Adopted: May 5, 2020

ACADEMIC SENATE
Of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA

AS-895-20

RESOLUTION ON SUSPENDING eLEARNING ADDENDUMS

Impact on Existing Policy: This resolution temporarily supersedes AS-750-12. [i]

WHEREAS, AS-750-12 "Resolution on eLearning Policy" states that "An eLearning Addendum to either the New Course Proposal or Course Modification form must be submitted for curricular review for any new or existing courses in which a total of more than 50% of traditional face-to-face instruction time is being replaced with eLearning technologies"; and

WHEREAS, As a result of COVID-19 the decision was made that spring and summer quarters of 2020 will be taught entirely virtually; and

WHEREAS, Faculty, particularly those in high-risk groups, may wish to continue to teach virtually as long as they feel there is a threat of being exposed to the virus; therefore be it

RESOLVED: That the Academic Senate suspend the requirement for an eLearning addendum for faculty who wish to teach courses virtually in Academic Year of 2020-2021; and furthermore let it be

RESOLVED: That any course offered virtually from Spring 2020 through Spring 2021 would need to be approved through the regular curricular review process before being offered again virtually after the Spring 2021 term unless this resolution is extended by the Academic Senate.

Proposed by: Academic Senate Curriculum Committee
Date: April 7, 2020

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[i] **(1) Describe how this resolution impacts existing policy on educational matters that affect the faculty. Examples include curricula, academic personnel policies, and academic standards.**
(2) Indicate if this resolution supersedes or rescinds current resolutions.
(3) If there is no impact on existing policy, please indicate NONE.

Proposed Revision of University Faculty Personnel Policies
CHAPTER 4: UFPP 4 Responsibilities in Faculty Evaluation Processes

The Academic Senate Faculty Affairs Committee (FAC) is a standing Senate committee with representation from each college, the library and professional consultative services, Academic Affairs, and a student representative. FAC employs a streamlined process for Academic Senate approval of personnel policies which specifies the nature of consultation with faculty affected by proposed changes and provides a clear accounting of which policy documents have been superseded by the proposed change. FAC has used this process to construct a new University Faculty Personnel Policies (UFPP) document and is now employing the same process to create and revise personnel policies to UFPP on an as-needed basis.

In creating UFPP FAC has adopted a guiding principle that, as far as possible, the migration of existing personnel policies from the former governing personnel policies document, University Faculty Personnel Actions (UFPA), into UFPP shall *not change* those policies as they are in UFPA, but instead *just reformulate them* into the new style and structure of UFPP. Once the policies previously in UFPA are in place in UFPP, FAC may then visit them for subsequent revision in the form of presenting to the Academic Senate revisions to chapters and sections of UFPP. FAC may also propose wholly new policies to be included in UFPP.

This report explains and justifies a focused set of revisions to personnel policies in UFPP 4: Responsibilities in Faculty Evaluation Processes.

When the Academic Senate created UFPP in AY 2018-2019 a few policies in UFPA were omitted. To cover any such omissions, UFPA remained in UFPP as an appendix so that policies in UFPA but not yet migrated into UFPP would still remain in effect for AY 2019-2020. In Fall 2019 the Senate added several such omitted policies to UFPP by means of the personnel policies consent agenda. One of those policies required department levels of faculty evaluation for promotion to rank the candidates they positively recommended for promotion. In Winter 2020 the FAC chair circulated of a draft of UFPP for AY 2020-2021 to the colleges and the library containing all revisions thus far approved by the Senate. Highlighting the policies requiring department level reviews to rank candidates for promotion led to some follow-up consultation on those topics. The issues with requiring rankings of promotion candidates from department peer review committees (DPRC) and department chair/head reviews that arose from that consultation included the following:

- Large departments may have a core of DPRC membership common across all cases of promotion in the department, but for small departments reviewing more than one candidate for promotion there may be few or even no faculty in common across DPRCs.
- Department chair/head level of review must be skipped when the candidate for promotion is going up for a rank higher than that of the chair, when the chair is not tenured, or when there is some conflict of interest that excludes the chair from conducting an evaluation.

Turning the requirement of a ranking from department level review into an allowance for such a ranking accommodates for these factors and allows for the exercise of discretion from the DPRC or chair/head about when rankings are or are not meaningful.

These issues don't affect the College/library peer review committees (CPRC) level of review. The main relevant differences about CPRC composition and responsibilities that warrant its ranking of promotion candidates are the following:

- The CPRC must address every promotion case in the college/library.
- CPRC composition escapes the cases of conflict of interest affecting department level reviews.
- CPRC review is the last faculty level of review prior to administrative reviews.

The CPRC ranking serves as the faculty recommendation concerning the subsequent administrative decisions of whether to grant promotion and also of how much of a salary increase should accompany the promotion. FAC thought this ranking should remain required, and that issues about how these CPRC rankings be conducted should be addressed at the college level rather than constrain the exercise of discretion about those rankings with university policy.

Summary of revisions to UFPP 4 Responsibilities in Faculty Evaluation Processes

The Collective Bargaining Agreement (CBA 15.44) allows peer evaluators to rank order candidates positively recommended for promotion and to send that recommendation to the administrative levels of review. The Cal Poly Academic Senate formalized this allowance into a requirement in UFPA section V.B established in 2009 by AS-687-09:

In addition to their carefully documented recommendations, department PRCs, department chairs, college or library PRCs, and deans shall submit a ranking of those promotion applicants who were positively recommended at their respective level.

The establishment of UFPP in AY 2018-2019 as the successor to UFPA involved moving policies from UFPA into UFPP. However, in the establishment of UFPP chapter 4 by AS-867-19 only the requirement that a college peer review committee (CPRC) rank order its positive recommendations for promotion migrated from UFPA to UFPP. Policies requiring the same of the other levels of review listed in UFPA V.B entered UFPP 4 by Academic Senate Consent 12/3/2019. It is those additions that FAC recommends be revised.

The proposed new policies allow for such rankings from department peer review committee (DPRC) and chair/head levels of evaluation, but the university no longer requires every DPRC or department chairs/heads to do so. We have preserved the requirement that college peer review committees rank order candidates for promotion for the higher administrative levels of review (e.g. deans), and that administrative reviews (e.g. deans) rank order candidates in their recommendations to the provost.

Impact on Existing Policy

The proposed policy changes a university requirement into an allowance. Colleges or the library with their own currently formalized requirement in their personnel policies document that peer evaluators rank order candidates for promotion may do nothing and continue with that practice. To change their practices from their current state, a college or the library would need to change their policies

accordingly. If a college elected to require such a ranking from its department level evaluations, the college would have to include such a policy in chapter 4 of its personnel policies document.

Implementation

This policy would go into effect the next academic year. Any changes in college, department, or library personnel policies would need to be completed and approved by the provost by the beginning of the Fall term of the academic year in which those policies would be in effect.

What follows are two versions of the revised text of UFPP chapter 4, first in its final form, and secondly with relocated text in green, and revisions marked in red underlining for added text and red strikeout for deleted text. …

4. Responsibilities in Faculty Evaluation Processes

4.1. Summary

4.1.1. Faculty evaluation processes have various definable functions that are common across the university, such as the roles of candidates undergoing evaluation, Department Peer Review Committees, Department Chair/Heads, College Peer Review Committees, and administrators such as the Deans and the Provost. This chapter defines the responsibilities of these roles in faculty evaluation. Colleges and departments may specify additional responsibilities of the various roles within the college or department in faculty evaluation.

4.1.2. Chapter 4 was established by Academic Senate Resolution AS-867-19. Portions were revised by Academic Senate Consent 12/3/2019.

4.2. Candidates

4.2.1. Faculty subject to evaluation are candidates in the evaluation process. Candidates must provide a complete set of materials that includes evidence appropriate for the nature of the evaluation process and narrative reports pertinent to the purpose of the evaluation. (CBA 15.12)

4.2.2. While faculty scheduled for a mandatory review will be notified by the college, faculty intending to be considered for early promotion to associate professor or professor or early tenure must notify the dean in writing (email is acceptable). This notification shall also be copied to the department chair/head.

4.2.3. Candidates under review must view their own Personnel Action File (PAF) according to access requirements prior to the commencement of an evaluation and sign the PAF Log.

4.2.4. Candidates must assemble and submit a Working Personnel Action File (WPAF) by the University established deadline for their evaluation process.

4.2.5. Candidates must provide an updated curriculum vita for placement in their PAF.

4.2.6. Candidates must provide an updated professional development plan for their WPAF.

4.2.7. The ten days following the receipt of an evaluation report from any level of review comprises a rebuttal period during which the candidates may submit a written rebuttal or request to meet with the evaluator(s) to discuss the evaluation. (CBA 15.5)

4.3. Department Peer Review Committee (DPRC)

4.3.1. For evaluation processes using a Department Peer Review Committee (DPRC), the initial level of review of the candidate is conducted by the DPRC. Evaluation of tenure-track instructional faculty shall commence with a DPRC level of review. Lecturer faculty evaluation may commence with a DPRC level of review, according to College requirements.

4.3.2. For Periodic Evaluations the department's probationary and tenured faculty shall elect members of the tenured faculty to serve on DPRCs. Both tenured and probationary faculty may vote on DPRC membership.

4.3.3. For Retention, Promotion or Tenure Performance Evaluations, the DPRC shall consist of at least three elected members of the tenured faculty. DPRC members must have a higher rank/classification than those being considered for promotion. At the request of a 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. Approval shall be obtained from the

Dean if a department requests to have faculty in FERP participate as an evaluator member of the DPRC. (CBA 15.2)

4.3.4. Faculty may serve on only one level of review (department PRC, department chair/head, or college PRC). (CBA 15.29) Faculty unit employees being considered for promotion themselves are ineligible for service on promotion or tenure peer review committees (CBA 15.42). A potential DPRC member with a clear conflict of interest with a faculty member scheduled for review should not stand as a candidate for that DPRC. DPRC members typically will be from the candidate's own department. However, DPRC members will sometimes need to be recruited outside the department when there is an inadequate number of faculty in the department who are eligible and available to serve on the DPRC.

4.3.5. All DPRC members shall review both the PAF and the WPAF, signing the log sheet in each file. At least a subset of the DPRC shall observe classroom instruction. The DPRC shall review any professional development plan and offer guidance to the candidate for any needed modifications to that plan. This feedback on the professional development plan is especially important in helping faculty develop a compelling record for eventual promotion. All deliberations of the DPRC shall be confidential (CBA 15.10).

4.3.6. The DPRC shall use forms provided by Academic Personnel for their evaluation report. This report shall critically analyze the evidence on each performance dimension (teaching, professional development, service, and other), and offer any suggestions for improvement. The report shall clearly establish the basis for the conclusions of the report and how any recommendations resulted from the assessment of the evidence.

4.3.7. DPRC evaluation recommendations shall be approved by a simple majority of the committee (CBA 15.45). The DPRC shall vote for or against the proposed action (retention, promotion and/or tenure), or, under very rare circumstances, abstain. Abstentions require written explanation. In cases of split votes, the report should reflect the relevant perspectives on the committee and the rationale for the majority decision. In rare instances when agreement cannot be reached on the content of the committee report, the minority committee member(s) may submit a signed minority report.

4.3.8. The DPRC may submit to the subsequent levels of evaluation a ranking of those promotion applicants whom they positively recommended (CBA 15.44).

4.3.9. The DPRC report shall be provided to the candidate at least 10 days before sending the evaluation to the department chair/head. If the candidate requests a meeting concerning a rebuttal to the DPRC report, the DPRC shall meet with the candidate within the 10-day rebuttal period. The DPRC shall review any written rebuttal with the option of revising the recommendation or correcting errors in the original report. No other written response, other than acknowledgment of receipt of the rebuttal, shall be provided to the candidate.

4.3.10. Library, Counseling, and Athletic faculty units shall specify in their personnel policies the composition of their peer review committees.

4.4. Department Chair/Head

4.4.1. Department chairs/heads shall conduct their own separate level of review. For evaluation processes using a DPRC, the Department chair/head review shall follow the DPRC review. For evaluation processes not using a DPRC, the Department chair/head level of review initiates the review process.

4.4.2. The department chair/head shall review both the PAF and the WPAF, signing the logs in each file. The department chair/head shall review any DPRC evaluation. The department chair/head shall review any rebuttal to the DPRC evaluation from the candidate. The department chair/head shall review any professional development plan and offer guidance

to the candidate for any needed modifications to that plan. This feedback on the professional development plan is especially important in helping faculty develop a compelling record for eventual promotion.

4.4.3. Department chairs/heads shall use forms provided by Academic Personnel for their evaluation report. This report shall critically analyze the evidence on each performance dimension (teaching, professional development, service, and other), and offer any suggestions for improvement. The report shall clearly establish the basis for the conclusions of the report and how any recommendations resulted from the assessment of the evidence. The report from the chair/head shall be provided to the candidate at least 10 days before sending the evaluation to the dean.

4.4.4. If the candidate requests a meeting concerning a rebuttal to the department chair/head's report, the department chair/head shall meet with the candidate within the 10-day rebuttal period. The department chair/head shall review any written rebuttal with the option of revising the recommendation or correcting errors in the original report. No other written response, other than acknowledgment of receipt of the rebuttal, shall be provided to the candidate. (CBA 15.5)

4.4.5. The department chairs/heads may submit to the subsequent levels of evaluation a ranking of those promotion applicants whom they positively recommended (CBA 15.44).

4.5. College Peer Review Committee (CPRC)

4.5.1. The CPRC provides an additional level of evaluation for candidates undergoing a Performance Evaluation. The CPRC shall consist of up to one full professor from each department. Approval shall be obtained from the Dean if departments will not have a representative. Each member of the CPRC shall be elected by their department's tenured and probationary faculty for appointment to the CPRC. Colleges may specify further means of selecting CPRC members.

4.5.2. Each CPRC member shall review both the PAF and the WPAF and sign the logs in each file. Each CPRC member shall review the prior levels of evaluation (DPRC and department chair/head) and any rebuttals submitted. All deliberations of the CPRC shall be confidential (CBA 15.10).

4.5.3. Based on the review of the PAF, WPAF, and prior levels of evaluation, the CPRC shall vote for or against the proposed retention, promotion, and/or tenure, or, under rare circumstances, abstain. Abstentions require written explanation. A simple majority of the voting members constitutes the recommendation of the CPRC.

4.5.4. The CPRC shall produce an evaluation report for each candidate under review. This report will critically analyze the evidence on each dimension of performance (teaching, scholarship, and service), both favorable and unfavorable, and produce a narrative clarifying how the evidence was weighed and the conclusions and recommended actions derived. In cases of split votes, the report should reflect the relevant perspectives on the committee and the rationale for the majority decision. In rare instances when agreement cannot be reached on the content of the committee report, the minority committee member(s) may submit a signed minority report.

4.5.5. The CPRC report shall be provided to the candidate at least 10 days before sending the evaluation to the dean (CBA 15.5). Candidates may request a meeting and/or submit a rebuttal to the CPRC report within the 10-day rebuttal period. The CPRC shall review rebuttal material with the option of revising the recommended action or correcting errors in the original report; no other written response, other than acknowledgment of receipt of the rebuttal, shall be provided to the candidate.

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4.6. Administrative Evaluators

4.6.1. Administrative evaluators include College Deans, Associate Deans, Library Deans, Department Directors, Vice-Provosts, or the Athletic Director. For instructional tenure-track faculty the administrative evaluator is the College Dean. For lecturer faculty the Dean may designate an Associate Dean to serve as the final level of administrative evaluation.

4.6.2. Administrative evaluators shall review both the PAF and WPAF, signing the logs in each file, as well as all previous levels of evaluation and any rebuttals submitted. The dean shall provide a separate written evaluation. The administrative evaluator's report shall be provided to the candidate at least 10 days before placing the evaluation in the faculty member's PAF.

4.6.3. Candidates may request a meeting and/or submit a rebuttal to the administrative evaluator within the 10-day rebuttal period. The administrative evaluator shall review rebuttal material with the option of revising the recommendation or correcting errors in the original report; no other written response, other than acknowledgement of receipt of the rebuttal statement, shall be provided to the candidate.

4.6.4. Administrative evaluators shall submit to the Provost a ranking of those promotion applicants whom they positively recommended (CBA 15.44).

4.7. Provost

4.7.1. The Provost is the final level of administrative evaluation for evaluation processes that conclude with the personnel actions of retention, promotion, and/or tenure.

4.7.2. The Provost shall review the candidate's PAF, WPAF and reports from all levels of evaluation for final evaluation for retention, promotion and/or tenure.

4.7.3. The Provost's letter to the candidate constitutes the final decision on retention, promotion and/or tenure.

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~~4.3.7.~~4.3.8. The DPRC ~~shall~~ may submit to the subsequent levels of evaluation a ranking of those promotion applicants whom they positively recommended (CBA 15.44).

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~~4.3.9.~~4.3.10. Library, Counseling, and Athletic faculty units shall specify in their personnel policies the composition of their peer review committees.

4.4. Department Chair/Head

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4.5.2. Each CPRC member shall review both the PAF and the WPAF and sign the logs in each file. Each CPRC member shall review the prior levels of evaluation (DPRC and department chair/head) and any rebuttals submitted. All deliberations of the CPRC shall be confidential (CBA 15.10).

4.5.3. Based on the review of the PAF, WPAF, and prior levels of evaluation, the CPRC shall vote for or against the proposed retention, promotion, and/or tenure, or, under rare circumstances, abstain. Abstentions require written explanation. A simple majority of the voting members constitutes the recommendation of the CPRC. ~~The committee shall also rank the promotion candidates in one list. (CBA 15.44-45)~~

4.5.4. The CPRC shall produce an evaluation report for each candidate under review. This report will critically analyze the evidence on each dimension of performance (teaching, scholarship, and service), both favorable and unfavorable, and produce a narrative clarifying how the evidence was weighed and the conclusions and recommended actions derived. In cases of split votes, the report should reflect the relevant perspectives on the committee and the rationale for the majority decision. In rare instances when agreement cannot be reached on the content of the committee report, the minority committee member(s) may submit a signed minority report.

4.5.5. The CPRC report shall be provided to the candidate at least 10 days before sending the evaluation to the dean (CBA 15.5). Candidates may request a meeting and/or submit a rebuttal to the CPRC report within the 10-day rebuttal period. The CPRC shall review rebuttal material with the option of revising the recommended action or correcting errors

in the original report; no other written response, other than acknowledgment of receipt of the rebuttal, shall be provided to the candidate.

~~4.5.5.~~4.5.6. The CPRC shall submit to the subsequent levels of evaluation a ranking of those promotion applicants whom they positively recommended (CBA 15.44). Further specification of the nature of the ranking shall be determined by the college or library in their personnel policies documents.

~~4.5.6.1.1.1. The CPRC report shall be provided to the candidate at least 10 days before sending the evaluation to the dean (CBA 15.5). Candidates may request a meeting and/or submit a rebuttal to the CPRC report within the 10-day rebuttal period. The CPRC shall review rebuttal material with the option of revising the recommended action or correcting errors in the original report; no other written response, other than acknowledgment of receipt of the rebuttal, shall be provided to the candidate.~~

4.6. Administrative Evaluators

4.6.1. Administrative evaluators include College Deans, Associate Deans, Library Deans, Department Directors, Vice-Provosts, or the Athletic Director. For instructional tenure-track faculty the administrative evaluator is the College Dean. For lecturer faculty the Dean may designate an Associate Dean to serve as the final level of administrative evaluation.

4.6.2. Administrative evaluators shall review both the PAF and WPAF, signing the logs in each file, as well as all previous levels of evaluation and any rebuttals submitted. The dean shall provide a separate written evaluation. The administrative evaluator's report shall be provided to the candidate at least 10 days before placing the evaluation in the faculty member's PAF.

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4.6.4. Administrative evaluators shall submit to the Provost a ranking of those promotion applicants whom they positively recommended (CBA 15.44).

4.7. Provost

4.7.1. The Provost is the final level of administrative evaluation for evaluation processes that conclude with the personnel actions of retention, promotion, and/or tenure.

4.7.2. The Provost shall review the candidate's PAF, WPAF and reports from all levels of evaluation for final evaluation for retention, promotion and/or tenure.

4.7.3. The Provost's letter to the candidate constitutes the final decision on retention, promotion and/or tenure.

OFFICE OF THE PRESIDENT

MEMORANDUM

To: Thomas Gutierrez
Academic Senate Chair

Date: September 25, 2020

From: Jeffrey D. Armstrong
President

Jeffrey D. Armstrong

Copies: C. Jackson-Elmoore
A. Liddicoat
A. Fleischer
A. Thulin
C. Theodoropoulos
D. Wendt
P. Williams
A. Popescu
K. Rummell
B. Giberti

Subject: Response to AS-895-20 – Resolution on Suspending eLearning Addendums

I am pleased to approve this resolution on Suspending eLearning Addendums. Furthermore, I commend the Academic Senate Curriculum committee, as well as the Senate at large, for moving swiftly to enable the necessary conversion to virtual learning due to the COVID-19 pandemic.

Please express my appreciation to the Academic Senate members and the Academic Senate Faculty Affairs Committee for their attention to this important matter.