

Adopted: May 26 2009

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

AS-687-09

RESOLUTION ON
CAMPUS ADMINISTRATIVE POLICIES SECTION 523

1 WHEREAS, The Academic Senate Faculty Affairs Committee has reviewed §523 (Faculty
2 Personnel Actions) of the Cal Poly Campus Administrative Policies (CAP);
3 therefore be it
4

5 RESOLVED: That the Academic Senate of Cal Poly acknowledge and appreciate the work of
6 the Academic Senate Faculty Affairs Committee by endorsing §523 (Faculty
7 Personnel Actions) of the Cal Poly Campus Administrative Policies (CAP); and be
8 it further
9

10 RESOLVED: That the Academic Senate affirm the Memorandum of Understanding (collective
11 bargaining agreement for faculty employees) between The California State
12 University (CSU) and Unit 3 Faculty as the embodiment of controlling terms and
13 conditions that resolve ambiguity and/or govern conflict in the application of §523
14 in faculty personnel actions.

Proposed by: Academic Senate Executive Committee
Date: March 26 2009
Revised: April 21, 2009

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523.1 Performance review: retention, promotion, and tenure

- A. Performance evaluation procedures
1. Evaluations shall be conducted in accordance with Article 15 of the Memorandum of Understanding (MOU) [the collective bargaining agreement for faculty employees between The California State University and Unit 3 Faculty] and Title 5 of the California Code of Regulations.
 2. Each college or other academic unit shall develop a written statement of procedures and criteria for each type of personnel action. (In this section, the use of the word "college" includes other academic units such as the library, intercollegiate athletics, and Counseling Services covered under the MOU.) Departments (In this section, use of the word "department" includes equivalent units such as area) desiring to develop statements to serve as addenda to the college statement may do so. Full-time probationary and full-time tenured faculty may participate in the development and/or subsequent amendment of these procedures and criteria. College and department statements are subject to review and approval by the college dean and the Provost/Nice President for Academic Affairs. In the event a policy or procedure in a college or department statement is in conflict with a provision of the MOD, the provision in the MOD shall prevail.
 3. Timetables for evaluations shall be published annually and shall be developed in consultation with the Academic Senate.
 4. A faculty employee subject to performance or periodic review has the primary responsibility for collecting and presenting evidence of their accomplishments to those charged with the responsibility of reviewing and evaluating faculty employees. Applicants should seek advice and guidance from their department chair (in this section, the use of the words "department chair" also includes department head) and dean to understand how criteria and standards are applied.
 5. Evaluators will provide their written evaluation and recommendation to the faculty employee at least ten days before transmitting the evaluation to the next level of review.
 6. Personnel Action File (PAF)

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The PAF is the official permanent employment record of a faculty employee and resides in the office of the college dean.

7. The Working Personnel Action File (WPAF)
The WPAF is initiated by the applicant to support consideration for a performance review for retention, promotion, tenure, or periodic review. The WPAF for tenure or tenure/promotion includes the entire employment period at Cal Poly. The WPAF for promotion shall emphasize the period since the last promotion at Cal Poly or appointment to the current rank. The Provost establishes a specific deadline by which the WPAF is declared complete for each type of personnel action. Insertion of materials after that date must have the approval of the college peer review committee (PRC) and is limited to items that became accessible after the deadline. The table of contents or index should be updated to reflect any material added to the file during the course of the evaluation cycle. All supporting materials in the WPAF should be referenced and clearly explained.
 - a. The applicant shall submit the WPAF to the department chair by the established deadline. Materials shall include but be not limited to:
 - (1) Index of materials contained in the WPAF
 - (2) Resume
 - (a) The resume should be organized according to the categories to be evaluated including: teaching activities and performance or librarian/counselor effectiveness and performance; professional growth and scholarly achievement; service to the University and/or community; and any other activities which indicate professional commitment, service, or contribution to the discipline, department, college, or library (in the case of librarians).
 - (b) The resume should be specific and distinguish between publications, submitted manuscripts, and manuscripts in preparation. A brief statement should describe the nature of the publication (type of journal, periodical, refereed or not) and the

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applicant's specific role in the accomplishment.

(3) Professional development plan

Professional development is defined as the generation of knowledge or the acquisition of experience, skill, and information that enables one to perform at a higher level of proficiency in one's profession. Cal Poly recognizes and endorses the following four types of scholarship identified in the Carnegie Foundation report entitled *Scholarship Reconsidered: Scholarship of Teaching; Scholarship of Discovery; Scholarship of Integration; and Scholarship of Application*.

The professional development plan is a written narrative intended to serve as a guide to evaluators for understanding the faculty employee's professional goals and values as a teacher-scholar. The plan should include short- and long-term goals and objectives on how the faculty employee intends to provide substantive contributions to their discipline, how those scholarly activities can keep their teaching current and dynamic, and a periodic external validation of those activities.

- (a) A probationary faculty employee should emphasize what s/he intends to accomplish by the time s/he is considered for tenure.
- (b) Applicants for tenure and/or promotion should articulate a long-term professional development plan noting how they intend to continue making a valuable contribution to the University, its instructional program(s), and the academic community.

(4) Student Evaluations

- (a) A summary of results from at least two student evaluations during the period under review shall be included.
- (b) Evaluative statements and recommendations, along with any written

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statement or rebuttal by the applicant, will be added to the WPAF by the PRCs, department chair, and dean. At the end of the review cycle, the index, faculty resume, professional development plan, evaluation summaries, and recommendations will be filed in the permanent PAF.

8. Custodian of Files
During periodic and performance reviews, the department chair is the custodian of the WPAF at the department level (and, if appropriate, the PAF); at the college level, the custodian of the files is the dean; at the University level, the custodian is the Provost. Custodians of the files and members of PRCs shall ensure the confidentiality of the files. Normally, there shall be no duplication of file materials except for copies made for the applicant or appropriate administrator, or for distribution at PRC meetings. At the conclusion of each PRC meeting, the PRC chair is responsible for the collection of all duplicated materials. The only exception to this policy is that copies of a applicant's resume may be distributed to PRC members for use at times other than PRC meetings. After the PRC has made its recommendations, the copies of the resume shall be collected by the chair. Only the applicant/designee, PRC members, department chair, dean, and the Provost/designee shall have access to the PAF and WPAF files.
9. All evaluators, as described in "8" above, must sign the logs in the PAF and the WPAF before they make their recommendations. It is the professional obligation of all evaluators to review the information in the files before they vote or prepare a written recommendation. Evaluative statements shall be based on information in the files and validated with evidence such as class visitation; course outlines and tests; and significant curricular, scholarly, and committee contributions. If, at any level, the evidence is judged unsatisfactory, or if it does not appear to support the recommendations made, the WPAF shall be returned to the appropriate level for clarification. No one shall have access to the files except the PRC, the applicant/designee, department chair, dean, and University President/designee.
10. PRCs and department chairs
 - a. Membership of the PRC
 - (1) The probationary and tenured department faculty will elect members to serve on PRCs. No one shall

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serve on more than one level of peer review for each faculty employee under review. For reappointment and tenure reviews, PRC members must be full-time tenured faculty employees of any rank. For promotion reviews, PRC members and the department chair must have higher academic rank than those being considered for promotion.

- (2) Faculty employees being considered for promotion shall be ineligible to serve on promotion or tenure review committees.
- (3) When there are insufficient eligible members to serve on the PRC, the PRC and department chair shall select members from related academic disciplines in consultation with the faculty employee under review.
- (4) At the request of the department, the college dean may agree that faculty employees participating in the Faculty Early Retirement Program may be eligible to serve on a PRC, by election, as long as such service can be completed during the terms of the Faculty Early Retirement Program assignment. PRCs may be not composed solely of faculty participating in the Faculty Early Retirement Program.

b. Responsibilities

Because of the importance of all personnel actions, members serving on a PRC and department chairs are expected to perform due diligence; observe strict confidentiality; review, understand, and apply the relevant criteria; and provide constructive written assessment of the applicant's performance.

The PRC and department chair's responsibilities include:

- (1) Review University, college, and any departmental personnel policies and procedures;
- (2) Review and sign the applicant's PAF and WPAF;
- (3) Provide a written evaluation and recommendation to the applicant at least ten days prior to transmittal of the file to the next level of review;
- (4) Within ten days following receipt of the recommendation, the applicants may submit a rebuttal statement or response in writing and/or

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request a meeting be held to discuss the recommendation. The PRC or department chair at the second level of review, will consider the applicant's rebuttal statement and meet with the applicant if requested. The committee or department chair will either revise the recommendation in writing or make no change to its prior recommendation. In the case of no change, no further statement is necessary from the committee or department chair. The rebuttal statement of the applicant under review shall be added to the WPAF.

- c. PRC evaluations and recommendations
 - (1) Each PRC evaluation and recommendation shall be approved by a simple majority of the membership of that committee. For purposes of determining a simple majority vote of the PRC, the membership of the committee shall be defined as those committee members casting yes or no votes. If a member of the PRC or the department chair determines that s/he cannot evaluate an applicant for some reason (e.g., conflict of interest, prejudice, bias, etc.), the committee member or department chair shall withdraw from the applicant's PRC. PRC members or the department chair who abstain from voting are expected to provide written rationale.
 - (2) Recommendations of a PRC at the college or department level must be accompanied by one of the following:
 - (a) A majority report and, if applicable, a minority report. Reports must include substantiating reasons for its recommendations and must be signed by those PRC members who support the report and its substantiating reasons.
 - (b) Individual recommendations from any PRC member must include substantiating reasons and signature.
 - (c) A combination of (a) and (b) above: a majority report, a minority report (if applicable), and/or individual

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recommendations. In all cases, each report or recommendation must include substantiating reasons and must be signed by those supporting it.

11. Department chairs shall use Form AP 109 (Faculty Evaluation Form) to evaluate faculty for retention, promotion, and tenure. Department chairs are expected to conduct a separate level of review. Comments regarding student evaluations must be included in Section 1 of Form AP 109.

College deans should use the [mal page of Form AP 109 or similar format appended to Form AP 109 to record their evaluation and recommendation.

523.1.B. Criteria for retention, promotion, and tenure

- A. Standards
The quality of faculty performance is the most important element to consider in evaluating individual achievement. Although teaching effectiveness is the primary and essential criterion, it alone is not sufficient for retention, promotion, and tenure. The degree of evidence will vary in accordance with the academic position being sought by the applicant. For example, the granting of tenure requires stronger evidence of worthiness than retention, and promotion to Professor requires a more rigorous application of criteria than promotion to Associate Professor.
- B. University criteria
Recommendations for retention, promotion, and tenure are based on the exhibition of merit and ability in each of the following University criteria as well as those approved for the college/department (See CAP 523.1.A.2):
 1. Teaching performance or effectiveness as a librarian and/or other professional performance

Consideration is to be given to such factors as the applicant's competence in the discipline, ability to communicate ideas effectively, versatility and appropriateness of teaching techniques, organization of courses, relevance of instruction to course objectives, methods of evaluating student achievement, relationship with students in class, effectiveness of student advising, and other factors relating to performance as an instructor.

In formulating recommendations for the promotion of teaching faculty, evaluators will place primary emphasis on success in

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instruction. The results of the formal student evaluation are to be considered in formulating recommendations based on teaching performance.

For librarians, consideration is to be given to such factors as furthering objectives of the library and the University by cooperating with fellow librarians; applying bibliographic techniques effectively to the acquisition, development, classification, and organization of library resources; initiating and carrying to conclusion projects within the library; demonstrating versatility, including the ability to work effectively in a range of library functions and subject areas; and supervisory and/or administrative abilities.

In formulating recommendations on the promotion of librarians, evaluators will place primary emphasis on effectiveness as a librarian as evaluated by colleagues and library users.

2. Professional growth and scholarly achievement
Consideration is to be given to the applicant's educational background and further academic training, related work experience and consulting practices, scholarly and creative achievements, participation in professional societies, publications, presentation of papers at professional and scholarly meetings, and external validation of scholarly activities.
3. Service to University and community
Consideration is to be given to the applicant's participation in academic advisement; placement follow-up; co-curricular activities; department, college, and University committees; Academic Senate and its committees; individual assignments; systemwide assignments; and service in community affairs directly related to the applicant's teaching area as distinguished from those contributions to more generalized community activities.
4. Other factors of consideration
Consideration is to be given to such factors as collegiality (working collaboratively and productively with colleagues and participation in traditional academic functions); initiative; cooperativeness; and dependability.

523.1.C Performance review of probationary faculty for retention

- A. Performance reviews for the purpose of retention shall be in accordance with Articles 13 and 15 of the MOU.

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- B. It is the responsibility of the applicant to provide sufficient evidence that *she* has fulfilled the criteria for retention.
- C. The normal probationary period is six academic years of full-time probationary service (including any credit for prior service granted at the time of appointment).
- D. Evaluation of probationary faculty involves a comprehensive assessment of performance during the entire probationary period with retention seen as leading to tenure. It should be understood that if a faculty employee has not demonstrated the potential to achieve tenure, then that individual should not be reappointed. This does not mean that retention is a guarantee of tenure.
- E. **In** the event of a non-retention decision, **a** probationary faculty employee who has served a minimum of three years of probation will be extended a terminal year of employment with no further appointment rights.

523.1.D Performance review for tenure

- A. Tenure represents the University's long-term commitment to a faculty employee and is only granted when there is strong evidence that the individual who, by reason of their excellent performance and promise of long-range contribution as a teacher-scholar to the educational purpose of the institution, is deemed worthy of this important commitment. Tenure means the right of a faculty employee to continue at Cal Poly unless voluntarily terminated or terminated for cause, lack of funds, or lack of work.
 - 1. To be recommended for tenure, an applicant must be rated during the final probationary year within one of the top two performance categories listed in Section V of Form AP 109 (Faculty Evaluation Form).
 - 2. Tenure decisions are considered more critical to the University than promotion decisions. An applicant who does not have the potential for promotion to Associate Professor and Professor should not be granted tenure. This does not mean that retention is a guarantee of tenure nor is tenure a guarantee of promotion. The fact that a probationary faculty employee has received early promotion is not a guarantee of tenure.
 - 3. Possession of the doctorate or other designated terminal degree from an accredited institution is required for tenure.
- B. Tenure eligibility

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Tenure eligibility shall be governed by the terms of Article 13 of the MOD.

1. Nonnal tenure

A tenure award is considered nonnal if the award is made after the applicant has accrued credit for six academic years of full-time probationary service (including any credit for prior service granted at the time of appointment).

2. Early tenure

a. A tenure award is considered "early" if the award is made prior to the applicant having achieved credit for six academic years of full-time probationary service (including any credit for prior service granted at the time of appointment).

b. In addition to meeting department, college, or library criteria for nonnal tenure, an applicant for early tenure must provide evidence of outstanding performance in each of the following performance areas: teaching or library effectiveness, professional growth and achievement, and service to the University and community.

c. In order to receive early tenure, an applicant should, at a minimum, receive a favorable majority vote from the department PRe.

3. Tenure upon appointment

applicants for appointment with tenure shall nonnally be tenured professors or tenured librarians at other universities. Exceptions to this provision must be carefully documented. The President may award tenure to any individual, including one whose appointment and assignment is in a management position, at the time of appointment. Appointments with tenure shall be made only after an evaluation and recommendation by tenured faculty in the appropriate department.

523.1.E Performance review for promotion

A. Eligibility

Promotion eligibility shall be governed by the terms of Article 14 of the MOU. Promotion in rank is not automatic and is granted only in recognition of teaching competency or effectiveness as a librarian, professional performance, and meritorious service during the period in

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rank. The application of criteria will be more rigorous for promotion to Professor or Librarian than to Associate Professor or Associate Librarian.

I. Normal promotion

- a. An application for promotion to Associate Professor or Associate Librarian is considered normal if the applicant is eligible and both of the following conditions hold:
 - (1) The applicant is tenured or the applicant is also applying for tenure.
 - (2) The applicant has completed at least the equivalent of four years in their academic rank at Cal Poly.
- b. Tenure is required for promotion to the academic rank of Professor or Librarian.

2. Early promotion

- a. An application for promotion to Associate Professor or Associate Librarian is considered "early" if the applicant is eligible and one or both of the following is true:
 - (1) The applicant is a probationary faculty employee who is not also applying for tenure.
 - (2) The applicant has not satisfied the equivalent service requirements of at least four years in their academic rank at Cal Poly.
- b. Early promotion will be granted only in exceptional cases. The circumstances and record of performance which make the case exceptional shall be fully documented by the applicant and validated by evaluators. The fact that an applicant has reached the maximum salary in their academic rank or meets the performance criteria for promotion does not in itself constitute an exceptional case for early promotion.

B. Ranking

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.

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523.2 Periodic evaluation of faculty unit employees

A Definition of periodic evaluation

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

1. Evaluation of tenured faculty employees who are not subject to a performance review for promotion.
2. Evaluation of probationary faculty employees who are not subject to a performance review for retention. For example, a probationary faculty employee who receives an initial two-year appointment will undergo a periodic evaluation during their first year.
3. Annual evaluation of temporary faculty employees.
4. Evaluation of lecturers for range elevation.

B. Periodic evaluation procedures and criteria

1. Periodic evaluation of tenured faculty employees

a. Eligibility

- (1) Tenured Professors, Librarians, and Student Services Professional-Academic Related III (SSP-AR III).

Tenured full Professors shall be subject to a periodic evaluation at least once every five years.

- (2) Tenured Assistant or Associate Professor, Senior Assistant or Associate Librarian; and Student Services Professional-Academic Related II (SSP-AR II).

A periodic evaluation is conducted during the third year in which a tenured faculty employee has served in the academic rank of Associate Professor, Associate Librarian, or SSP-AR II. The purpose of the evaluation is formative and intended to assist and guide the Associate Professor, Associate Librarian, or SSP-AR II in their preparation for subsequent promotion review.

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- (3) Periodic evaluation of tenured faculty employees at any rank shall occur at least once every five years after promotion/appointment to their respective academic rank. Performance reviews for promotion can serve in lieu of periodic reviews for the purposes of this section. More frequent periodic evaluation of a tenured faculty employee may be requested by the employee, department chair, or dean. After such a request, the periodic evaluation shall be conducted as soon as possible.
 - b. Procedure for periodic evaluation of tenured faculty employees
 - (1) Procedures for the periodic evaluation of tenured faculty employees are similar to the procedures for conducting performance reviews (see CAP 523.I.A) with the exception that the periodic review concludes at the level of college dean.
 - (2) A tenured faculty employee shall be provided a copy of the PRC report of her/his periodic evaluation. The PRC chair, the department chair, and dean shall meet with the tenured faculty employee to discuss her/his strengths along with suggestions, if any, for improvement.
 - (3) A written copy of the periodic evaluation report shall be placed in the tenured faculty employee's PAF, and a copy shall be provided to her/him.
 - c. Criteria for periodic evaluation of tenured faculty employees
 - (1) The purpose of periodic evaluation of tenured faculty employees is to maintain and improve their effectiveness.
 - (2) Criteria are similar to the criteria for retention, promotion, and tenure (CAP 523.1.B).
2. Periodic evaluation of probationary faculty employees
 - a. Procedures for periodic evaluation of probationary faculty employees

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- (1) Periodic evaluation of probationary faculty employees shall be conducted by the elected department PRC composed of tenured faculty, the department chair, and the college dean in any year in which the probationary faculty employee is not subject to a performance review for retention.
 - (2) A written copy of the periodic evaluation report shall be placed in the probationary faculty employee's PAF, and a copy shall be provided to the employee.
 - b. Criteria for periodic evaluation of probationary faculty employees are similar to criteria for retention, promotion, and tenure (CAP 523.1.B).
3. Periodic evaluation of temporary faculty employees
 - a. Criteria

Evaluation of temporary faculty employees shall be appropriate to the work assignment of the temporary faculty employee and shall conform to the approved criteria established by the department/college for the performance of instructional and professional responsibilities applicable to temporary faculty.
 - b. Eligibility
 - (1) Full-time temporary faculty employees (e.g., lecturers) appointed for the entire academic year must be evaluated during that year by a PRC of the department, the department chair, and dean. Members of the PRC must be full-time tenured faculty employees. At the request of the department, the college dean may agree that a faculty employee participating in the Faculty Early Retirement Program may serve on a faculty PRC. However, PRCs may not be comprised solely of faculty participating in the Faculty Early Retirement Program.
 - (2) Part-time temporary faculty employees appointed for the entire academic year must be evaluated by the department chair. A PRC evaluation is not required; however, full-time tenured faculty

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employees should be given the opportunity to provide evaluative statements and such statements should be written and signed.

- (3) Temporary faculty employees (full-time or part-time) appointed for one or two quarters are to be evaluated at the discretion of the department chair or dean. Also, the faculty employee may request that an evaluation be performed. The request must be in writing and must be accompanied by an updated resume. The request must be submitted to the department chair by the established deadline.
 - (4). Temporary faculty employees holding a three-year appointment pursuant to MOD Article 12 shall be evaluated at least once during the term of their appointment and may be evaluated more frequently upon the request of the faculty employee, department chair, or dean. Normally the evaluation will be scheduled during the second year of appointment.
 - (5) Lecturers who are no longer eligible for a service salary increase (SSI) in their current range and who have served at least five years in their current range may apply for range elevation.
- c. Procedures for periodic evaluation of temporary faculty employees
- (1) Academic Personnel will distribute a list of temporary faculty employees eligible for periodic review, including those eligible for range elevation, and the timetable for conducting the reviews.
 - (2) The temporary faculty employee shall submit a WPAF to the department chair by the established deadline. The file should include supporting materials to document the accomplishments of the work assignment of the temporary faculty employee including but not be limited to:
 - (a) Resume
 - (b) Summary of results of student evaluations of teaching

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- (c) Course syllabi and examples of course materials
 - (d) Examples of examinations
 - (e) Grading schemes and grade assignments
 - (f) Statement of teaching philosophy
 - (g) Professional accomplishments which contribute to maintaining currency in the faculty employee's field of expertise such as research, scholarship, and/or creative activity
 - (h) Service activities, if applicable
- (3) All evaluators must sign the logs in the PAF and the WPAF before completing their written evaluative statements and recommendations.
- (4) Evaluators shall provide their written evaluation and recommendation to the temporary faculty employee at least ten days before transmitting materials to the next level of review.
- (5) The temporary faculty employee under review may submit a written rebuttal statement in response to the evaluation and/or request a meeting be held to discuss the evaluation within ten days following receipt of the evaluation.
- (6) A written record of a periodic evaluation shall be placed in the temporary faculty employee's PAF. The temporary faculty employee shall be provided a copy of the written record of the evaluation.
- (7) College deans are delegated authority to approve range elevation.
- (8) Range elevation becomes effective at the beginning of the subsequent fall quarter.

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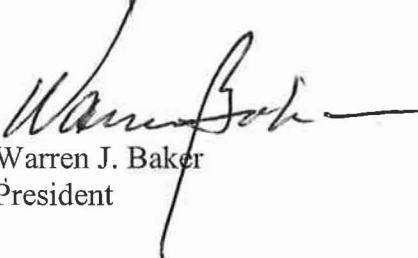
REFERENCES

- Date approved by the President: _
- Office responsible for implementation: ProvostNice President for Academic Affairs; Academic Personnel
- Date when the policy is to be reviewed and by whom (where stipulated): _
- Sunset clause (where stipulated): _
- Related University policies/documents/manuals/handbooks: Cal Poly Strategic Plan; Administrative Bulletin 85-2; Ernest L. Boyer, Scholarship Reconsidered; The Carnegie Foundation for the Advancement of Teaching 1990
- Any laws, regulations, or codes of practice which should be referred to in conjunction with the policy: Fair Labor Standards Act; Title 5 of the California Code of Regulations; California Education Code; The Higher Education Employer-Employee Relations Act (HEERA); Memorandum of Understanding; CSU Technical Letter HR 97-07

State of California
Memorandum

To: Rachel Fernflores
Chair, Academic Senate

Date: September 10, 2009

From: 
Warren J. Baker
President

Copies: R. Koob
M. Suess
M. Camuso

Subject: Response to Academic Senate Resolution AS-687-09
Resolution on Campus Administrative Policies Section 523

This is to acknowledge receipt of the above-referenced Academic Senate Resolution. Please extend my appreciation to the Academic Senate Faculty Affairs Committee its efforts. The Provost will distribute the implementation procedures for faculty personnel actions prior to the commencement of the Retention, Tenure, Promotion cycle for the 2009-10 academic year.