

Change to Adjunct Evaluation Ratings (Articles 14B and 16) Effective Fall 2017

On May 19, AFA and the District signed a [Memorandum of Understanding \(MOU\)](#) that makes a narrow but significant change to Article 14B: Adjunct Faculty Evaluations. This change “ripples” into Article 16: Hourly Assignments. [Evaluation forms](#) for observation reports and team reports have been revised to reflect these changes.

Formerly, there were three evaluative ratings for adjunct faculty: “Satisfactory”; “Satisfactory, Minor Improvement Needed”; and “Improvement Needed.” The May 19th MOU adds a fourth possible rating, “Unsatisfactory,” and provides explicit criteria for this rating:

“Unsatisfactory”: As distinguished from the “Improvement Needed” rating, this rating is reserved for serious, documented failure in the performance of Student Contact or Other Required Duties specified in Article 17: Job Descriptions. Such serious, documented failure may include repeated disregard for one or more required Student Contact or Other Required Duties, per Article 17, or dissemination of ideas or information that, to reasonable academic peers, is contrary to the standards of relevant academic and professional disciplines and cannot be defended by referencing academic freedom. An “Unsatisfactory” rating will also be given for inability or unwillingness to implement the improvement plan in order to remedy the weak performance described in the evaluation immediately preceding the current, follow-up evaluation. An “Unsatisfactory” rating in Student Contact or Other Required Duties constitutes termination in the department. (§14B.12.B.4)

Before this change was negotiated, the “Improvement Needed” rating was a confusing catch-all for varying levels of job performance. The “IN” rating was used for an evaluatee who needed improvement and who, the evaluation team believed, showed potential for that improvement. But the “IN” rating was also applied to job performance that was so egregiously flawed that, in the professional judgment of the evaluation team, students would be harmed if the evaluatee were to teach future classes or offer allied services. The Contract offered no clear direction for deciding whether an evaluatee who had received an “IN” rating would and should be offered future assignments and an opportunity for improvement, or effectively terminated. The absence of such direction resulted in decisions that sometimes seemed arbitrary and capricious, and adjunct faculty members who, eager to improve their job performance after receiving an “IN” rating, were sometimes informed that they would not be reemployed.

A contract should provide sufficiently clear guidance so that it supports consistent, fair treatment of employees, and this change to Article 14B aims to do just that. Because AFA’s and the Academic Senate’s purviews overlap in faculty evaluation, AFA consulted with the Senate in drafting and finalizing the language for the “Unsatisfactory” rating. The language for the “Unsatisfactory” option is to guide all members of an adjunct faculty evaluation team in determining ratings for both the observation reports and the final team (or minority) reports. Note also that the “Unsatisfactory” rating may be applied to only two categories of performance: Student Contact–Related Duties (§17.05-17.10) and Other Required Duties (§17.04). The “Unsatisfactory” rating may *not* be applied for failure to complete the mandatory sexual harassment prevention training (the Professional Development requirement of all faculty members, per §17.03.C).

This change is also a step toward better aligning our Contract with the provisions on faculty evaluations in Assembly Bill 1725, which identifies four levels of evaluation ratings:

The specific purposes for which evaluations are conducted should be clear to everyone involved. This requires recognition that the principal purposes of the evaluation process are to recognize and acknowledge *good* performance, to enhance *satisfactory* performance and help employees who are performing satisfactorily further their own growth, to identify *weak* performance and assist employees in achieving needed improvement, and to document *unsatisfactory* performance.* [AB 1725, Sec. 4(v)(4); emphases added.]

Adding the “Unsatisfactory” rating to Article 14B gives our Contract four rating levels. It also ensures that when an evaluation team determines that an evaluatee needs improvement, the adjunct faculty member will have an opportunity to demonstrate that improvement in a required follow-up evaluation. Per the “ripples” into Article 16, it is now clear that adjunct faculty members with offer rights who receive an “IN” rating maintain their offer rights and their established load into the subsequent semester, when they will have the follow-up evaluation.

* Note that Articles 14A, 14B, and 30 all refer to and quote from this passage in AB 1725; however, in Articles 14B and 30, the passage is actually *misquoted*, which distorts the meaning in AB 1725.