

COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE
BOARD OF TRUSTEES
OF THE
MIRACOSTA COMMUNITY COLLEGE DISTRICT
AND THE
MIRACOSTA COLLEGE ACADEMIC ASSOCIATE FACULTY
CCA/CTA/NEA
FOR THE PERIOD
July 1, 2021 – June 30, 2024

ARTICLE 9. EVALUATION PROCEDURES

9.1 The major objectives of the evaluation process are to ensure that the District has highly competent and qualified academic staff, to improve individual performance, and to encourage professional growth.

9.2 The selection of the evaluator and observer (may be the same individual) will be made by the Dean or designee. Unit members will be evaluated during the first semester of employment at their assigned classroom or worksite, including online for distance education courses. Subsequent evaluations will be performed, at a minimum, every six semesters of employment. It is recommended that all unit members be evaluated during the first semester of any new assignment. For the purpose of this Agreement, subsequent semesters shall not include the summer intersession. At the discretion of the department chair, lead instructor, dean or appropriate vice president, additional student evaluations and classroom/worksite visitations may be completed.

9.3 Evaluations will consist of the following components:

- a. a classroom or worksite observation;
- b. student surveys when appropriate;
- c. review of sample materials relevant to the assignment (syllabi, course materials, lesson plans, education plans, librarian chat room transcripts, etc.);
- d. an administrative review of workplace performance; and
- e. at the option of the unit member, additional information relevant to the assignment may also be submitted, such as professional development activities, governance assignments, or other professional efforts that have not been recognized since the unit member's last evaluation period.

The District will negotiate any evaluation forms with the Association for input regarding the evaluation criteria for unit members as reflected in this Agreement prior to the implementation of the forms. This does not apply to modifications that are purely format, structural, or modality.

The District will provide training to all evaluators and observers on the process outlined in this Article.

9.4 The unit member scheduled for evaluation shall be notified by the fourth (4th) week (of a full sixteen (16)-week semester, or shortened proportionally for shorter sessions) after the start of the semester. The notification will include that the unit member has been scheduled for an evaluation and provided with the identity of the proposed observer. Upon notification, if the unit member believes the proposed observer is biased against them, then the unit member may request to their dean, in writing, that an alternate observer be designated. Any change in observer will be at the discretion of the dean. A copy of the evaluation procedure, including evaluation criteria, will be provided to the unit member at the time of notification of the

evaluation. Evaluative comments must be supported by the direct observations or other documented information since any prior evaluation.

9.5 Process and Criteria for Evaluation

a. Classroom / Physical Worksite Observation Process: A classroom or physical worksite location will be visited by an observer, as described below, who completes a formal evaluation.

- i. The dean, or designee, will select the course and section number that will be observed, and a proposed two-week timeframe for the observation to take place. This information will be communicated to the unit member.
- ii. Each observation shall be based upon at least one (1) observation, lasting at least fifty (50) minutes. Evaluations are to be based predominantly on the observation and other factors that are visible to the observer.
- iii. When feasible, the observation will be made by a full-time faculty member whose contract assignment is in the same discipline as that of the unit member being evaluated or is a discipline expert.
- iv. Within ten (10) business days of the classroom or worksite observation, the observer shall conduct a post-observation meeting with the unit member, which will include discussion of the observations made by them.

b. Online Observation: An online classroom or online worksite location will be visited by an observer, as described below, who completes a formal evaluation.

- i. Each evaluation shall be based upon at least one (1) observation during a week-long observation period. The observation length should be at least fifty (50) minutes and does not have to be consecutive in nature. Evaluations are to be based predominantly on the observation and other factors that are visible to the observer.
- ii. For classroom faculty, the dean or designee will select the course and section number that will be observed, and a proposed two-week timeframe for the observation to take place. This information will be communicated to the unit member. The observation will include one of the following two approaches below, as selected by the observer, to be used during a week-long observation timeframe:

1. The unit member must authorize student-level access for the observer. The observer may log into the online course and navigate the course in student view.
 2. The observer and unit member may schedule a meeting, virtual or in-person, when both parties can access the online course in both the student and Teaching Assistant view. During this meeting, the unit member may demonstrate and explain the online course to the observer.
- iii. For non-classroom faculty, the dean or designee will determine an online activity relevant to the unit member's assignment to be observed. As appropriate to the selected activity, the unit member may need to obtain advance approval of a student for the observer to participate in the activity.
 - iv. When feasible, the observation will be made by a full-time faculty member whose contract assignment is in the same discipline as that of the unit member being evaluated or is a discipline expert.
 - v. Within ten (10) business days of the last observation and/or interaction, the observer shall conduct a post-observation meeting with the unit member, which will include discussion of the observations made by them.
- c. Student Surveys
- i. Each unit member will have student surveys conducted in every course or non-classroom assignment during the first semester of their first assignment at the college, and, thereafter, at least once during every three (3) semesters within each discipline the unit member holds an assignment. Quantitative (numerical) student survey results will be included in the evaluation, including the number of student responses received. Survey results will be weighted accordingly based on student response rate.
 - ii. Student surveys may be administered for all contracted sessions during an evaluation period. Unit members will be notified of when student surveys will be distributed, whether in-person or online.
 - iii. Unit members with non-classroom assignments should obtain a minimum of thirty-five (35) responses from the *Student Survey of Non-Classroom Services*.
 - iv. Copies of the student surveys will be given to the unit member upon grade submission for that course.

- c. The criteria for evaluation may include:
 - i. Demonstrated skill in classroom teaching, counseling or library work, which may include: (completed by the observer)
 - 1. Maintaining currency and depth of knowledge in the primary areas of responsibility;
 - 2. Using effective communication, written and oral;
 - 3. Fostering an inclusive learning environment toward equitable outcomes;
 - 4. Demonstrating a commitment to cultural competence and equity-minded pedagogies;
 - 5. Ensuring careful attention to effective organizational skill in the classroom and /or other worksite(s);
 - 6. Utilizing specific techniques or technology utilized in the classroom and/or worksite(s); and
 - 7. Demonstrating creativity and innovation in the specific area of assignment.
 - ii. Respect for students' rights and needs by: (completed by the observer)
 - 1. Demonstrating patience, fairness, and promptness in the evaluation and discussion of student work;
 - 2. Exhibiting sensitivity and responsiveness to the needs of individual students and their special circumstances, when appropriate;
 - 3. Demonstrating sensitivity to and understanding of the diverse academic, social, economic, cultural, ability and ethnic backgrounds of community college students which affect the learning process in the specific area of assignment;
 - 4. Acknowledging and defending the free inquiry of students in the exchange of criticism and ideas; and
 - 5. Recognition of the opinions of others.

- iii. Respect for colleagues and the educational profession by: (completed by the observer and/or evaluator)
 - 1. Acknowledging and defending the free inquiry of colleagues in the exchange of criticism and ideas;
 - 2. Recognizing the opinions of others;
 - 3. Acknowledging sources, when appropriate;
 - 4. Striving to be objective in the professional judgment of colleagues;
 - 5. Acting in accordance with the ethics of the profession and with a sense of personal integrity;
 - 6. Working in a spirit of timely cooperation to cultivate and maintain a collegial atmosphere.
 - 7. Timely response to administrative requirements;
 - 8. Demonstrating sensitivity to human and cultural diversity among colleagues; and
 - 9. Maintaining contractual obligation to teaching and worksite hours and if appropriate, to regular and timely office hours and/or the course outline of record.
- iv. Participation in student learning outcome assessment processes. (completed by the observer and/or evaluator) Results of student learning outcome assessments shall not be a factor in unit member evaluations.
- v. Associate faculty are encouraged to participate in or attend professional activities such as workshops, seminars, or professional meetings as their schedules permits.

9.6 A summary evaluation report shall be submitted to the unit member for review and response ten (10) working days before the end of the semester or earlier. The summary evaluation and any response from the unit member shall be included in the unit member's personnel file.

9.7 A unit member will be notified of performance that is unsatisfactory or needs improvement. The evaluation will enumerate the problem area or areas with specific suggestions of improved performance on the evaluation form.

a. For unit members who have reemployment preference, an Evaluation Summary of “Improvement Possible” or “Does Not Meet Expectations” will result in a written plan for improvement. The written plan for improvement will be outlined on the “Summary Assessment” of the evaluation form. A follow-up evaluation will be conducted the following semester.

b. If a follow-up evaluation results in an Evaluation Summary of “Improvement Possible or “Does not Meet Expectations,” the unit member will lose reemployment preference. The unit member may appeal this decision to the appropriate vice-president, in writing, within ten (10) days.

9.8 The grievance procedure may be utilized for resolving alleged procedural disputes with respect to the evaluation process.

9.9 The timeline for evaluating unit members who teach courses that are of nonstandard duration shall be modified proportionally.

9.10 A unit member who has a break in service of eighteen (18) months or more, for any reason, will be considered a first-time unit member for purpose of evaluation.