action File, but need not be physically placed in the file. An index of those materials shall be prepared by the faculty unit employee at the beginning of the cycle and submitted with the materials. That index shall be permanently placed in the Personnel Action File and appropriately updated to reflect any material added to the file during the course of the evaluation cycle. Materials incorporated by reference in this manner shall be considered part of the Personnel Action File for the actions set forth in provision 15.12 c. of this Article. Indexed materials shall be returned to the faculty unit employee." (M.O.U. 15.9) (In this document provision 15.12 c. of the M.O.U. appears as Section 9.01 R.)

A. "Personnel recommendations or decisions relating to retention, tenure, promotion, or termination based upon work performance, or any other personnel action shall be based on the Personnel Action File. For the purposes of this section, course assignments shall not be considered personnel actions. However, course assignments shall not be punitive in nature.

Should the President make a personnel decision on any basis not directly related to the professional qualifications, work performance, or personal attributes of the individual faculty member in question, those reasons shall be reduced to writing and entered into the Personnel Action File and shall be immediately provided the faculty member." (M.O.U. 11.9)

B. Prior to completion of the substantive evaluation of a candidate at each level of review all material serving as the basis of the evaluation at that level shall appear in the Working Personnel Action File.

C. Evaluative statements and recommendations adopted at all levels of review shall in each case of periodic evaluation and performance review be based on the entire contents of the Working Personnel Action File in that case. The conclusion about performance under each criterion of evaluation (e.g., Teaching Performance, Scholarly or Creative Activity, etc.) recorded in the evaluative statement required to accompany each recommendation shall be based on a preponderance of the evidence in the file relative to that criterion.

Note: Preponderance in this context refers to the weight or persuasiveness of evidence in the mind of the evaluator. Weight is a function of the quantity, quality and source of evidence, including the knowledge and trustworthiness of the source. Under a preponderance requirement, the evaluator must consider all of the relevant evidence and resolve conflicts in the evidence by means of the idea of preponderance.

D. Please see Section 9.01 X. (Faculty Right to Copy of Recommendations) of this document.

E. Please see Section 9.01 BB. (Amplification of Materials) of this document.

4.05 Right of Access

A. "A faculty unit employee shall have the right of access to all material in his/her Personnel Action File, exclusive of pre-employment materials. A faculty unit employee shall have access to pre-employment materials in instances in which such materials are used in subsequent personnel actions other than appointments." (M.O.U. 11.10)

B. "A faculty unit employee may request an appointment(s) for the purpose of inspecting his/her Personnel Action File. Such appointment(s) shall be scheduled promptly during normal business hours. The manner of inspection shall be subject to reasonable conditions. The faculty unit employee shall have the right to have another person of the employee's choosing accompany him/her to inspect the Personnel Action File." (M.O.U. 11.11)

C. "Following receipt of a faculty unit employee's written request, the appropriate administrator shall, within fourteen (14) days of the request, provide a copy of all requested materials. The faculty unit employee may be required to bear the cost of duplicating such materials." (M.O.U. 11.12)

D. "If, after examination of the Personnel Action File, the faculty unit employee believes that any portion of the file is not accurate, s/he may request in writing a correction of the material and/or a deletion of a portion of the material. Such a request shall be addressed to the custodian of the file, with copies to the appropriate faculty committee, if such material was generated by a faculty committee, and the appropriate administrator. The request shall include a written statement by the faculty unit employee as to the corrections and/or deletions that s/he believes should be made, and the facts and reasons supporting such request. Such request shall become part of the Personnel Action File, except in those instances in which the disputed material has been removed from the file." (M.O.U. 11.13) (On this campus "accurate" includes "relevant," "timely," and "complete.")

E. "If the request made pursuant to provision 11.13 (Section 4.05 D of this document) is denied by the custodian of the file, or if the faculty member wishes to appeal a determination for material to remain in his/her file pursuant to provision 11.6 (Section 4.03 E of this document), the faculty unit employee shall have a right to submit the request to the President no later than seven (7) days after the date of such a decision. Within twenty-one (21) days of receipt of such request of the President, the President shall provide a written response to the faculty unit employee. If the President grants the request to correct the material and/or delete all or a portion of the material, the record shall be corrected or the deletions made, and the faculty unit employee shall be sent a written statement to that effect. If the President denies the request, the response shall include the reason(s) for denial." (M.O.U. 11.14)

4.06 Confidentiality

"The Personnel Action File shall be held in confidence. Access to a faculty unit employee's Personnel Action File shall be limited only to persons with official business. The custodian shall log all instances of access to a Personnel Action File, including access to the file by administrators, when access is not for the purpose of routine maintenance. Such a log record shall be a part of the Personnel Action File." (M.O.U. 11.15)

4.07 Location of Other Files

"The Personnel Action File shall indicate the location of other records regarding a faculty unit employee kept on the campus to which the faculty unit employee has access in accordance with statute." (M.O.U. 11.16)

4.08 Personnel Action File

A. The Personnel Action File shall contain the following material submitted by the custodian of the file:

1. Record of location of other files
2. Access log
3. Appointment letter and other relevant appointment information
4. Results of student evaluations standardized in terms of subject and format of questions (e.g., numbers and types of rating items, scales, and response categories.)
5. Written student comments and summaries of oral student comments, if any (Please see Section 5.05 E.2.c. of this document)
6. Peer evaluations, if any
7. All evaluations, recommendations, and decisions for the appropriate time periods as specified in Section 4.09

B. The Personnel Action File shall contain the following materials submitted by the faculty member:

1. Current resumé
2. Annual report of activities prepared according to the prescribed department/college format, if required
3. Index to materials submitted under C. below

C. The Personnel Action File may contain the following materials submitted by the faculty member:

1. Material regarding teaching performance: Evidence shall include those items mentioned in Section 5.05 E. of this document.
2. Scholarly or creative achievements: Evidence shall include those items mentioned in Section 5.05 F. of this document.
3. Contributions to the community: Evidence shall include those items mentioned in Section 5.05 G. of this document.
4. Contributions to the institution: Evidence shall include those items mentioned in Section 5.05 H. of this document.
5. Miscellaneous: Other pertinent material.

D. The Working Personnel Action File shall contain:

1. Material submitted by the faculty member as described in Section 4.08 B. above.
2. Appropriate material from the Personnel Action File, including items 4, 5, 6, and 7 of Section 4.08 A. Please see Section 4.09 below for the appropriate time periods to be covered.

4.09 Time Limits on the Use of Submitted Materials

Materials used in evaluations shall be limited to those developed during the following periods:

Retention through Tenure: Materials submitted/received since date of initial appointment to probationary status.

First Promotion: Materials submitted/received since date of initial appointment to probationary status.

Subsequent Promotions: Materials submitted/received since the date the files closed immediately prior to the evaluation which resulted in the last promotion.

Periodic Evaluation of Tenured Faculty: Materials submitted/received since date of last evaluation.

Periodic Evaluation of Temporary Faculty: Materials submitted/received during previous five years.

5.00 CRITERIA AND QUALIFICATIONS

5.01 In General

A. "It is the policy of the CSU to prohibit discrimination against faculty unit employees on the basis of race, color, religion, ancestry, national origin, sex, sexual orientation, **gender identity, gender expression, genetic information**, marital status, pregnancy, age, disability, **medical condition**, or veteran status." (M.O.U. 16.1)

B. The faculty of this university shall consist of specialists qualified to give instruction in each authorized curriculum. The earned doctorate or equivalent attainment shall be the desirable qualification for appointment as a faculty unit employee. Equivalent attainments may be accepted:

1. In those fields where the doctorate is not common.
2. In vocational fields where experience may be substituted for academic preparation. (Title 5, 42711) (Please see Sections 5.02 and 5.03, Probationary and Temporary Appointments, below.)

5.02 Probationary Appointments (See also Section 5.05 I. below)

A. "Probationary appointments are normally made at the Assistant Professor or equivalent librarian rank. The President may appoint an employee at a higher rank on the determination of merit consistent with provision 12.22." (M.O.U. 12.23) (Please see Section 6.06 B. Probationary Appointments, of this document.)

B. In making probationary appointments, the following factors shall be given primary consideration: (a) Excellence in scholarship and preparation. (b) Interest and skill in teaching. (c) Promise of professional growth.

C. Disciplines in which the doctorate is the recognized terminal degree:
The earned doctorate is required for a probationary appointment in all disciplines for which it is recognized as the terminal degree. Individuals not possessing an earned doctorate may receive a probationary appointment if completion of the degree within a specified period is made a condition of employment. Completion of the degree is required for tenure and/or promotion.

D. Disciplines in which the doctorate is not the recognized terminal degree: Each department in a discipline in which the doctorate is not the recognized terminal degree shall include the following in its ARTP policy:

1. The appropriate academic preparation required for a probationary appointment. (Advertisements for such positions may indicate that a doctorate is preferred.)
2. The types of scholarly or creative activity or experience which may be required for a probationary appointment in addition to academic preparation. At the time of appointment, additional scholarly or creative activities or experience required for either retention, tenure, or promotion shall be indicated.

3. A department may require an earned doctorate for a particular position. This requirement shall be indicated in the position vacancy announcement.

E. On the recommendation of the department and appropriate college committees, the President may, in special circumstances, make exceptions to the qualifications set forth in Section 5.02 C. above and the standards set forth in Section 5.02 D. above if the appointment contributes significantly to the university.

F. Subdisciplines

There may be subdisciplines or areas of specialization within those disciplines mentioned in Section 5.02 C. above in which the doctorate is not the recognized terminal degree. Such subdisciplines shall be identified in the primary ARTP document and shall be treated as in Section 5.02 D. above.

5.03 Temporary Appointments

To complete a recommendation to appoint an applicant to a part-time or full-time temporary faculty position, the person or persons acting severally or jointly, simultaneously or sequentially to make the recommendation shall make each of two decisions in the following order: 1) the decision to select an applicant from the pool of applicants for the position, and 2) the decision to assign the selected applicant to a place within a range of salaries on the salary scale. In each instance of initial recommendation, these decisions shall be reached by a judgment that applies previously published criteria of decision to the facts defining the application under consideration based on evidence contained in a file.

A. Selection of applicant from the pool:

Once the applications for temporary faculty appointments have been reviewed, the best qualified person shall be appointed on the basis of merit and competence related to the teaching assignment or other department or equivalent unit need.

Criteria used in initial and subsequent selection shall include:

1. Degrees earned in relevant disciplines
2. Relevant teaching experience
3. Relevant professional experience
4. Recommendations or other documents including student and peer evaluations of teaching and performance

B. Placement on the pay scale of an applicant selected for initial temporary appointment:

The following guidelines shall normally determine the location on the pay scale at which an initial temporary appointment is made:

1. Lecturer L: Bachelor's degree in the discipline.
2. Lecturer A: Master's degree in the discipline or equivalent educational experience; or Bachelor's degree plus the equivalent of at least five years teaching or relevant professional experience.

3. Lecturer B: Doctorate or equivalent educational experience; or Master's degree plus the equivalent of at least five years teaching or relevant professional experience.
4. Lecturer C: Doctorate or equivalent educational experience plus at least five years of teaching experience.
5. Lecturer D: Doctorate or equivalent educational experience plus at least ten years of teaching experience.

Exceptions to these guidelines shall be approved by the appropriate dean. (Additional criteria may be required by the department.) Within each rank, the particular step at which a person is appointed shall depend on the extent to which the person's qualifications exceed the minimum requirements for the particular rank.

C. Temporary Faculty Range Elevation

1. "Temporary faculty range elevation" is a term employed in the M.O.U. to refer to the decision, informed at a minimum by an evaluation of teaching performance, to compensate a temporary faculty member at a rate of pay equal to the first step of the salary range immediately above the range within which he or she was compensated during a prior appointment.
2. Units recommending applicants for a temporary faculty range elevation shall specify in their ARTP documents the criteria to govern the decision to recommend it. These criteria may be some combination of the criteria set forth in Sections 5.03 A. and B. above and shall, at a minimum, include teaching performance as evidenced by recommendations or other documents including student and peer evaluations of teaching performance.
3. "Those eligible for lecturer range elevation shall be limited to lecturers who have no more eligibility for salary increases pursuant to provision 12.10 (Section 6.04 A.7 of this document) in their current range, and have served five (5) years in their current range." (M.O.U. 12.17)
4. "At least thirty (30) days prior to the commencement of the annual campus range elevation process, the campus shall notify those lecturers at the SSI maximum who have five (5) years of service in their current range that they may be eligible for range elevation. In that notification the campus shall inform the lecturers that receipt of a previous FMI may affect their eligibility for range elevation. The parties agree that failure to notify an eligible lecturer shall not be cause for automatic granting of a range elevation.

The parties further agree that lecturers not notified may be eligible for range elevation pursuant to 12.17 (Section 5.03 C.3 of this document) and, if eligible, lecturers may apply for a range elevation." (M.O.U. 12.18)

5. "Criteria for range elevation for temporary faculty (excluding coaches) shall be appropriate to lecturer work assignments." (M.O.U. 12.19)

6. "Denial of range elevations shall be subject to the peer review process. Each campus shall establish a single Peer Review Panel to hear the appeals of any temporary faculty unit employee denied range elevation during that fiscal year. The Panel shall allow for appellants to make a presentation to the Panel and to be represented by CFA if so desired. The Peer Review Panel shall convene and review the case within thirty (30) days. The Panel shall render a decision within thirty (30) days of hearing the case. The

decision of the Peer Review Panel shall be final and binding on the Parties." (M.O.U. 12.20)

5.04 Modification of Criteria to Govern Evaluation of Temporary Employees

Subject to recommendation by the University ARTP Committee and the approval of the President, a department or equivalent unit may delete evaluation criteria, except teaching performance, required in the evaluation of probationary and tenured faculty (see Section 5.05 below) when, in their judgment, they are deemed inappropriate or irrelevant to full-time temporary faculty unit employees. The modified list of criteria shall apply to all full-time temporary faculty unit employees in the department or equivalent unit and shall be included in the department's or equivalent unit's ARTP policy. In the event that further modifications are made to the list of criteria to govern the evaluation of part-time temporary faculty unit employees, that modified list of criteria shall apply to all part-time temporary faculty unit employees.

5.05 Criteria for Retention, Tenure, and Promotion

A. A unit shall exercise the discretion conferred by this section in a manner consistent with the mission of the University as a regional comprehensive university that places primary emphasis on teaching performance in the evaluation of faculty unit employees for retention, tenure or promotion.

B. Evaluators may not impose as a requirement in any RTP action anything not expressly identified as such in the appropriate primary or secondary unit document. Nothing in this subsection shall be construed to restrict the right to submit material to the file, and therefore, to have such material considered at all levels of review.

C. Although evaluative criteria are the same for retention and tenure, the evidence to support a recommendation to grant tenure shall be considerably more substantial than that to support a recommendation to retain a probationary employee. If a faculty unit employee is not likely to be awarded tenure, then he/she should not be reappointed. If he/she does not have the potential for promotion to associate professor or beyond, he/she should not be awarded tenure. However, the granting of tenure does not guarantee future promotion.

D. The following criteria are set by the university for retention, tenure, and promotion. Each primary evaluation level shall establish a value for each criterion in relation to the values it establishes for the other criteria. It may do so by means of a qualitative or a quantitative statement. The first criterion, "Competent Teaching Performance," shall be the primary and essential, but not sufficient, criterion in the evaluation process at each level of review.

E. Competent Teaching Performance

1. Evidence shall include:

a. Nature of teaching assignment (e.g., number of course preparations, frequency of teaching same preparation; level of courses--undergraduate vs. graduate, lower or upper division; required vs. elective courses; class size).

b. Submissions by the individual faculty member who is being considered for retention, tenure, or promotion such as self-evaluations, course syllabi or outline, instructional materials, exams, means of assessing the results

of student efforts to learn, materials pertaining to methods and results of non-traditional pedagogy as for example web-based or televised instruction, service learning or inquiry-based learning, grading policies, teaching awards or honors.

c. Student evaluation of courses

1) "Written **or electronic** student questionnaire evaluations shall be required for all faculty unit employees who teach. **All classes taught by each faculty unit employee shall have such student evaluations unless the President has approved a requirement to evaluate fewer classes after consideration of the recommendations of appropriate faculty committee(s). In cases where student evaluations are not required for all classes, classes chosen for evaluation shall be** representative of the faculty unit employee's teaching assignment, and shall be jointly determined in consultation between the faculty unit employee being evaluated and his/her department chair. In the event of disagreement, each party shall select 50% of the courses to be evaluated. The results of these evaluations shall be placed in the faculty unit employee's Personnel Action File. **Results of evaluations may be stored in electronic format and incorporated by extension into the Personnel Action File provided that individuals involved in evaluations and personnel recommendations or decisions are provided secure access for these purposes,"** (M.O.U. 15.15) In those cases where a group of faculty is not organized by department the faculty shall elect annually one of their number to perform the part of the department chair under this section.

"On this campus, the following procedures shall (by agreement between the campus administration and the campus chapter of the CFA) govern electronic (also called online) student evaluations of teaching. The Office of Academic Technology and Creative Services (ATCS) will have responsibility for overseeing and managing the administration of online student evaluations of teaching (OSETs). OSETs will be administered by invitation from ATCS to students. Normally, invitations to complete and submit OSETs will be sent via e-mail three (3) weeks before the last day of instruction each semester. Students completing OSETs will receive a unique and single-use key via their e-mail and are not required to log in with their Saclink accounts. Authentication will be in place.

With regard to OSETs and faculty Personnel Action Files, the following will apply:

- **The server for OSETs shall be considered an extension of the Personnel Action File (PAF) for maintaining/storing such student evaluations.**
- **A faculty member being evaluated will be able to see his/her own evaluations, which are provided by an authorized department designee. Normally, the results of new OSETs will be available 15 – 30 days after grades have been posted.**

- Faculty undergoing RTP review shall print out copies of their OSETs and place them in the Working Personnel Action File (WPAF). For faculty undergoing other evaluations that require access by reviewers other than a Department Chair (e.g., annual evaluations of temporary faculty), the Chair (or authorized designee, such as departmental support staff) will print out the faculty member's OSETs for reviewers.
- All current policies regarding student evaluations of teaching shall continue to apply.
- The incorporation of and reference to the results of OSETs in the PAF and WPAF will be in accordance with departmental ARTP policies and practices.
- A probationary faculty member may "opt out" of doing online evaluations (i.e., to continue using paper/pencil student evaluations) until after s/he has been evaluated for and is awarded tenure and first promotion. This option will be true even if that faculty member's department chooses to use OSETs. Once tenure and first promotion have been awarded to a faculty member, however, s/he will thereafter use OSETs where departmental policy so provides.

The following will have access to OSET data:

- Department Chairs and/or authorized designees will have direct access to the evaluations of all faculty members teaching classes in their departments.
- Deans will have access to the evaluations of all faculty members teaching classes in their Colleges.
- The Provost will have access to the evaluations of all faculty members within Academic Affairs.
- While ATCS will have access to the evaluations of all faculty members within Academic Affairs, access is limited to the ATCS Director and his administrative staff.

Storage and servers are located in the University's Data Center behind the firewall and have both physical and environmental security. In the event OSET data security is compromised and valid data cannot be restored through archived system back-ups, compromised OSET data would be purged from the record and any other steps would be taken that might be necessary to address the situation. If current OSET data were to be compromised, ATCS could revert to archived system back-up data to restore data integrity." (Text of agreement between the campus administration and the campus chapter of the CFA.)

2) Classes of faculty members serving terminal year appointments shall be evaluated in accordance with this policy.

- a) "Student evaluations collected as part of the regular student evaluation process shall be anonymous and identified only by course and/or section. The format of

student evaluations shall be quantitative (e.g., "Scantron" form, etc.) or combination of quantitative and qualitative (e.g., space provided on the quantitative form for student comments.)" (M.O.U. 15.17a)

b.) "Any student communications or evaluations provided outside of the regular evaluation process must be identified by name to be included in a Personnel or Personnel Action File." (M.O.U. 15.17b)

3) The department is responsible for the development of evaluation questionnaires, and for ensuring that the administration of the questionnaires occurs in line with established regulations and that the distribution and collection of questionnaires maintain student anonymity. The results of the student evaluations shall be given to the instructor and department chair after grades have been assigned. Departments shall decide whether and under what circumstances electronic forms may be used.

4) "A student evaluation program for Librarians may be developed at the campus level. If such a program is established, the evaluation process shall be developed by a committee comprised of faculty unit employees and administrators in the Library." (M.O.U. 15.18)

d. Other evidence deemed relevant by the department or unit.

2. Additional evidence may include, but not be limited to:

a. Submissions by the individual faculty member illustrative of the member's student advising activities. Consistent with the University's goals for academic advising, these activities may include:

- Assisting advisees to clarify life and career goals;
- Assisting advisees to develop educational plans;
- Assisting advisees to select appropriate courses and other educational experiences;
- Collaborating with students on research and pedagogy projects;
- Supervising independent study and all other academically related projects and experiences;
- Interpreting University requirements for advisees;
- Increasing student awareness of available educational resources;
- Evaluating student progress toward established goals;
- Referring students to and using other University and community support services, where appropriate;
- Collecting and distributing data regarding student needs, preferences, and performance for use in institutional policy making; and
- Thesis direction and advising.

b. Submissions by professional colleagues both on and off campus such as letters of evaluation and recommendation regarding teaching performance, acknowledgment of teaching awards or honors, results of class visitations, opinions, and/or evaluation by peers.

c. "Students may, with the concurrence of the department and administrator, be provided an opportunity to consult with the department peer review committee." (M.O.U. 15.16)

1) If a department elects to enable students to consult with the peer review committee, it shall be responsible for devising methods of soliciting additional student submissions. At a minimum, names of faculty under evaluation shall be posted near the appropriate office in a notice setting forth the day(s) and time(s) when the primary level ARTP committee will receive oral or written testimony from students regarding the professional performance of a faculty member being evaluated. The primary level committees shall summarize oral testimony and provide a copy of all summaries or written testimony to the faculty member to whom it pertains. Summaries of oral testimony shall be signed by the chair of the primary committee and shall identify by name the student presenting the testimony as required by Section 15.17 b. of the M.O.U. All open-ended written testimony, whether submitted as part of a standardized evaluation questionnaire or presented directly to the primary committee, must not be summarized but must be maintained in its original form. The placement of any material in the Personnel Action File shall be governed by the pertinent parts of Section 4.00 (Personnel Action File) of this document.

2) Students presenting evaluative comments to a department chair shall be advised by the chair that to have them considered in the ARTP process, a student must present his/her comments to the primary level committee either orally, if the department permits, or by signed, written statement.

d. "When classroom visits are utilized as part of the evaluation of a faculty unit employee under this Article, the individual faculty unit employee being evaluated shall be provided a notice of at least five (5) days that a classroom visit is to take place. There shall be consultation between the faculty member being evaluated and the individual who visits his/her class(es)." (M.O.U. 15.14)

F. Scholarly or Creative Achievements

Evidence may include, but not be limited to:

1. Accomplishments in research and/or creative projects.
2. Publication of articles, books, reviews, music, script, software, and research papers consistent with the mission of the university. Publication of instructionally-related research (the category of research specifically authorized for the CSU in the Master Plan for Higher Education), research pertaining to assessment of the results of student efforts to learn or research directed to issues of public concern shall be weighted as heavily as any other type of research at all levels of evaluation.
3. An active program of scholarly or creative work in progress as for example work in a subject of systematic study or investigation, work related to the teaching of such a subject or work directed to issues of public concern.

4. Evidence of scholarship or creative activity in the development or application of technology or both.
5. Membership and appropriate participation in activities of professional organizations. Such organizations may be but do not necessarily have to be ones that exist to advance knowledge of a subject currently taught by a faculty member or to advance knowledge of the art and science of teaching in a university.
6. Presentation of professional lectures.
7. Creative activity culminating in a professionally-evaluated public display or performance such as might occur in music, art, drama, poetry, reading, etc.
8. Creative activity culminating in innovative programs, service learning experiences or policy proposals, programs or materials pertaining to issues of public concern.
9. The products of consultantships, whether paid or unpaid, of a professional nature related to the individual faculty member's area of academic expertise.
10. A statement describing the support, or lack of it (released time and/or funding) for the reported scholarly or creative achievements.
11. A statement describing the faculty member's guidance of students who are contributing to the faculty member's projects.

G. Contributions to the Community

Evidence may refer to the following contributions, among others:

1. Office or directorship on a volunteer basis (national, state, local).
2. Volunteer or paid consultant.
3. Participation on committees of agencies or organizations (national, state, local).
4. Participation in the mass media.
5. Community honors, awards or other documentation of benefits to the public produced by the faculty member's contributions to the community.
6. Participation in community outreach activities, including educational equity, service learning and other professional activities. Such activities may include but need not be limited to those activities that produce ascertainable effects on a community.

H. Contributions to the Institution

Evidence may refer to the following contributions, among others:

1. Contributions to the faculty member's department such as membership on a departmental committee, chair of a departmental committee, special assignments,

curriculum development, and student advising, including advising of student organizations in the department.

2. Contributions to the faculty member's college such as membership on a college committee, chair of a college committee, special assignments, curriculum development, and student advising, including advising of student organizations in the college.

3. Contributions to the university such as membership on a university-wide committee, chair of a university-wide committee, special assignments, curriculum development, and student advising (including advising of student clubs and activities) and educational equity efforts.

I. Possession of Appropriate Academic Preparation

1. For faculty hired after January 1, 1984, academic preparation is considered at the time of hiring. If the initial appointment is conditioned upon the completion of academic preparation specified in the appointment letter, that specified preparation shall be a factor in the decisions to retain, grant tenure, or promote until it has been completed.

2. For faculty hired before January 1, 1984, whose academic preparation has been found appropriate either through evaluation at the time of appointment or through subsequent evaluation processes, academic preparation shall not be a consideration in future retention, tenure, or promotion decisions.

3. For faculty hired before January 1, 1984, whose academic preparation has not been evaluated, or has been found to be incomplete, the primary committee shall resolve the issue of appropriate academic preparation at the next evaluation or any time prior to the next evaluation, either by making a recommendation that the academic preparation is appropriate or by indicating additional preparation expected for retention, tenure, and/or promotion. The recommendation shall be reviewed by the department chair, dean, and President. If the President determines that academic preparation is appropriate, this criterion shall not be considered in subsequent evaluations. If the President determines the contrary, then he/she shall indicate the additional preparation expected for retention, tenure, or promotion. This criterion shall be considered in subsequent evaluations until the indicated preparation is completed.

5.06 Early Tenure

A. Notwithstanding any provision to the contrary, early tenure is recognition of qualifications and performance substantially beyond that required for the granting of tenure after the normal six (6) year probationary period. (See Section 7.01 C. Normal Probationary Period, of this document.) Early tenure is granted for attaining a professional standard that includes activities which bring widespread recognition to the individual and the university from the academic community and/or the general public. Early tenure is not a right.

B. Recommendations for early tenure are made through the normal ARTP channels. To be considered for early tenure, a faculty unit employee shall apply in writing to his or her primary committee. Having received a written application for early tenure, the primary committee shall review the applicant's file in light of the requirements for early tenure as stated in subsection C. below and subsection A. above as well as those for retention from year to year.

C. The Working Personnel Action File of a faculty unit employee under consideration for early tenure shall contain evidence of recognized outstanding performance in teaching, which shall be given primary weight, and of appropriate academic preparation. It shall also contain evidence of recognized outstanding performance in at least two (2) of the remaining three (3) university criteria for retention, tenure, and promotion: scholarly or creative achievement, contribution to the institution, and contribution to the community.

D. In accordance with the provisions of this section and M.O.U. 13.19, the President may award tenure to a faculty unit employee before the normal six (6) year probationary period has elapsed upon a positive recommendation from his/her department and the Dean.

5.07 Early Promotion

Probationary faculty who apply for promotion prior to receiving tenure and tenured faculty who are not yet eligible for promotion under Section 8.01 D. of this document shall demonstrate outstanding performance in teaching, which shall be given primary weight, and possess appropriate academic preparation. In addition, outstanding performance shall be demonstrated in at least two (2) of the remaining three (3) university criteria for retention, tenure, and promotion: scholarly and creative achievement, contribution to the institution, and contribution to the community. (Please see Section 8.01 E. of this document.)

5.08 Faculty on Limited or Non-teaching Assignments

Although the same criteria shall be applied when faculty on limited or non-teaching assignments are being evaluated, the weights assigned to the criteria shall, of necessity, vary from those used in the evaluation of other full-time, tenured faculty. Primary and secondary units shall consider these variations when developing their promotion policies and procedures to govern the evaluation of faculty serving as administrators. (Please see Section 8.03 of this document.)

6.00 APPOINTMENT

6.01 Authority to Appoint

"After considering the recommendations, if any, of the department or equivalent unit and the appropriate administrator, appointments of employees shall be made by the President. Appointments may be temporary, probationary, or tenured. Appointments shall be made through written notification by the President. No employee shall be deemed appointed in the absence of an official written notification from the President. An initial appointment may be made jointly in more than one academic department or equivalent unit. The President shall determine the proportion of assignment of activity for individuals holding joint appointments. The proportion of such an assignment may be changed by the President during the duration of the joint appointment." (M.O.U. 12.1)

6.02 Official Notification

"Official notification to an employee of an appointment shall include the beginning and ending dates of appointment, classification, time base, salary, rank when appropriate, employee status, assigned department or equivalent unit, and other conditions of employment. Each new faculty unit employee shall be advised no later than fourteen (14) days after the start of the quarter/semester where on campus a summary of the CSU benefits program is available. Each new faculty unit employee shall also be provided no later than fourteen (14) days after the start of the quarter/semester with

written notification of the evaluation criteria and procedures in effect at the time of his/her initial appointment. In addition, pursuant to provision 15.3 (of the M.O.U.), the faculty unit employee shall be advised of any changes to those criteria and procedures prior to the commencement of the evaluation process." (M.O.U. 12.2) (Please see Section 9.01 F. of this document.)

6.03 Granting Appointments to Those Serving in Academic-Administrative Assignments

The President may grant an academic appointment in an appropriate department to a person who is to be appointed to an administrative position at the CSUS campus, or who is already serving full time in such an administrative capacity. The following conditions and procedures shall govern such an action:

1. The candidate, or a university official on behalf of the candidate, shall formally apply for such an appointment in an appropriate department or discipline.
2. The candidate shall meet the eligibility requirements for the academic rank sought in connection with such an appointment.
3. The department shall consider such an application for probationary status through its normal appointment procedures and regular ARTP committee(s).
4. After due consideration of such an application, the department shall make an appropriate recommendation to the President for action.
5. The President shall make the appointment in conformity with the departmental recommendation but not otherwise.

6.04 Temporary Appointments

A. In General

1. "Temporary appointments may be for periods of a semester, a quarter, parts of a year, or one (1) or more years. Following two (2) semesters or three (3) quarters of consecutive employment within an academic year, a part-time temporary employee offered appointment to a similar assignment in the same department or equivalent unit at the same campus shall receive a one (1) year appointment. Such appointment shall be subject to the limitations stated in provision 12.5 (Section 6.04 C.1. of this document). Units taught during extension for credit programs shall not be included as part of the temporary faculty member's entitlement base. Application towards an entitlement under this provision for units taught during Summer Session programs is established pursuant to the chart in Appendix F (of the M.O.U.)." (M.O.U. 12.3)
2. "The official notification to a temporary faculty unit employee shall also indicate that appointments automatically expire at the end of the period stated and do not establish consideration for subsequent appointments or any further appointment rights. No other notice shall be provided." (M.O.U. 12.4)
3. "Each department or equivalent unit shall maintain a list of temporary employees who have been evaluated by the department or equivalent unit. If such an employee applies for a position in that department or equivalent unit or applicant pool for that department or equivalent unit, the faculty unit employee's previous periodic evaluations and his/her application shall receive careful consideration. If a temporary employee applies for a subsequent appointment

and does not receive one, his/her right to file a grievance shall be limited to allegations of a failure to give careful consideration. Such a grievance would constitute an allegation of a contractual violation and would not be a 'Faculty Status Matter' as defined in Article 10 of this Agreement." (M.O.U. 12.7)

4. "The list maintained by each department or equivalent unit pursuant to provision 12.7 above (Section 6.04 A.3. of this document) of temporary employees who have been evaluated by the department or equivalent unit shall also include the courses previously taught in the department." (M.O.U. 12.8)

5. There shall be no campus policies or practices that deny access to an applicant pool or prevent consideration of an applicant for a temporary faculty unit employee position solely on the basis of the number of years of previous service as a temporary employee. This prohibition shall not in any way imply that an incumbent has a presumptive right to continue a temporary appointment presently held.

6. "Appointment of a temporary faculty unit employee in consecutive academic years to a similar assignment in the same department or equivalent unit shall require the same or higher salary placement as in his/her previous appointment." (M.O.U. 12.9)

7. "Upon completion of twenty-four (24) units on a semester campus, or the equivalent on a quarter campus, in the same department or equivalent unit, temporary employees shall receive a salary increase equivalent to the percentage of the negotiated SSI, provided that they meet the requirements of Article 31 (of the M.O.U.), only during years when the parties have agreed to provide Service Salary Step Increases pursuant to Article 31 of this Agreement." (M.O.U. 12.10)

8. "A lecturer who receives a new appointment may be placed on the salary schedule above the maximum Service Salary Step Increase rate within his or her then current salary range." (M.O.U. 12.11)

9. "Temporary faculty unit employees (excluding coaches) employed during the prior academic year and possessing six or more years of prior consecutive service on that campus shall be offered a three-year temporary appointment **following an evaluation conducted pursuant to provisions 15.20(d) and 15.28 where there is a determination by the appropriate administrator that a temporary faculty unit employee has performed the duties of his/her position in a satisfactory manner; and absent documented serious conduct problems.**" In addition to other provisions of this Agreement, the following special conditions shall apply:

a. For purposes of this section, one year of service shall be considered employment of one (1) semester or two (2) quarters in the bargaining unit on a single CSU campus during a single academic year. In calculating the six year eligibility period service need not be continuous, but the entire six (6) year period must have been worked on a single campus in a single department. Units taught during extension for credit programs shall not be included as part of the temporary faculty members' entitlement base. Application of units towards an entitlement under this provision for units taught during Summer Session programs is established pursuant to the chart in Appendix E (of the M.O.U.).

b. Three year appointments will be issued for employment on each campus and in each department where the temporary faculty member has established eligibility.

c. The time base of appointments provided here shall be as established under terms of the 'similar assignment' language and precedents of Article 12.3 of this Agreement (Section 6.04 of this document). Subsequent three-year entitlements are determined by the time base held during the third year of the prior three-year appointment. Units taught during extension for credit programs shall not be included as part of the temporary faculty members' entitlement base. Application of units towards an entitlement under this provision for units taught during Summer Session programs is established pursuant to the chart in Appendix F (of the M.O.U.).

d. The President shall decide the type and extent of course offerings for the department, consistent with current policies and procedures on each campus.

e. In the event there is no work available to satisfy the time base entitlement during any academic term of three-year appointment, the temporary faculty employee shall continue to maintain this contractual entitlement for the duration of the three-year appointment.

f. If at the end of a three-year appointment, no work exists in the department to support the subsequent appointment of the lecturer or if the time base of the lecturer was zero during the third year of her/his appointment, s/he shall be placed on a departmental list pursuant to Article 38.48 (of the M.O.U.). When such lecturer is officially notified that no work exists to support the subsequent appointment, the official notification shall also inform the lecturer of the right to be placed on a list for a period of three (3) years. No later than July 1 of each year during the period the lecturer is on the list, the lecturer must inform her/his department chair of the lecturer's interest in and availability for employment. Included in this written notice shall be current, accurate contact information. Failure to notify the chair shall result in removal from the department Article 38.48 list.

Upon request, CFA shall be provided with a copy of all letters informing a three-year lecturer that no work exists in the department to support the subsequent appointment.

An employee returning from the Article 38.48 list will be employed at the same rate of pay which they previously received but benefits eligibility shall be determined by the faculty member's time base at the time of return to work. The period in which the employee was on the department Article 38.48 list shall not constitute a break-in-service regarding rights previously accrued under Article 12 (Section 6.04 A 1-9 of this document)." (M.O.U. 12.12 a-f)

10. "Temporary faculty (excluding coaches) holding three-year appointments shall **be reappointed to a subsequent three-year appointment following an evaluation conducted pursuant to provisions 15.20(d) and 15.29, where there is a determination by the appropriate administrator that a temporary faculty unit employee has performed the duties of his/her**

position in a satisfactory manner; and absent documented serious conduct problems."

"These temporary faculty will be reappointed after a three-year appointment unless there is insufficient work for which the faculty member is qualified. In the event there is insufficient work to support the re-appointment at the previous time base, the time base of his/her successor three-year appointment may be reduced to reflect available work for which the temporary faculty member is qualified." (M.O.U. 12.13)

11. "The application of provision (M.O.U.) 12.12 shall not prohibit the President from making appointments in excess of three (3) years for eligible temporary faculty unit employees." (M.O.U. 12.14) (Please see Section 6.04 A.9 above.)

12. "No later than June 30 of each year, the Administration shall post in each department a list of temporary faculty who it believes eligible for a three-year appointment pursuant to (M.O.U.) Section 12.12 above effective with the first appointment of the next academic year. Any temporary faculty who are omitted from the list, but who believe they are eligible for a three-year appointment, shall come forward and identify themselves to the appropriate department chair within thirty (30) days of the posting. The faculty member should provide any documentation in her/his possession which will assist in verifying eligibility." (M.O.U. 12.15) (Please see 6.04 A.9 above.)

Note: This list shall be posted annually.

B. Full-time

1. Appointment of full-time temporary faculty unit employees normally shall follow the recruitment and selection procedures for probationary faculty unit employees contained in Section 6.06 below. Any variation from the requirements of Section 6.06 below shall require compliance with department procedures provided for such variation and also shall require a waiver from the Director of Equal Opportunity/Affirmative Action.

2. Reappointment as a full-time temporary faculty unit employee:

a. Full-time temporary faculty unit employees who have been appointed for one year after a search may receive two successive reappointments through the waiver process, provided the position was advertised originally with the proviso that the additional years may be included. The incumbent shall be eligible to reapply for the position when it is advertised. Full-time temporary faculty unit employees who have been appointed for one year without a regular search may not be reappointed without a search. The incumbent shall be eligible to apply for the position when it is advertised.

b. A full-time temporary faculty unit employee may be appointed as a probationary faculty unit employee without a search, provided the position was originally advertised with the proviso of the possibility of conversion to a probationary appointment and provided the conversion occurs during the specified period of the initial appointment.

3. "Full-time temporary employees, except Coaching Faculty Unit Employees, shall not be appointed on a conditional basis. Full-time Coaching Faculty Unit Employees may be appointed on a conditional basis, and those conditions may

include, but shall not be limited to, adherence to NCAA by-laws and other NCAA regulations." (M.O.U. 12.6)

C. Part-time

1. "An appointment for a less than full-time temporary employee may be on a conditional basis. If during the term of an appointment, a less than full-time temporary employee is assigned additional work up to and including full-time, the employee's entitlement for that appointment shall not be increased and shall continue to be on a conditional basis for the duration of that appointment. A subsequent full-time appointment will be unconditional pursuant to 12.6" (Section 6.04 B.3 of this document).

"The conditions established at the time of appointment may relate to enrollment and budget considerations. If a class is canceled prior to the third class meeting, the temporary employee shall be paid for class hours taught. If a class is canceled after the third class meeting, the temporary employee shall either be paid for the remaining portion of the class assignment or provided an alternate work assignment." (M.O.U. 12.5)

2. Departments or equivalent units may authorize an elected peer review committee for part-time appointees consisting of probationary or tenured faculty or both or the department chair or both the committee and the chair to carry out all or part of the primary level review and recommendation process for part-time faculty unit appointments.

3. Part-time temporary faculty unit employees shall be appointed from the applicant pool which shall be established on an annual basis or by semester in those cases where the pool does not contain enough qualified candidates to cover the demands for the entire year. Incumbent part-time temporary faculty unit employees shall be responsible for notifying the department chair, by the specified deadline, of their wish to become part of the applicant pool for the semester or year in which they wish to be employed. A detailed statement of recruiting and selection procedures, utilizing the applicant pool, shall be available in the department or equivalent unit office.

4. A part-time faculty member shall normally be employed by the University for no more than twelve (12) teaching units per semester. Exceptions to this limitation may be made by the college deans on a case-by-case basis.

5. "In the event that the department determines that a need exists to assign new or additional work to temporary faculty unit employees, after the assignment needs of tenured and probationary faculty (including FERP and PRTB faculty) have been satisfied, and after any work to be taught by administrators, teaching associates and other student employees, or volunteer faculty¹ have been assigned, the work shall first be offered to qualified temporary faculty in the department, who have performed satisfactorily, in the following order:

a. Assignment Order at the Beginning of the Academic Year

¹ Volunteer faculty are faculty who are not receiving direct compensation from the CSU for the assigned Unit 3 work.

1) First offer work to three-year full-time appointees pursuant to provisions 12.12 and 12.13 of the Agreement. (Sections 6.04 A.9 and 6.04 A.10 of this document)

2) Next, offer work to other continuing multi-year (not three-year) under provisions 12.12 and 12.13 full-time appointees.

3) Next, offer work to three-year, part-time appointees pursuant to provisions 12.12 and 12.13 up to their time base entitlement.

4) Next, offer work to individuals whose names appear on the list for the department established pursuant to Article 38.48 up to the time base entitlement of their most recent three-year appointment.

5) Next, offer work to continuing multi-year (not three-year under provisions 12.12 and 12.13) part-time appointees up to their time base entitlement.

6) Next, offer work to Visiting Faculty subject to the limitations in provision 12.31.

7) Next, pursuant to provision 12.7 (Section 6.04 A.3 of this document) give careful consideration to all part-time and full-time temporary faculty with no multi-year appointments who were employed in academic year prior to the year for which they are being considered. Temporary faculty in this group may be appointed in any order, but must satisfy all provision 12.3 (Section 6.04 A.1 of this document) entitlements but may only be appointed up to their time base entitlement. Full-time and part-time temporary faculty with no provision 12.3 appointment rights can be appointed to any time base and for any academic term(s). If a decision is made not to reappoint temporary faculty in this category, the work previously performed by these faculty (if it continues to exist) shall be considered "new or additional" and assigned according to the order set forth in Paragraph 8 below.

8) Next, assign any remaining temporary work to temporary employees as "new or additional" work in the following order:

i. First, offer work part-time temporary faculty unit employees holding a three-year appointment up to and including a 1.0 time base. **In the event the department has a need to assign work for which a temporary part-time faculty unit employee with a one year appointment is objectively determined to be demonstrably better qualified, the one year appointee may be assigned the work.**

ii. **Next offer work to part-time temporary faculty unit employees holding a one-year appointment up to and including a 1.0 time base.**

iii. Last, offer work to any other qualified candidate.

b. Assignment Order During the Academic Year

- 1) First offer work to three-year full-time appointees pursuant to provisions 12.12 and 12.13 of the Agreement. (Sections 6.04 A.9 and 6.04 A.10 of this document)
- 2) Next, offer work to other continuing one year and multi-year (not three-year) under provisions 12.12 and 12.13 full-time appointees.
- 3) Next, offer work to three-year, part-time appointees pursuant to provisions 12.12 and 12.13 up to their time base entitlement.
- 4) Next, offer work to individuals whose names appear on the list for the department established pursuant to Article 38.48, up to the time base entitlement of their most recent three-year appointment.
- 5) Next, offer work to continuing one-year and multi-year (not three-year under provisions 12.12 and 12.13) part-time appointees up to their time base entitlement.
- 6) Next, offer work to Visiting Faculty subject to the limitations in provision 12.31.
- 7) Next, pursuant to provision 12.7 (Section 6.04 A.3 of this document) give careful consideration to all part-time and full-time temporary faculty with no one-year or multi-year appointments who were employed during the current or immediate past academic year. Temporary faculty in this group may be appointed in any order. Full-time and part-time temporary faculty with no provision 12.3 (Section 6.04 A.1 of this document) appointment rights can be appointed to any time base and for any academic term(s). If a decision is made not to reappoint temporary faculty in this category, the work previously performed by these faculty (if it continues to exist) shall be considered "new or additional" and assigned according to the order set forth in Paragraph 8 below.
- 8) Next, assign any remaining temporary work to temporary employees as "new or additional" work in the following order:
 - i. First, offer work to part-time temporary faculty unit employees holding a three-year appointment up to and including a 1.0 time base. **In the event the department has a need to assign work for which a temporary part-time faculty unit employee with a one year appointment is objectively determined to be demonstrably better qualified, the one year appointee may be assigned the work.**
 - ii. **Next offer work to part-time temporary faculty unit employees holding a one year appointment up to and including a 1.0 time base.**
 - iii. Last, offer work to any other qualified candidate.

Pursuant to Article 20.2b (of the M.O.U.), the instructional assignments of individual faculty members will be determined by the appropriate administrator after consultation with the department chair of designee and/or the individual faculty member.

c. Summer Work Assignments

Summer work assignments are to be made pursuant to Article 21, Summer Session (of the M.O.U.)." (M.O.U. 12.29 A-C)

6. "The recruitment and appointment of tenure-track faculty shall take precedence over any appointment right and entitlement for temporary bargaining unit employees. The work necessary to honor any conditional appointment right and entitlement for temporary bargaining unit employees may be used instead for the recruitment and appointment of new tenure-track faculty." (M.O.U. 12.30)

7. Part-time faculty unit employees shall be eligible to advance to the next higher rank after they have taught twenty-four (24) units at the top step of their current rank or after they have met additional specified departmental requirements for a higher classification. Advancement is not automatic but depends upon evaluation of performance and the budgetary constraints of the University. Recommendations shall be made by the department peer review committee and the department chair and forwarded to the dean of the college. Recommendation for advancement in rank for part-time faculty unit employees shall be a separate process from that followed for promotion recommendations for full-time faculty unit employees.

8. Please see Sections 5.04, 9.04 A. and 9.04 D. (Evaluation) of this document.

6.05 Appointment of Athletic Coach

A. Appointments to the classes of athletic coach shall be made by the President on either an academic year, ten-month or twelve-month basis, and may be renewed on a year-to-year basis, without acquisition of tenure.

B. Individuals who have served without a break in service in the classes of athletic coach, and who are appointed to positions in which academic tenure may be gained, may be credited with not more than two years of service in such positions as service required for tenure.

6.06 Probationary Appointments

A. "Initial probationary appointments and subsequent probationary appointments may be for a period of one (1) or more years. Initial probationary appointments commencing at a time other than the beginning of the academic year (i.e., winter or spring quarter or spring semester) shall last until the end of the succeeding academic year." (M.O.U. 12.21)

B. "Recommendations regarding probationary appointments shall originate at the department or equivalent unit. Probationary appointment procedures shall include the following:" (M.O.U. 12.22)

1. "Each department or equivalent unit shall elect a peer review committee of tenured employees for the purpose of reviewing and recommending individuals for probationary appointments. At the discretion of the president and upon request of the department these peer review committees may also include probationary employees." (M.O.U. 12.22a)

Note: On this campus, the President has approved the inclusion of probationary faculty on the elected peer review committee or committees of any department or equivalent unit that chooses to request it.

2. All substantive evaluations and final recommendations shall require the participation of all elected committee members. If probationary faculty are elected to peer review committees, they shall share equally with tenured faculty in the rights and obligations of committee membership.

Note: Nothing in this section shall be interpreted to preclude a primary unit which has constituted itself as a committee of the whole for purposes of recommending applicants for probationary appointment from electing no fewer than three of its probationary or tenured faculty members or both to an application screening committee provided that such a screening committee shall include at least one tenured faculty member. The committee of the whole may require its screening committee to provide for its consideration a list of one or more applicants whose written applications accompanied by supporting documents, if any, have been evaluated with reference to objective criteria. The committee of the whole may decide whether to recommend the probationary appointment of any applicant whose written application the screening committee has referred to it for consideration. The committee of the whole may also create a ranked list of applicants the probationary appointment of whom it has decided to recommend.

To qualify to participate in the substantive deliberations and final recommendations of the committee of the whole about making a particular probationary appointment under this section, probationary and tenured faculty members shall:

- a. Review all legally and practically available material about each applicant for a particular appointment forwarded to the committee of the whole by the screening committee. This material shall consist of all written material submitted by the applicant and others for the consideration of the screening committee.
- b. Attend the formally scheduled interview (including the presentations associated with it by the hiring unit in its statement of ARTP policy and procedure) of each applicant under consideration by the committee of the whole for a particular probationary appointment.
- c. Attend each and every meeting of the committee of the whole formally scheduled to discuss the merits of any applicant for the probationary appointment to be made.

This section shall not be read to require a committee of the whole to select alternates to its members. Nor shall it be read to forbid a committee of the whole to proceed in the absence of one or more of its members, provided that no committee of the whole shall proceed under this section with fewer members than the number it has elected to its screening committee, and provided further that it shall not proceed without two-thirds of the members of its screening committee in attendance and otherwise qualified to participate in its substantive deliberations.

A primary unit which chooses to proceed by committee of the whole as provided in this section shall specify its choice in its statement of ARTP policy and procedure and shall describe with particularity how it will

execute that choice including how it will verify the qualification of probationary and tenured faculty to participate in the substantive deliberations of the committee of the whole.

Members of primary units responsible for arranging the interviews and other presentations of applicants for probationary appointments and the deliberations and decisions of the committee of the whole shall make every effort to schedule such interviews, presentations, deliberations and decisions at times when every member of the unit may attend.

A screening committee operating as a delegate of a committee of the whole shall be subject to the provisions of this section.

A department or equivalent unit may authorize a committee of all tenured faculty to conduct substantive evaluations and final recommendations about the appointment of probationary faculty. In that case, it may authorize the election of probationary faculty to a screening committee under this note. A committee of all tenured faculty shall be bound by this note and this section as though it were a committee of the whole.

3. "Each departmental peer review committee recommendation report shall be approved by a simple majority of the membership of that committee." (M.O.U. 12.22b)

4. Each departmental peer review committee shall recommend candidates for faculty unit employment in an organized manner using procedures developed within the department or equivalent unit, consistent with University policy.

C. The department chair may serve as an ex officio, non-voting member of the peer review committee and may submit an independent recommendation for appointment. If a department chair submits an independent recommendation, the chair shall provide the peer review committee with a written statement of it and the reasons for it and this statement shall become part of the Process Summary.

D. Affirmative Action/Equal Opportunity Representatives

1. Election, Status, Service: Search Committee Chair, Department or Equivalent Unit Chair and Affirmative Action/ Equal Opportunity Representative

a. Each department or equivalent unit shall elect an AA/EOR from among its tenured faculty and its probationary faculty, if permitted by the department or equivalent unit, to serve as a voting member of the search committee. If the department or equivalent unit engages in multiple searches, each search committee may have the same elected AA/EOR or another elected AA/EOR.

b. Each AA/EOR shall normally be elected in the early spring or as circumstances require and shall serve a term of no less than one year.

c. The AA/EOR may serve as chair of a search committee provided the search committee elects him or her to serve in that capacity.

d. A department or equivalent unit chair cannot serve as a voting member on a search committee and therefore is ineligible to serve as the

committee's AA/EOR.

e. Nothing in this section shall be construed to absolve a department or equivalent unit chair and members of the search committee, whether serving on a search committee or not, of his or her responsibilities in relation to issues of affirmative action, nondiscrimination, and equal employment opportunity.

f. If any member of a search committee, at any time, has reason to believe that inappropriate actions have been taken, which may have the effect of discriminating against an applicant, that member shall contact the committee chair and the Office of Human Resources.

2. AA/EOR Roles and Responsibilities

a. The AA/EOR serves in an advisory and educational capacity to the search committee, not as a compliance officer. The role of the AA/EOR is to help develop an effective and comprehensive recruitment process, to assist with the development of an inclusive applicant pool, and to ensure the implementation of University's affirmative action and equal employment opportunity policies. The duties and responsibilities carried out by the AA/EOR shall be based on the training and advice from the Office of Human Resources and the University Counsel.

b. In addition to his or her duties as a voting member of a search committee, the AA/EOR shall advise the department or equivalent unit about recruiting practices that conform to applicable laws and regulations governing affirmative action, nondiscrimination, and equal employment opportunity, based on training and advice from the Office of Human Resources and the University Counsel.

c. The AA/EOR shall be well informed and knowledgeable on the issues of affirmative action and equal opportunity from both a state and federal perspective.

d. The AA/EOR shall review the University's and the department or equivalent unit's existing policies and shall advise the search committee on issues of affirmative action and equal employment opportunity, based on training and advice from the Office of Human Resources and the University Counsel.

e. At the time a search is authorized, the department or equivalent unit chair and the chair of the search committee in consultation with the AA/EOR have the following responsibilities:

1) To critically analyze the vacancy announcement to ensure that it reflects the University's commitment to diversity, and that applicants are likewise committed and value the importance of understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of students.

2) To develop a comprehensive and broad-based recruitment plan, which includes, but is not limited to the vacancy announcement, an advertising plan, and hiring procedures.

3) To request departmental or equivalent unit hiring trend data, the University's Affirmative Action Plan, and National Availability Data to inform the development of the recruitment plan and for consideration of additional actions the department or equivalent unit may take to solicit a broad and diverse applicant pool. The data collection and analysis must not discriminate or grant preference to an individual or a group.

4) To use the National Availability Data to help in the assessment of the recruitment plan and to provide feedback for improvement of the process.

f. Prior to the commencement of a search and prior to sending recruitment plan to the Dean, the AA/EOR in consultation with the search committee chair and the department or equivalent unit chair shall review the recruitment plan to ensure that the plan is not discriminatory and provides for equal employment opportunities for all applicants. If bias in the process is identified, the AA/EOR shall inform the search committee, the department or equivalent unit chair, the College Dean and the Office of Human Resources.

g. If the AA/EOR, at any time, has reason to believe that inappropriate actions have been taken which may have the effect of discriminating against an applicant, the AA/EOR shall contact the committee chair and then the Office of Human Resources, as soon as possible.

h. After committee deliberations have been completed and prior to recommendations being forwarded to the Dean, the AA/EOR shall affirm by signature on the Applicant Process Summary that no inappropriate actions have been taken which may have the effect of discriminating against an applicant. If the AA/EOR fails to sign the Applicant Process Summary, a written statement by the AA/EOR shall be included.

i. Following the conclusion of a search, the AA/EOR shall request data from the Applicant Flow Information Questionnaire from the Office of Human Resources. The AA/EOR shall compare this data to the National Availability Data and determine whether the search process developed a pool of candidates that was representative of the available candidates and shall make recommendations to the department or equivalent unit chair regarding future searches, as appropriate.

3. Training

a. The appropriate administrator is responsible for developing training for faculty who participate in searches. The training is designed to prepare faculty for their roles in connection with the search. Training shall be provided on an annual basis.

b. Training is required at least every three (3) years for each AA/EOR and each department or equivalent unit chair to prepare them for their hiring responsibilities. The AA/EOR and the department or equivalent unit chair must complete the prescribed training in order to participate in the search process. Training is not restricted to these individuals and shall be made available to any faculty member who wishes to learn more about recruitment and screening in hiring new faculty.

c. All members of the search committee are obligated to be familiar with department and University hiring policies and procedures. Time shall be set aside for the department chair and/or AA/EOR to provide information to search committee members regarding important recruitment or screening issues or changes in employment law.

6.07 Appointment with Tenure

"The President may award tenure to any individual, including one whose appointment and assignment is in an administrative position, at the time of appointment. Appointments with tenure shall be made only after an evaluation and recommendation by the appropriate department. Criteria and standards for such recommendations shall be those established in accordance with procedures on that campus." (M.O.U. 13.17)

6.08 Appointment to a Faculty Position with the Duties of Department Chair

A. A department may decide to recommend to the college dean the appointment of a department chair from outside of the University. The department shall decide whether to recommend a search outside for a chair by a vote of the probationary and tenured members of the department, including those on the Faculty Early Retirement Program (FERP) and those on leave.

B. Recommendations for outside searches for department chairs may also originate outside of the department. In such instances, the college dean shall consult with the faculty of the affected department before forwarding a recommendation to the Provost and Vice President for Academic Affairs.

C. For the purpose of searching for a chair outside of the University and recommending whom to appoint, a department may constitute itself a peer review committee of the whole in a manner consistent with University ARTP policy pertaining to such committees. (Please see the Note appended to Section 6.06 B.2 of this document.) If a department has not provided for doing so in its currently approved ARTP document, it shall ask the University ARTP Committee and the Provost and Vice President for Academic Affairs in writing to approve that departure from its ARTP policy. Its written request shall contain a description of its procedures for constituting a peer review committee of the whole and its screening committee, if any. The request shall be approved if the described procedures are consistent with the provisions of this document.

D. After screening applications initially for consistency with the department's published vacancy announcement, the department peer review committee shall make available to every probationary and tenured member of the department in or near the department office each qualified applicant's resume and the materials which the committee is not required to keep confidential. It shall then invite those members to submit written, signed statements of evaluation based on those materials to the applicants' files before determining whom to interview.

E. The department peer review committee shall also invite every probationary and tenured faculty member not serving on the peer review committee to attend any classroom presentation or other event scheduled in connection with the committee's interview of each applicant selected for an interview. After the peer review committee has conducted its interviews and held events scheduled in connection with them, it shall invite each probationary and tenured member of the department not serving on the committee, including those members on FERP or on leave, to submit to the file of the applicants interviewed written, signed statements of evaluation based on the portion of the file available to him or her for review and the events in which he or she and the

subject of the statement have participated.

F. After permitting a suitable interval for the preparation and submission of these statements, the peer review committee shall review the files of the applicants interviewed, conduct its deliberations and make its recommendation to the appropriate administrator. The recommendation may take the form of a ranked list.

6.09 Appointment at Another Campus

A. "An employee may apply for appointment at another campus in his/her field of expertise." (M.O.U. 12.24)

B. "An employee shall not be involuntarily appointed at another campus within the CSU." (M.O.U. 12.25)

6.10 Vacancy Announcements

A. "Vacancy announcements of probationary positions shall be widely disseminated. Employees shall be informed of the location where all vacancy announcements for tenure-track positions from all campuses may be examined." (M.O.U. 12.26)

B. Vacancy announcements of temporary faculty unit positions shall be appropriately disseminated either through announcements for the development of applicant pools for potential temporary faculty unit positions or vacancy announcements of temporary faculty unit positions.

C. "Vacancy announcements of temporary employee positions shall be available on the campus where such vacancies may exist. Employees and the CFA shall be notified of the location where such vacancy announcements may be examined." (M.O.U. 12.27)

D. "The department or equivalent unit shall normally develop vacancy announcements. Such announcements shall be subject to approval by the appropriate administrator." (M.O.U. 12.28)

E. Open Recruiting

1. Open recruiting is a means of eliciting applications to teach in the University from sources unanticipated in the usual course of inviting applications. It is used to encourage qualified applicants to seek employment in any campus department or program even if the department or program is not at the time of the application formally conducting a search to fill an already authorized position. Its use assumes that departments or programs continue in every case of appointment to determine the normal minimum qualifications for a full-time appointment.

2. Open recruiting advertisements developed by Academic Affairs or Human Resources shall be widely disseminated. Such advertisements may be used as a supplement to other recruiting efforts.

3. Applications generated through open recruiting shall be directed initially to the Office of Human Resources. That office shall then forward them to the appropriate college dean or deans each of whom shall notify and make available to every department in his or her college a copy of the materials.

4. If a department is currently recruiting in the area of expertise of the applicant responding to open recruiting, his/her application shall be included in the applicant pool. The candidate's application shall be reviewed in due course under currently approved appointment procedures.

5. If a department is not currently recruiting in the area of expertise of the applicant responding to open recruiting, the department may consider the applicant for appointment. The department shall determine whether to pursue the appointment. If a department determines that it does not want to consider the applicant for an appointment, the application shall be returned to the dean's office. The dean shall then notify the applicant of the department's decision. If the department determines that it wants to consider the applicant for appointment, it shall confirm with the college dean that a position is available. Consideration shall be subject to the department's currently approved screening process and applicable university procedures and practices, such as those described in the current Guidelines for Full-Time Faculty recruitment and Section 6.06 B. of this document.

6. In any case of an application arising out of open recruiting, the department receiving the application shall consider it in light of the department's previously announced curricular needs and its previously developed hiring plans. While an appointment despite these needs and plans may on occasion be justified, a department shall usually recommend an appointment consistent with these needs and plans and not otherwise.

7. In accordance with Section 6.06 B. of this document; recommendations for appointment of applicants responding to open recruiting shall originate in the department or equivalent unit.

6.11 Appointment of Relatives

There shall be no bar to the appointment of close relatives in administrative, faculty, or staff employment categories, in the same or different units or departments, so long as the standards set forth in Section 9.01 T. are met.

6.12 Appointment of Adjunct Faculty

A. When it has been demonstrated that an individual in the community has particular competencies which will enhance and benefit the education program of the university, such a person may be made a volunteer employee with the title of adjunct faculty.

B. Adjunct appointments may be made for persons fulfilling the following roles:

1. Collaborators in Research or Teaching or Both:

The university recognizes that there may be professional scientists, scholars, creative artists, emeritus faculty, teachers, etc., in the community who have a close working relationship with the faculty of the university, and that in certain instances it would be valuable to the university to formalize that relationship by an appointment as an adjunct instructor or adjunct professor. When such appointments are made in connection with grant-supported research, the principal investigator for the project shall be a full-time or part-time faculty member.

2. Assistants to Instructors:

Adjunct appointments may be made to provide uncompensated assistance to a full-time faculty member in the execution of a teaching assignment. In such cases the assistant shall not become the instructor of record and shall not assume instructional responsibilities such as planning, determining requirements, and assigning grades that define the course or courses in which the assistance is to be provided.

3. Field Work Supervisors:

Although neither field work supervisors nor project supervisors are generally considered eligible for adjunct professorships, it may be desirable occasionally to recognize certain professionals in the community agencies who assist in critical ways to place or supervise students with an appointment as an adjunct instructor or adjunct professor, as appropriate. When such an appointment is contemplated, the college dean shall investigate thoroughly and certify both the qualifications of the appointee and the value that the arrangement will have for the institution. Such supervisors shall possess qualifications equivalent to those required for an appointment to a full-time or part-time faculty position.

4. Instructor of Record: Please see Section C. 1.-7. immediately below.

C. Adjunct faculty may serve as instructors of record in selected circumstances. Adjunct faculty may possess special and unique expertise not possessed by currently or recently employed part-time and full-time temporary faculty or currently employed full-time probationary and permanent faculty. Adjunct faculty may be appointed as instructors of record using the following guidelines:

1. Appointees shall possess special and unique expertise directly and immediately related to the topics defining the course to be taught.
2. Each appointment shall in general be limited to a single class per semester during the year of appointment.
3. Each recommendation for an appointment shall be considered and adopted by the appropriate department committee, if any, and/or the Chair of the Primary unit in which the appointee will serve.
4. Prior to reappointment an evaluation of performance shall be conducted and the results reviewed by the pertinent primary unit under the standards and procedures that the primary unit applies to the evaluation to of part-time temporary faculty.
5. The recommendations to appoint or reappoint shall contain a written statement of reasons, including an evaluation of performance in the case of subsequent appointment.
6. The authority to appoint shall not be exercised in a way that results in the appointment as volunteers of persons whose qualifications are ordinarily available among those seeking currently in the part-time or full-time employment applicant pool.
7. Appointments or reappointments shall not be made to any but those persons who cannot or will not accept a compensated appointment.

D. Such appointees shall be granted certain faculty privileges such as the issuance of a faculty identification card, use of the library, and eligibility to purchase a faculty parking sticker, and workers' compensation coverage.

The use of laboratory facilities may be authorized when appropriate, and office space may be assigned when available. However, the use of campus facilities by such appointees shall not interfere in any way with the instructional program or the teaching and research of faculty holding full-time or part-time appointments.

E. The following guidelines shall apply to the appointment of adjunct faculty:

1. Each appointment shall be to the mutual benefit of the appointee and the university.

2. Recommendations for appointment shall originate in the departments and receive the same review of qualifications as required for a full-time or part-time faculty appointment.

a. A person appointed shall have qualifications equal to those of full-time or part-time faculty or shall possess special and unique qualifications germane to the assignment. The appointment title shall be appropriate to the individual's qualifications (e.g., Adjunct Professor, Adjunct Associate Professor, etc.).

b. A request for an adjunct appointment shall include a resumé, a full explanation of duties to be performed during the time of appointment, and an explanation of the mutual benefit of the appointment.

3. Authority to appoint adjunct faculty has been delegated to the deans of the colleges by the President. Adjunct appointments shall be carefully considered and shall be fully justified in writing by the college dean concerned. General supervision of such appointees shall be the responsibility of the college dean.

4. Except for appointments made pursuant to Section 6.12 C. appointments may be for terms ranging from one semester to a maximum of two years. Appointments shall be renewed only after review and by mutual consent.

F. For purposes of keeping records, copies of all adjunct faculty appointment letters shall be sent to the Provost and Vice President for Academic Affairs and the Vice President for Human Resources.

7.00 PROBATION AND TENURE

7.01 Probation

A. "The term 'probationary faculty unit employee' refers to a full-time faculty unit employee appointed with probationary status and serving a period of probation." (M.O.U. 13.1)

B. "A probationary period is the period of service, prior to the granting or denial of tenure, credited to a faculty unit employee who has received a probationary appointment." (M.O.U. 13.2)

C. "The normal period of probation shall be a total of six (6) years of full-time probationary service and credited service, if any. Any deviation from the normal six (6) year probationary period shall be the decision of the President following his/her consideration of recommendations from the department or equivalent unit and appropriate administrator(s). (M.O.U. 13.3)

D. "The President, upon recommendation by the affected department or equivalent unit, may grant to a faculty unit employee at the time of initial appointment to probationary status up to two (2) years service credit for probation based on previous service at a post-secondary education institution, previous full-time CSU employment, or comparable experience." (M.O.U. 13.4)

E. Such award of credit shall be considered a special condition of employment and shall be stated in writing to the employee at the time of initial employment.

F. "The timelines for evaluation of probationary faculty unit employees shall be announced by the President after consideration of recommendations, if any, of the appropriate faculty committee(s)." (M.O.U. 13.5) (On this campus the appropriate committee shall be the University ARTP Committee.)

G. "A year of service for a faculty unit employee in an academic year position is two (2) consecutive semesters or three (3) consecutive quarters of employment within an academic year. For an academic year faculty unit employee at a campus with a quarter system year-round operation (QSYRO), however, a year of service is any three (3) quarters in a period of four (4) consecutive quarters. A year of service for a faculty unit employee in a twelve (12) month position is any consecutive twelve (12) months of full-time employment. A year of service for a faculty unit employee in a ten (10) month position is ten (10) months of full-time employment within a twelve (12) month period of time. The (10) months of required service for each twelve (12) month period shall be determined by the President upon appointment of the faculty unit member. For the purpose of calculating the probationary period, a year of service commences with the first fall term of appointment." (M.O.U. 13.6)

H. "Upon the request of a faculty unit employee to the President made no later than the first day of the leave of absence listed below, or any extension thereto, his/her probationary period shall be extended for the following duration and reasons:

1. A one (1) year extension of the probationary period when the employee is on a leave of absence for pregnancy/birth or adoption for one (1) year.
2. An extension of the probationary period for the duration of the leave when the employee is on a personal leave of absence without pay pursuant to provision 22.8 (of the M.O.U.) for one (1) or more full academic years.
3. A one (1) year extension of the probationary period when the employee is on a professional leave of absence without pay for two (2) or more academic years." (M.O.U. 13.7)

I. " Upon the request of a faculty unit employee to the President made no later than thirty (30) days prior to the beginning of the academic term in which s/he is scheduled to return to work, his/her probationary period may be extended for one (1) academic year for the following absences of less than one (1) academic year:

1. Leave of absence for pregnancy/birth or adoption

2. Personal leave of absence without pay pursuant to provision 22.8 (of the M.O.U.)
3. Professional leave of absence without pay pursuant to provision 22.24 (of the M.O.U.)
4. Workers' Compensation
5. Industrial Disability Leave
6. Nonindustrial Disability Leave
7. Paid sick leave

J. A leave of absence without pay taken during a probationary period for an assignment determined by the President and the department to be of a nature valuable to the University shall not constitute a break in service for the purposes of acquiring tenure. One academic year or less of such leaves may, with the recommendation of the department and at the discretion of the President, be counted toward the required service for tenure. However, for a probationary period in a leave status to be counted toward eligibility for tenure, an appraisal of such relevant experience shall be made by the department and included in the entire appraisal of the individual concerned.

K. "A faculty unit employee's application for Workers' Compensation, Industrial Disability Leave, or Nonindustrial Disability Leave shall not affect determinations regarding the award of tenure." (M.O.U. 13.9)

L. The President, with the recommendation of the department, shall determine whether a leave of absence without pay, for reasons other than those described in Section 7.01 K. above shall constitute a break in the probationary period.

M. "A probationary faculty unit employee shall be subject to a Performance Review pursuant to Article 15, Evaluation, for the purpose of retention." (M.O.U. 13.10) (See Sections 9.06 and 9.07 of this document.)

N. "The President shall review and consider the Performance Review recommendations and relevant material and make a final decision on retention." (M.O.U. 13.11)

O. "The President shall notify a probationary faculty unit employee who has served fewer than two (2) years of probation of the final decision on retention no later than February 15." (M.O.U. 13.12)

P. "The President shall notify a probationary faculty unit employee who has served more than two (2) years of probation of a final decision on retention, appointment with tenure, or a terminal year appointment no later than June 1. Official notification to a probationary faculty unit employee of a terminal year appointment shall indicate that the faculty unit employee has no further appointment rights. Terminal year appointments shall be limited to probationary faculty unit employees who have served a minimum of three (3) years of probation." (M.O.U. 13.13)

7.02 Tenure

A. "A faculty unit employee awarded tenure at a campus has the right to continued permanent employment at the campus as a faculty unit employee except when such

employment is voluntarily terminated or is terminated by the Employer pursuant to this Agreement or law." (M.O.U. 13.14)

B. "A probationary faculty unit employee shall be subject to a Performance Review for the purpose of award of tenure, pursuant to the Performance Review provision in Article 15, Evaluation." (M.O.U. 13.15) (Please see Sections 9.07 and 9.08 of this document.)

C. "The President shall review the Performance Review recommendations and relevant material and make a final decision as to the award or denial of tenure to a probationary faculty unit employee. For probationary employees holding a joint appointment in more than one (1) department or equivalent unit, the President shall make a single decision regarding retention and tenure." (M.O.U. 13.16)

D. "The President shall officially notify the probationary faculty unit employee of the final decision on the award or denial of tenure no later than June 1. The lack of official notice shall not result in the award of tenure. If tenure is denied, the President shall notify the faculty unit employee by June 1 of a subsequent probationary appointment or a terminal year appointment. Terminal year appointments shall be limited to probationary faculty unit employees who have served a minimum of three (3) years. Official notification to a faculty unit employee of the denial of tenure shall include the statement that s/he has no further re-employment rights." (M.O.U. 13.18)

E. "Tenure shall be effective at the beginning of the academic year succeeding the academic year in which tenure is awarded." (M.O.U. 13.20)

F. Written notification of all decisions regarding reappointment, non-reappointment and the award or denial of tenure of faculty unit employees shall be signed by the President or his/her designee.

G. Reappointment to a succeeding academic year, and the award of tenure, shall be accomplished only by notice from the President or his/her designee.

8.00 PROMOTION

8.01 In General

A. "Promotion shall be the advancement of a probationary or tenured faculty unit employee who holds academic or librarian rank to a higher academic or librarian rank, or advancement of a Counselor Faculty Unit Employee to a higher classification." (M.O.U. 14.1)

B. In general, retention decisions in the early years of service rely heavily on a faculty unit employee's preparation and ability, while tenure, promotion and later retention decisions place more emphasis on contribution and performance.

C. "A probationary faculty unit employee shall not normally be promoted during probation. Probationary faculty unit employees shall not be promoted beyond the rank of Associate. A probationary faculty unit employee shall normally be considered for promotion at the same time s/he is considered for tenure." (M.O.U. 14.2)

D. "The promotion of a tenured faculty unit employee shall normally be effective the beginning of the sixth (6th) year after appointment to his/her current academic rank/classification. In such cases, the performance review for promotion shall take place during the year preceding the effective date of the promotion. This provision shall not

apply if the faculty unit employee requests in writing that he/she not be considered." (M.O.U. 14.3)

E. "A faculty unit employee may, upon application, be considered for promotion to professor, librarian equivalent, or SSP-AR level III, prior to having satisfied the service requirements of provision 14.3." (M.O.U. 14.4)

F. "Timelines for the promotion process shall be announced by the President, after consideration of the recommendations, if any, of the appropriate faculty committee(s). Promotion applications shall not normally be accepted after the announced timeline for applications." (M.O.U. 14.5) (On this campus the appropriate faculty committee is the University ARTP Committee.)

G. "Faculty unit employees shall be subject to a Performance Review for the purposes of promotion, pursuant to Article 15, Evaluation." (M.O.U. 14.6) (Please see Sections 9.07 and 9.08 of this document.)

H. "Prior to the final decision, candidates for promotion may withdraw without prejudice from consideration at any level of review." (M.O.U. 14.7)

I. "The President shall review and consider the Performance Review recommendations, relevant material and information. The President shall make a final decision on promotion. For individuals holding a joint appointment in more than one (1) department or equivalent unit, the President shall make a single decision regarding promotion." (M.O.U. 14.8)

J. "The President shall notify the faculty unit employee in writing of the final decision on the promotion no later than June 15. Such response shall include the reasons for approval or denial and shall indicate the effective date of the promotion, if any." (M.O.U. 14.9)

8.02 Faculty Unit Employees on Leave

Faculty unit employees on leave who are candidates for promotion shall be considered as carefully as if they were not on leave. They shall ensure that their Personnel Action Files are up-to-date. They shall inform their department chairs of those of their current and projected activities which might have a bearing on promotion.

8.03 Faculty Unit Employees Serving as Administrators

A. When they meet eligibility requirements, faculty unit employees serving as appropriate administrators shall be governed by the same policies and procedures for retention, tenure, and promotion as other full-time faculty in the unit. Evaluation of administrative performance shall be the responsibility of the President.

B. When a CSUS faculty member is recommended for retention, tenure, and promotion and is in an academic administrative position, the President shall act upon the recommendation as in all other cases. Such a promotion shall not be counted against the college's promotion allocation.

C. To be considered for retention, tenure, or promotion or any combination of them, faculty serving as administrators shall teach at least one (1) course a year on this campus and present evidence of teaching evaluations to the appropriate committees. Teaching performance shall be the primary criterion for evaluation.

D. No faculty member serving as an administrator shall be discriminated against for such service. (Please see Section 5.08 of this document.)

9.00 EVALUATION

9.01 In General

A. It shall be the responsibility of all who participate in evaluations to protect the process from abuse by the exercise of a professional concern for excellence and a respect for academic freedom.

B. "The term 'evaluation' as used in this Article shall refer to either a Periodic Evaluation or a Performance Review." (M.O.U. 15.1)

C. Evaluation shall be the act of ascertaining in each faculty unit employee seeking retention, tenure or promotion the presence to an acceptable extent of certain qualities and capacities. As they relate to competent teaching performance and scholarly or creative achievements, these shall be, generally speaking: 1. breadth and depth of knowledge, 2. invention or creativity, and 3. an ability to investigate primary sources of understanding, to make and defend judgments and to articulate or otherwise present and apply them in an appropriate context. (Please see Sections 5.05 E. and 5.05 F. of this document.

D. For the purposes of implementation on this campus, an evaluation shall produce an analytical qualitative statement establishing an observable and valid relationship between the criteria/standards and the faculty member's performance in each of the prescribed categories (namely, teaching; scholarly/creative activities; university, college, department service; and community service) as evidenced in the Working Personnel Action File. The evaluative statement(s) shall be specific enough to provide positive reinforcement in those instances of performance in which the candidate has met or exceeded the prescribed criteria/standards as well as to provide guidance in other instances where improvement or further strengthening is needed.

E. "Faculty unit employees, students, academic administrators, and the President may contribute information to the evaluation of a faculty unit employee. Information submitted by the faculty unit employee and by academic administrators may include statements and opinions about the qualifications and work of the employee provided by other persons identified by name. Only tenured faculty unit employees and academic administrators may engage in deliberations and make recommendations to the President regarding evaluation of a faculty unit employee. At the request of the department, the President may agree that a faculty unit employee participating in the Faculty Early Retirement Program may also engage in deliberations and make recommendations regarding the evaluation of a faculty unit employee. However, faculty committees established for this purpose may not be comprised solely of faculty participating in the Faculty Early Retirement Program." (M.O.U. 15.2) Faculty participating in the Faculty Early Retirement Program may engage in these deliberations and make recommendations during the semester or semesters of their employment but not otherwise.

F. "Evaluation criteria and procedures shall be made available to the faculty unit employee no later than 14 days after the first day of instruction of the academic term. Evaluation criteria and procedures shall be made available to the evaluation committee and the academic administrators prior to the commencement of the evaluation process. Once the evaluation process has begun, there shall be no changes in criteria and procedures used to evaluate the faculty unit employee during the evaluation process."

(M.O.U. 15.3) On this campus new full-time faculty unit employees shall be provided this information before the end of the faculty unit employee's first pay period. (Please see Section 6.02 of this document.)

G. Written criteria, policies, and procedures to govern the evaluation of faculty unit employees shall be recommended to the President by the University ARTP Committee and, where required by this document, the Academic Senate.

H. The written criteria, policies, and procedures shall include:

1. The relative value of the criteria as determined by the evaluating unit. (Please see Section 5.05 of this document.)
2. The data that the department or college requires in the Personnel Action File in addition to that data listed in Section 4.08 of this document.
3. Procedures for evaluating faculty.

I. Written criteria, policies and procedures may incorporate other documents which have originated within the CSU system (e.g., collective bargaining agreements, university-wide policy documents) by reference. Documents from outside the CSU system, or excerpted sections thereof (e.g., standards of professional organizations or accrediting agencies, or selected portions thereof), that are specifically referenced in a department's or a college's ARTP policy statement shall be applicable only if these same documents, or specifically referenced sections thereof, shall have been reproduced verbatim in or appended to the ARTP policy statement of that academic unit.

J. Each secondary unit shall provide standardized evaluation forms to be used by the secondary and primary level committees in the unit.

K. All criteria, policies, and procedures shall require that the primary emphasis in evaluations be given to teaching performance.

L. All criteria, policies, and procedures shall be consistent with the M.O.U. and University policy.

M. The procedures of each primary unit shall be consistent with the policies of the secondary unit in which it is located and the policies of the University.

N. Because the primary level evaluation represents the best professional judgment by members of the candidate's own discipline, it shall in general be accorded the most significance.

O. "The appropriate faculty unit committee may recommend timelines for conducting evaluations. All evaluations shall be conducted and completed within the period of time specified by the President. The Working Personnel Action File shall be forwarded in a timely manner to the next level of review." (M.O.U. 15.4) (On this campus, the appropriate faculty committees shall be the University ARTP Committee and the secondary and primary committees of the various units. The University ARTP Committee shall recommend university level deadlines. The secondary and primary committees shall establish their respective deadlines in keeping with the college and university calendars.)

P. "Prior to the beginning of the review process, the faculty unit employee subject to review shall be responsible for the identification of material s/he wishes to be considered and for the submission of such materials as may be accessible to him/her. Evaluating committees and administrators shall be responsible for identifying and providing materials relating to evaluation not provided by the employee." (M.O.U. 15.12a)

Q. "A request for an external review of materials submitted by a faculty unit employee may be initiated at any level of review by any party to the review. Such a request shall document (1) the special circumstances which necessitate an outside reviewer, and (2) the nature of the materials needing the evaluation of an external reviewer. The request must be approved by the President with the concurrence of the faculty unit employee." (M.O.U. 15.12d)

R. "Personnel recommendations or decisions relating to retention, tenure, promotion, or any other personnel action shall be based on the Personnel Action File. Should the President make a personnel decision on any basis not directly related to the professional qualifications, work performance, or personal attributes of the individual faculty member in question, those reasons shall be reduced to writing and entered into the Personnel Action File and shall be immediately provided the faculty member. For the purposes of this section, course assignments shall not be considered personnel actions. However, course assignments shall not be punitive in nature." (M.O.U. 15.12c)

S. All substantive evaluations and final recommendations shall require the participation of all elected committee members or duly elected alternates. Participation shall include reviewing the Working Personnel Action File of each candidate whose performance will be evaluated by the primary and secondary committee and attending each and every meeting of the committee at which substantive deliberations take place and attending each and every meeting at which final recommendations are made.

T. No CSU employee shall vote, make recommendations, or in any way participate in decisions about any personnel matter which may directly affect the selection, appointment, retention, tenure, compensation, promotion, termination, other employment status or interest of a close relative. For the purposes of this policy, a "close relative" shall include: parent, child, grandparent, grandchild, sibling, uncle, aunt, nephew, niece, first cousin, spouse, registered domestic partner, step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, and by guardianship or adoption or both, or a person residing in the immediate household except live-in household employees or roomers. Relatives of domestic partners shall be treated as relatives of spouses. Consistent with Section II.1 of Presidential Memorandum (PM) FSA 94-02, "Statement on Faculty Responsibilities and Professional Ethics" no faculty unit employee shall evaluate or participate in the evaluation of the performance of a faculty unit employee if he or she has an intimate relationship or a financial or contractual obligation with the employee under review, is a party to an unresolved disciplinary action or to an unresolved conflict with the employee under review that is substantial, longstanding, sharp, open and notorious, or has been the author of repeated, open and notorious acts of ill-will directed to the faculty unit employee subject to his or her evaluation. Faculty unit employees who believe themselves to be about to be subjected to evaluation in violation of this subsection shall assert their belief and their reasons for it and request either informal intervention or formal action to forestall the violation. They shall address their assertion, reasons and request to the chair of their primary unit, the Dean of their secondary unit or the Vice President for Academic Affairs as appropriate. To be eligible for informal or formal relief under this subsection, faculty unit employees shall request it as soon as participation or the likelihood of participation in an evaluation in violation of this subsection actually becomes known or reasonably could have become known to them (as, for instance, by the publication of a ballot or the results of an election).

U. In any instance of evaluation, the written text of the committee's evaluation report, and recommendation as it will appear in the candidate's file shall be approved by a simple majority of the evaluation committee in a meeting called for that purpose. (Please see Section 9.08 P of this document.)

V. "Deliberations pursuant to this Article shall be confidential." (M.O.U. 15.10)

W. "Recommendations pursuant to this Article shall be confidential except that the affected faculty unit employee, appropriate administrators, the President, and the peer review committee members shall have access to written recommendations." (M.O.U. 15.11)

X. "At all levels of review, before recommendations are forwarded to a subsequent review level, faculty unit employees shall be given a copy of the recommendation and the written reasons therefore. The faculty unit employee may submit a rebuttal statement or response in writing and/or request a meeting be held to discuss the recommendation within ten (10) days following receipt of the recommendation. A copy of the response or rebuttal statement shall accompany the Working Personnel Action File and also be sent to all previous levels of review. This section shall not require that evaluation timelines be extended." (M.O.U. 15.5)

Y. Reasons provided pursuant to Section 9.01 U. shall include an evaluative statement in light of the University's ARTP criteria. (Please see Section 9.01 D. of this document.)

Z. "Administrative Level Reviews shall be conducted by the appropriate administrators." (M.O.U. 15.6)

AA. "The Working Personnel Action File shall be forwarded to the President who shall review and consider all materials thus submitted." (M.O.U. 15.7)

BB. "If, during the review process, the absence of required evaluation documents is discovered, the Working Personnel Action File shall be returned to the level at which the requisite documentation should have been provided. Such material shall be provided in a timely manner." (M.O.U. 15.12b)

9.02 Representation Before Peer Review Committee

A. The faculty unit employee may be permitted by the peer review committee to appear before it and at his/her election may be accompanied by a representative at the time of periodic evaluation or Performance Review. The representative accompanying the faculty member shall not be a regular or alternate member of the faculty member's peer review committee at the department or the college levels. The faculty unit employee, during such an appearance, may make a statement or discuss his/her Personnel Action File, or both. However, neither the faculty member nor the representative shall be present during the deliberations following such a presentation or appearance. Such deliberations shall be confidential as required by Section 9.01 V. of this document.

B. A faculty member who requests a meeting to discuss the recommendation with the peer review committee or appropriate administrator as provided by Section 9.01 X. above may be accompanied by his/her representative to such a discussion. However, neither the faculty member nor the representative shall be present during the deliberations following such a discussion. Such deliberations shall be confidential as required by Section 9.01 V. of this document.

9.03 Periodic Evaluation

A. "A periodic evaluation of a faculty unit employee shall normally be required for the following purposes:

1. Evaluation of temporary faculty unit employees. (see M.O.U. 15.23 - 15.29)
2. Evaluation of probationary faculty unit employees who are not subject to a Performance Review. (see M.O.U. 15.30 - 15.33)
3. Evaluation of tenured faculty unit employees who are not subject to a Performance Review for promotion. (M.O.U. see 15.34 - 15.36)

4. Evaluation of temporary faculty unit employees for three-year appointments pursuant to provisions 12.12 and 12.13." (M.O.U. 15.20)

B. "Periodic evaluation procedures shall be approved by the President after consideration of recommendations from the appropriate faculty committee(s). Such procedures shall, for tenure-track faculty unit employees who teach, include, but not be limited to, student evaluations of teaching performance, peer reviews, and administrative reviews. Department chairs may make recommendations as a part of the periodic evaluation process. If such a separate recommendation is to be made the chair shall not participate as a member of the department peer committee." (M.O.U. 15.21) (On this campus, procedures shall be developed by primary and secondary committees and shall be reviewed by the University ARTP Committee in all cases of the periodic evaluation of temporary, probationary and tenured faculty).

C. Each primary unit may choose one of the following alternatives to govern the role of the chair in connection with periodic evaluation of full-time temporary faculty and probationary faculty not subject to performance review:

1. The primary unit chair shall serve as a voting member of the primary committee and shall not submit a separate evaluation.

OR

2. The primary unit chair shall not serve on nor meet with the primary committee but shall conduct an independent review and submit a separate evaluation.

D. In the case of periodic evaluation of part-time faculty, the primary unit chair shall conduct an independent review and submit a separate evaluation.

E. "The result of each stage of the periodic evaluation process shall be a written statement. Such statement with written rationale shall be placed in the Personnel Action File of the faculty unit employee in accordance with Article 11, Personnel Files." (M.O.U. 15.22) (Please see Section 4.00 of this document.)

9.04 Periodic Evaluation of Temporary Faculty Unit Employees

A. "A temporary faculty unit employee appointed for one (1) semester or two (2) quarters or less shall be evaluated at the discretion of the department chair, the appropriate administrator, or the department or equivalent unit. The employee may request that an evaluation be performed." (M.O.U. 15.25)

B. "Temporary faculty unit employees holding three-year appointments pursuant to Article 12 (Section 6.04 of this document) shall be evaluated at least once during the

term of their appointment and may be evaluated more frequently upon the request of either the employee or the President." (M.O.U. 15.26)

C. "A written record of periodic evaluation shall be placed in the temporary faculty unit employee's Personnel Action File. The temporary faculty unit employee shall be provided a copy of the written record of the evaluation." (M.O.U. 15.27)

D. "Part-time temporary faculty unit employees appointed for two (2) or more semesters or three (3) or more quarters, regardless of a break in service, shall be evaluated in accordance with the periodic evaluation procedure. Such evaluations shall include student evaluations of teaching performance for those with teaching duties, evaluations by appropriate administrators and/or department chair, and an opportunity for peer input as defined in provision 15.2 (Section 9.01.E of this document) from the department or equivalent unit. Evaluation of part-time temporary Coaching Faculty Unit employees shall include an opportunity for peer input and evaluation by appropriate administrators." (M.O.U. 15.24)

E. "Full-time temporary faculty unit employees appointed for two or more semesters or three or more quarters, regardless of a break in service, must be evaluated in accordance with the periodic evaluation procedure. This evaluation shall include student evaluations of teaching performance for those with teaching duties, peer review by a committee of the department or equivalent unit as defined in provision 15.2 (Section 9.01.E of this document), and evaluations by appropriate administrators. Evaluation of full-time temporary Coaching Faculty Unit Employees shall include an opportunity for peer input and evaluation by appropriate administrators." (M.O.U. 15.23)

F. "Temporary faculty unit employees eligible for a three-year appointment pursuant to provision 12.12 shall be evaluated in the academic year preceding the issuance of a three-year appointment. This evaluation shall include student evaluations of teaching performance for those with teaching duties, peer review by a committee of the department or equivalent unit as defined in provision 15.2, and evaluations by appropriate administrators. The evaluation shall rate the temporary faculty unit employee as either satisfactory or unsatisfactory. Satisfactory ratings may include narrative comments including constructive suggestions for development. This periodic evaluation shall consider the faculty unit employee's cumulative work performance during the entire qualifying period for the three-year appointment. A three-year appointment shall be issued if the temporary faculty unit employee is determined by the appropriate administrator to have performed in a satisfactory manner in carrying out the duties of his/her position. The determination of the appropriate administrator shall be based on the contents of the Personnel Action File and any materials generated for use in any given evaluation cycle pursuant to 15.8. Where the appropriate administrator determines that a temporary faculty unit employee has not performed his/her duties in a satisfactory manner, then the reasons for his/her determination shall be reduced to writing and placed in the Personnel Action File." (M.O.U. 15.28)

G. "Temporary faculty unit employees holding a three-year appointment pursuant to provision 12.13 shall be evaluated in the third year of the appointment. This evaluation shall include student evaluations of teaching performance for those with teaching duties, peer review by a committee of the department or equivalent unit as defined in provision 15.2, and evaluations by appropriate administrators. The evaluation shall rate the temporary faculty unit employee as either satisfactory or unsatisfactory. Satisfactory ratings may include narrative comments including constructive suggestions for development. This periodic evaluation shall consider the employee's cumulative

work performance during the entire three-year appointment. A subsequent three-year appointment shall be issued if the temporary faculty unit employee is determined by the appropriate administrator to have performed in a satisfactory manner in carrying out the duties of his/her position. The determination of the appropriate administrator shall be based on the contents of the Personnel Action File and any materials generated for use in any given evaluation cycle pursuant to 15.8. Where the appropriate administrator determines that a temporary faculty unit employee has not performed his/her duties in a satisfactory manner, then the reasons for his/her determination shall be reduced to writing and placed in the Personnel Action File". (M.O.U. 15.29)

H. On this campus, part-time and full-time temporary faculty unit employees whose appointments meet the conditions of M.O.U. Articles 15.23 - 15.24 (Sections 9.04D and E above) shall be evaluated annually.

I. Departments may authorize electronic submission of student evaluations of teaching performance in classes taught by part-time and full-time temporary faculty. Such authorizations shall be included among the provisions of the Department's ARTP document governing the periodic evaluation of part-time and full-time temporary faculty. When a Department is considering whether to adopt or amend such an authorization, the Department may invite the part-time and full-time temporary faculty currently employed in the Department to participate in the Department's decision. The Department's permanent faculty may prescribe the mode of their participation.

9.05 Periodic Evaluation of Probationary Faculty Unit Employees

A. "If a probationary faculty unit employee is subject to a Performance Review as provided for in this Article, the Performance Review shall serve as the evaluation of the probationary faculty unit employee." (M.O.U. 15.30)

B. "In an academic year or work year in which a probationary faculty unit employee is not subject to a Performance Review for retention, the probationary faculty unit employee shall be subject to periodic evaluation." (M.O.U. 15.31)

C. Pursuant to Section 9.05 B. of this document, probationary faculty unit employees who are appointed initially for two years shall undergo a periodic evaluation during the second semester of their appointment. This evaluation shall be made after the student evaluations of the probationary employee's teaching have become available. It shall be completed before the beginning of the last week of instruction during the second semester of the appointment. The evaluation shall be governed by the criteria and procedures governing the performance review of the members of the primary unit in which the evaluation takes place. The peer review committee making the evaluation shall set a file closure date that is consistent with the provisions of this section.

D. "Periodic evaluations shall be conducted by the peer review committee of the department or equivalent unit, and the appropriate administrator. There shall be consideration of student evaluations of teaching performance, when teaching duties have been assigned and student evaluations are available." (M.O.U. 15.32)

E. "A written record of a periodic evaluation shall be placed in the probationary faculty unit employee's Personnel Action File. A probationary faculty unit employee shall be provided a copy of the written record of the periodic evaluation." (M.O.U. 15.33)

9.06 Periodic Evaluation of Tenured Faculty

The Office of Human Resources has responsibility for ensuring a department's conformity to University policy on the periodic evaluation of tenured faculty. Should a question of interpretation arise, it shall be brought to the University ARTP Committee, which retains jurisdiction over matters of policy and interpretation of policy, in the form of recommendations.

Individual members of the faculty would always be wise to examine appropriate portions of the University ARTP document and more general policy documents (in this case including the Memorandum of Understanding) to understand the content and the extent of rights and obligations arising under the procedures set forth in this section.

1. Purpose of Evaluation: To assist tenured faculty members to maintain or improve their teaching effectiveness.

2. Frequency of Evaluation of Instructional Performance: Tenured faculty shall be evaluated at intervals of no greater than five years. An evaluation for purposes of retention, tenure or promotion shall fulfill the requirement. **“Participants in the Faculty Early Retirement Program (FERP) shall not be required to undergo evaluation unless an evaluation is requested by either the FERP participant or the appropriate administrator.” (M.O.U. 15.34)**

3. Each Academic Dean, as the appropriate administrator, is delegated the responsibility for monitoring the periodic evaluation of tenured faculty in his/her college and for ensuring that the evaluations conducted by the faculty committees and department chairs are in compliance with the procedures contained in this policy.

4. Procedures:

a. Each tenured faculty member subject to periodic evaluation shall be evaluated by an elected peer review committee consisting of at least three tenured full-time department faculty of equal or higher rank. A department member scheduled for this evaluation may not serve on any committee to conduct a periodic evaluation of tenured faculty during the year in which he/she is subject to evaluation.

b. The department chair shall not serve on nor meet with the peer review committee but shall conduct an independent evaluation and submit a separate evaluation report.

c. The department shall develop a schedule specifying the order of evaluation of tenured faculty from year to year.

d. State law and University policy guarantee to faculty the right of confidentiality. Consequently, substantive deliberations having to do with periodic evaluation of tenured faculty unit employees shall be open only to committee members.

e. The peer review committee and the department chair shall consider the following subject matter in conducting the reviews:

1) Student evaluations taken since the last evaluation of the faculty member's performance.

2) Signed, written statements from students, and other signed, written statements concerning the faculty member's teaching effectiveness only if the faculty member has been provided an exact copy of each statement at least five days before the evaluation.

3) Material submitted by the faculty member being evaluated. This evidence may include, but not be limited to, the following:

- Teaching materials
- Curriculum development
- Participation in professional meetings
- Professional lectures, seminars, workshops
- Consultant work
- Publications
- Leave activities

f. The faculty member being evaluated shall have the right to meet with the peer review committee prior to the submission of the committee's report.

g. The faculty member being evaluated shall have the right to meet with the department chair prior to submission of his/her evaluation.

h. The committee shall prepare a written, signed evaluation report containing an assessment of the evidence. It shall provide a written copy of this report to the faculty member at least five days before the custodian places it in the Personnel Action File.

i. The department chair shall prepare a written, signed evaluation report containing an assessment of the evidence. He/she shall provide a written copy of this report to the faculty member at least five days before the custodian places it in the Personnel Action File.

j. The department chair and the chair of the peer review committee shall meet with the faculty member to discuss his/her strengths and weaknesses along with suggestions, if any, for his/her improvement.

k. The evaluation statements shall be placed in the Personnel Action File. The faculty member shall have the right to submit written rebuttals to them and these rebuttals shall also be placed in the Personnel Action File.

l. The Academic Dean shall not normally conduct an evaluation of tenured faculty under these procedures. However, a faculty member may appeal the evaluations of the faculty committee and/or the department chair by requesting, in writing, that the Dean conduct an independent evaluation.

9.07 Performance Review

A. "A Performance Review of a faculty unit employee shall normally be required for the following purposes:

1. retention of a probationary faculty unit employee;
2. award of tenure; and

3. promotion." (M.O.U. 15.37)

B. "A Performance Review shall consist of a minimum of the following reviews:

1. evaluations of teaching performance, if the faculty unit employee teaches;
2. peer reviews; and
3. administrative reviews." (M.O.U. 15.38)

C. "Performance Review procedures shall be approved by the President after consideration of the recommendations of appropriate faculty committee(s)." (M.O.U. 15.39a) (On this campus, procedures shall be developed by primary and secondary committees and shall be reviewed by the University ARTP Committee.)

9.08 Recommendation Process for Performance Review

A. "The probationary and tenured faculty unit employees of the department or equivalent unit shall elect a peer review committee of tenured faculty unit employees for the purpose of reviewing and recommending faculty unit employees who are being considered for retention, award of tenure, and promotion. Probationary and tenured faculty unit employees shall elect tenured faculty unit employees to serve on higher level peer review committee(s). When there are insufficient eligible members to serve on the peer committee, the department shall elect members from a related academic discipline(s). At the request of the department, the President may agree to permit faculty participating in the Faculty Early Retirement Program to run for election for membership on any level peer review committee. However, these committees may not be comprised solely of faculty participating in the Faculty Early Retirement Program." (M.O.U. 15.40) Faculty participating in the Faculty Early Retirement Program may engage in these deliberations and make recommendations during the semester or semesters of their employment but not otherwise.

B. Primary unit peer review committees shall include no fewer than three (3) elected members.

C. The primary level is either the department, division or an equivalent level in the case of colleges or other secondary units not subdivided into departments. Such equivalent levels shall be determined by a vote of the faculty in the college concerned. There shall be at least two (2) primary units in each college. However, very small units, or units difficult to divide, e.g., the Library, may apply to the University ARTP Committee for an exception to this requirement.

D. "The periodic or performance review for individuals holding a joint appointment in more than one (1) academic department or equivalent unit shall be conducted by each department in which the individual holds an appointment or in accordance with campus procedures may be conducted by a committee with representation from each department in which the individual holds an appointment." (M.O.U. 15.13)

On this campus, the primary level ARTP committee shall be responsible for evaluating all personnel under its jurisdiction, including those faculty members who are on Joint appointments, those faculty on limited or non-teaching assignments, and those faculty on leave. In the case of joint appointments each primary unit, party to the appointment, shall evaluate a faculty unit employee's performance of his or her assignment in that unit. If the primary units are in different secondary units, each secondary unit shall evaluate the faculty member's performance of his or her assignment in the primary unit

whose members are otherwise subject to its evaluation. Every final recommendation made in connection with a joint appointment shall be included in the working personnel action file. But no primary unit shall incorporate into its basis of evaluation the final recommendation of another primary unit or a secondary unit. Nor shall any secondary unit incorporate into its basis of evaluation the final recommendation of another secondary unit or of a primary unit whose members are not otherwise subject to its evaluation. Differences between final recommendations shall be resolved by the President.

E. The secondary level review of candidates for promotion shall be conducted at the college level unless an exception has been granted. Requests for such exceptions shall be made to the University ARTP Committee whose recommendations shall be forwarded to the President for a final decision. (For purposes of this document, the Library shall be considered as a college.)

F. The secondary level ARTP committee shall review the Working Personnel Action File of each candidate for promotion and make an evaluation of each candidate which gives due weight to the contents of the Working Personnel Action File, including the recommendation of the primary committee(s) and the appropriate administrator at the primary level. A secondary level review of candidates for retention or tenure may be required by individual college policy.

G. The secondary level ARTP committee shall ensure that each primary level evaluation is the result of the proper application of approved department, college, and university criteria, policies, and procedures.

H. The secondary committee shall recommend candidates for promotion. The cost of recommended promotions shall not exceed the promotion funds allocated to the secondary unit.

I. In rare instances, the secondary committee may reorder ranked lists submitted by primary committees, in which case the secondary committee shall provide reasons for its action.

J. Reasons for each recommendation of the secondary ARTP committee shall be stated in writing and placed in the appropriate Working Personnel Action File in accord with the file procedures of Section 4.00 of this document. Copies shall be forwarded to the department chair and primary committee chair.

K. "Department chairs may make separate recommendations. Such recommendations shall be forwarded to subsequent levels of review. If the chair makes a separate recommendation, he/she shall not participate as a member of the peer committee."
(M.O.U. 15.39 b)

Each primary unit may choose one of the following alternatives to govern the role of the chair in connection with performance evaluation:

1. The primary unit chair shall serve as a voting member of the primary committee and shall not submit a separate recommendation.

OR

2. The primary unit chair shall not serve on nor meet with the primary committee but shall conduct an independent evaluation and submit a separate recommendation.

L. ARTP committees at all levels, whether department, division or college, shall retain all ballots which are used directly to make any determination with respect to appointment, retention, tenure, or promotion for a minimum period of three (3) years. These ballots shall be identified and placed under the custody of the appropriate administrator of the academic unit involved. The individual faculty member subject to the evaluation described above shall be entitled to have prompt access to the ballots cast in his/her behalf at any time, upon the individual's request, during the three (3) year period following the vote in his/her case.

M. "A faculty unit employee shall not serve on more than one (1) committee level of peer review." (M.O.U. 15.41)

N. "In promotion considerations, peer review committee members must have a higher rank/classification than those being considered for promotion. Faculty unit employees being considered for promotion are ineligible for service on promotion or tenure peer review committees." (M.O.U. 15.42)

O. "Department and higher level peer review committee(s) may rank-order faculty unit employees being recommended for promotion. The end result of a promotion ranking shall serve as a recommendation to the President." (M.O.U. 15.43)

P. "Each peer review committee evaluation report and recommendation shall be approved by a simple majority of the membership of that committee." (M.O.U. 15.44)

Q. "The end product of each level of a Performance Review shall be a written recommendation. Such recommendation(s) shall be placed in the Working Personnel Action File of the candidate." (M.O.U. 15.45) (Please see Sections 9.01 X. and 9.01 Y. of this document.)

R. "If any stage of a Performance Review has not been completed within the specified period of time, the Performance Review(s) shall be automatically transferred to the next level of review or appropriate administrator and the faculty unit employee shall be so notified." (M.O.U. 15.46)

S. "The President shall issue a decision regarding retention, award of tenure, or promotion. Such a decision shall be in writing and shall include the reasons for the decision. A copy of the decision shall be provided to the affected faculty unit employee and all levels of review. A copy of the decision shall be placed in the faculty unit employee's Personnel Action File." (M.O.U. 15.47) (Please see Sections 9.01 X. and 9.01 Y. of this document.)

Approved by: Alexander Gonzalez, President

Date: February 19, 2013