

Campus Agreement

Evaluation One-Year and Three-Year Temporary Appointments During COVID-19 Crisis

CSUCI/CSUCI Chapter of CFA

The unprecedented, unexpected, and unique circumstances surrounding the COVID-19 crisis in Spring 2020 have made it very difficult to perform the evaluations required for one-year and initial and subsequent three-year temporary appointments consistent with the Collective Bargaining Agreement (CBA) (Provision 12.12, 12.13, and other provisions referenced within) between the California State University Channel Islands (University) and the CSUCI Chapter of the California Faculty Association (CFA) (subsequently referred to jointly as Parties). The Parties acknowledge and understand these concerns and will jointly work together to develop this campus agreement to describe how departments and colleges should proceed with handling of these evaluations.

In recognition of the circumstances, CFA and the University agreed on March 27th, 2020 to revised timelines for Spring 2020 lecturer evaluations, granting the University and Appropriate Administrators until June 30th, 2020 to complete their evaluations and final recommendations.

Given the continued detrimental impact of the COVID-19 crisis on the CSUCI community, the Parties now agree to the following guidelines for handling one-year and three-year evaluations in these circumstances and superseding previous timetables. The parties agree that such guidelines are in effect only during the Spring 2020 COVID-19 crisis and are non-precedent setting. The Parties further agree that because normal teaching conditions (pre-COVID-19 teaching conditions) will not be restored by Fall 2020, the Parties will reconvene to jointly work together to develop an updated campus agreement on AY 20-21 evaluation processes for lecturer faculty.

Guidelines

1. Lecturer evaluation cases whose files *have been* completed at the Program level (as applicable, by the Program/Department Committee and by the Program/Department Chair) by June 5th, 2020 may **continue in accordance with the revised Spring 2020 Lecturer Timetable** as agreed to by the Parties on March 27th, 2020. These evaluations will be given the requisite ten-day rebuttal period, continue to the appropriate administrator and be due to Lecturer faculty no later than June 30, 2020.

Postponed Evaluations of Lecturer Faculty:

2. Provision 15.30 of the CBA provides a mechanism for the postponing of initial and subsequent three-year appointments for faculty members on paid or unpaid leave. The Parties agree that the inability for faculty under review to come to campus to prepare a file for submission for review and/or the inability of program/department Chairs or program committees to perform the evaluation of the Personnel Action Files (PAF) are functionally equivalent to that of a leave, despite the faculty member not being on paid or unpaid leave.

3. Faculty members subject to an initial or subsequent three-year appointment evaluation and whose Chair and Program Committee review *has not been completed by June 5th* but where there *are* documented concerns prior to the COVID-19 move to virtual instruction, shall, by this agreement, have their lecturer evaluations *postponed*. The postponement of such evaluations shall have the following effects:
 - A. Faculty members who receive a postponement of their evaluation through this process shall undergo an evaluation in the 2020-2021 Academic Year following all University, School, and Program Policies. The deadlines for this evaluation shall be determined by the School in consultation with the Office of Faculty Affairs.
 - B. Faculty members shall be granted a *provisional* three-year appointment, subject to the completion of a satisfactory evaluation as described below. The faculty member's 2020-2021 entitlement (12.12c) and order of assignment rights (12.29) shall be treated as if they were on a standard three-year appointment. The entitlement time base shall be based on their 2019-2020 workload.
 - C. Despite the absence of an evaluation and without future precedent, faculty members shall be considered to have performed satisfactorily for purposes of appointment in the provision 12.29 of the Collective Bargaining Agreement ("Preference for Available Temporary Work").
 - D. Faculty members who receive a postponement of their six-year comprehensive evaluation through this process shall undergo an evaluation in Spring 2021 with the review period under consideration from the beginning of the six-years of continuous service (Fall 2014 or Spring 2015) through Fall 2020. Faculty members who receive a postponement of their three-year evaluation through this process shall have a review period under consideration from the beginning of their three-year appointment (Fall 2017 or Spring 2018) through Fall 2020.
 - E. In alignment with the language in 15.30, if the Dean determines that the faculty member has performed satisfactorily, the condition for satisfactory evaluation will be met and the provisional appointment will be fully executed without further conditions.
 - F. If the Dean determines that the faculty member has not performed satisfactorily, the condition of satisfactory evaluation shall not be met, and the appointment will end at the completion of the 2020-21 academic year, at which time, the faculty member may exercise their grievance rights under the Collective Bargaining Agreement.
4. This agreement explicitly reaffirms that department chairs must follow Provision 12.29 in the assignment of classes. Department Chairs' questions about 12.29 should be directed to the Office of Faculty Affairs. Lecturer faculty with questions about the order of assignment are encouraged to consult with CFA.
5. The Office of Faculty Affairs will work closely with the schools and departments/programs to ensure that the provisional appointment language is consistently distributed across campus and that there is uniform adherence to this campus agreement.

Suspended Evaluations of Lecturer Faculty:

6. Faculty members under evaluation and whose Chair and Program Committee review *has not been completed by June 5th* and where there are no documented concerns prior to the COVID-19 move to virtual instruction, shall, by this agreement, have their lecturer evaluations **suspended** and be automatically granted an initial or subsequent appointment in alignment with the conditions below.
7. Lecturer evaluations that *have* completed the Program Level review by June 5th may also be suspended and fall into the conditions below *if*:
 - A. the final review is not completed by June 30th;
 - B. or the appropriate administrator determines that completing such evaluations by June 30th is not safe or feasible given COVID-19's impacts on CSUCI and the Spring 2020 Lecturer evaluation process.
8. The **suspension** of Spring 2020 evaluations shall have the following effects:
 - A. All faculty members subject to a one-year appointment evaluation shall, by this agreement, be automatically granted a one-year appointment in alignment with the conditions below.
 - B. Faculty members subject to an initial or subsequent three-year appointment evaluation and whose evaluation is suspended by the conditions above shall, by this agreement, be automatically granted an initial or subsequent three-year appointment in alignment with the conditions below.
 - C. Despite the absence of an evaluation and without future precedent, faculty members shall be considered to have performed satisfactorily for purposes of appointment in the provision 12.29 of the Collective Bargaining Agreement ("Preference for Available Temporary Work").
 - D. This agreement explicitly reaffirms that faculty members eligible for a one-year appointment per provision 12.3 shall receive such an appointment with an entitlement "...equal to or greater than the time base in the prior academic year..." and "... subject to the limitation stated in 12.5."
 - E. This agreement explicitly reaffirms that department/program chairs must follow Provision 12.29 in the assignment of classes. Department Chairs' questions about 12.29 should be directed to the Office of Faculty Affairs. Lecturer faculty with questions about the order of assignment are encouraged to consult with the CSUCI CFA Executive Committee.
9. For their subsequent 2020-21 evaluation, faculty members with one-year appointments who were not fully reviewed in 2019-2020 will submit materials from the 2019-2020 evaluation cycle (which at CSUCI incorporates Spring 2019 and Fall 2019) *and* materials from the 2020-2021 evaluation cycle (which incorporates Spring 2020 and Fall 2020). Review committees shall consider all relevant materials from 2019-2021 in the next evaluation in accordance with the CBA and University Policy.

10. Faculty members granted initial or subsequent three-year appointments by this agreement but who were not fully reviewed in 2019-2020 will submit all relevant materials for their subsequent evaluation.
- A. Faculty members who receive a suspension of their six-year comprehensive evaluation through this process shall undergo an evaluation at the end of their new three-year appointment. The review period under consideration will include the whole of their six-years of continuous service (Fall 2014 or Spring 2015) through Fall 2019 *and* the additional three years of service under their new three-year appointment (Spring 2020 to Spring 2023).
 - B. Faculty members who receive a suspension of their three-year evaluation through this process shall undergo an evaluation at the end of their new three-year appointment. The review period under consideration will be from the beginning of their previous three-year appointment (Fall 2017 or Spring 2018) through Fall 2019 *and* the additional years of service under their new three-year appointment (Spring 2020 to Spring 2023).
11. For purposes of assigning classes (per 12.29) during the 2020-2021 academic year, the University and CFA-CI Chapter agree that “careful consideration” should primarily rely on the most recent evaluation of the faculty member, if such an evaluation exists, and material in the faculty member’s Personnel Action File related to performance. Additionally, “careful consideration” shall include history of classes taught, academic experience and student evaluations. Faculty members who have never been evaluated by the Program/Department shall be considered to have performed satisfactorily unless there is material related to performance as noted above in the Personnel Action File.


Andrew Chang (Jun 8, 2020 13:06 PDT)

Andrew Chang
CFA Field Representative

06/08/2020

Date


John Yudelson (Jun 8, 2020 13:10 PDT)

John Yudelson
CFA Chapter President, CSUCI

06/08/2020

Date

On behalf of California State University, Channel Islands:


Sheila Grant (Jun 8, 2020 17:53 PDT)

Dr. Sheila Grant
Associate Vice President, Office of Faculty Affairs

06/08/2020

Date