



TENTATIVE AGREEMENT

UC and UC-AFT IX Successor Bargaining
New Article – Performance Review Criteria
UC Proposal #4
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For UC-AFT

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For the University

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New Article – ACADEMIC REVIEW CRITERIA

A. General Conditions

1. The review criteria described in this article shall apply to Unit 18 faculty during an Excellence Review, for ~~to Continuing Lecturers~~ **Appointees** and Senior ~~Continuing Lecturers~~ **Appointees** during a merit review, and a promotion review to Senior Continuing Lecturer.
2. The standards for excellence, merit, and promotion are codified in Article 7B, 7C and 7D, respectively.

B. Review Process

1. The University shall notify the **Unit 18 faculty** in writing of the review, its timing, criteria, and the procedure that will be followed **per this Article**. Such notice shall be **provided** no less than forty-five (45) calendar days **prior to the date by which the Unit 18 faculty's review materials must be submitted,** where practicable. Should the University provide less than forty-five (45) calendar days' notice, the University shall not unreasonably deny an extension to the **Unit 18 faculty** to submit **their** materials for the review file.
2. The notification shall include:
 - a. A list of materials the **Unit 18 faculty** is responsible for providing and how they should be submitted;
 - b. The date by which the **Unit 18 faculty** must submit all required materials;
 - c. Links to the applicable collective bargaining agreement article(s); and
 - d. The date by which **the attainment of continuing status,** the merit increase, or promotion in question shall be effective.
 - e. **The right of the Unit 18 faculty member to inspect and respond to their academic review file, in accordance with Article 10, Personnel and Review Files.**
3. A **Unit 18 Faculty** may request an extension of the review deadlines due

to a leave of absence taken under Article 12 - Leaves. Such requests shall not be unreasonably denied.

4. According to campus procedures, the University shall notify the Unit 18 faculty member of the **excellence**, promotion, or merit review outcome.
5. If the Continuing Lecturer is not promoted to Senior Continuing Lecturer:
 - a. The review file shall still be assessed for excellence in accordance with Article 7c – Continuing Appointments.
 - b. The Continuing Lecturer is eligible to request another promotion review at their next normative merit review.
6. The provisions in Article 7c, Section B (Establishing the Continuing Appointment Percentage) and Section C (Letter of Continuing Appointment) continue to apply to Senior Continuing Lecturers.

C. Review Materials

1. All relevant materials shall be given due consideration. These may include:
 - a. A current Curriculum Vitae;
 - b. Examples of syllabi, assignments, lecture slides, lesson plans, exams, and/or other applicable course materials including but not limited to prompts for and responses to student work;
 - c. A self-reflection/self-statement/self-evaluation of the **Unit 18 faculty's** performance, teaching objectives, and teaching activities;
 - d. A term-by-term enumeration of the number and types of courses taught by the **Unit 18 faculty**;
 - e. Explanations of deviations from the standard assigned workload;
 - f. Identification of any new courses taught or of existing courses whose structure, approach, or content were substantially reorganized;
 - g. Evidence of introduction of new teaching practices **and techniques** into the course(s) taught;

- h. Notice of any awards or formal mentions for **distinguished** teaching;
- i. Student evaluations, provided that the quantitative measure in the student evaluation is not the sole criterion for evaluating teaching;
- j. Letters of reference and assessments by departmental **Unit 18 faculty**, departmental Academic Senate Faculty, other academic appointees, students; and/or others external to the University of California; ~~and~~
- k. **Written observations** resulting from classroom visitations by colleagues and evaluators; **and**

l. Additional materials relevant to their assigned duties.

2. **According to campus procedures, statements of contributions in assigned areas of the NSF's achievements that promote equal opportunity and diversity should be given due recognition in the review process. These contributions to diversity and equal opportunity will be focused on teaching and learning and can take a variety of forms including teaching that is particularly inclusive of diverse populations.**

D. **Review Criteria**

- 1. Evaluations of the academic qualifications or performance of a NSF for purposes of **achieving continuing status**, merit, and promotion shall be made on the basis **of their assigned instructional duties**. **Achieving continuing status or a merit will be based on** demonstrated excellence for Continuing Appointees and **merit and promotions will be based on** exceptional ~~instructional~~ performance in teaching for Senior Continuing Lecturers. Academic responsibility and other assigned duties shall also be utilized in the review.
- 2. **Senior Continuing Lecturers:** Instructional contributions that are broad ranging and/or greatly enhance the academic mission of the University, may be considered exceptional. Length of service and continued excellent performance as a Continuing Lecturer alone are not justification for promotion.
- 3. **Due attention should be paid to the variety of demands placed on instructors by the types of teaching called for at various levels, and**

the total performance of the NSF should be judged with proper reference to assigned teaching responsibilities.

4. **Instructional performance shall be evaluated according to the following criteria, as demonstrated by the materials in the review file:**
 - a. Dedication to and engagement with teaching;
 - b. Command of the subject matter and continued growth in mastering new topics;
 - c. Organizing and presenting course content effectively and with demonstrated learning outcomes;
 - d. Setting pedagogical objectives appropriate to the course topic, level, and format;
 - e. Responding to student work in ways commensurate with student performance, course topic, level, and format;
 - f. Awakening in students an awareness of the importance of the subject matter;
 - g. Inspiring interest in beginning students and stimulating advanced students to do complex work;
 - h. Developing pedagogically effective assignments, lecture slides, lesson plans, exams, and/or other course materials and/or prompts for student work;
 - i. Additionally, exceptional instructional performance would include Introducing new teaching practices into the course(s).
- ~~5. Due attention should be paid to the variety of demands placed on instructors by the types of teaching called for at various levels, and the total performance of the NSF should be judged with proper reference to assigned teaching responsibilities.~~
6. According to campus procedures, contributions in assigned areas of the NSF's achievements that promote equal opportunity and diversity should be given due recognition in the review process. These contributions to diversity and equal opportunity will be focused on teaching and learning and can take a variety of forms including teaching that is particularly

inclusive of diverse populations.

D. Grievability and Arbitrability

1. Performance review decisions are the result of academic judgment and are not subject to the grievance and arbitration provisions of this Agreement. Only allegations of procedural violations of this Article are subject to the grievance and arbitration provisions of this Agreement.
2. Allegations of procedural violations of this Article shall be subject to the full grievance and arbitration provisions of this Article. An Arbitrator reviewing procedural violations shall have the authority to order the University to redo the procedure.
3. An Arbitrator shall not have the authority to substitute the Arbitrator's judgment for the University's judgment with respect to instructional need, academic qualifications, or determinations of whether performance is **excellent or** exceptional and thereby compel the University to promote or provide a merit increase.
4. The Arbitrator shall have jurisdiction to review the performance review process and the academic review file. If the Arbitrator finds that the performance review process was not followed, or that the decision was not based on materials in the review file, and that such flaw/decision had a material adverse impact on the review results, the Arbitrator's remedy shall be limited to an order that the University re-do the performance review process. Where the arbitrator determines that an individual involved in the academic review has in any way materially violated the Agreement, the Arbitrator may order the University to designate different individuals to conduct the subsequent performance review.
5. Upon the request of either party, the Arbitrator may retain jurisdiction to ensure that the parties have complied with the Arbitrator's award. When the Arbitrator retains jurisdiction, the Arbitrator's remedy shall be limited to an order that the UC redo the **excellence,** promotion, or merit review process.