



ALAMO
COLLEGES
DISTRICT

Executive Faculty Council:
**Review and Reimplementation of Tenure-track System at the Alamo
Colleges District --**
“New Era Tenure Proposal”

Prepared for: The Alamo Colleges District Strategic Leadership Team

The Alamo Colleges District Board of Trustees

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Executive Summary

The findings and recommendations of this report will benefit the Alamo Colleges District (ACD) and its goals for student success and principle-centered leadership by enhancing faculty accountability. The improvements and enhancements recommended constitute a new, innovative tenure model that will position ACD as a national model for faculty performance excellence. The ad hoc committee makes the following recommendations:

1. The first six years of a faculty member's employment will be a probationary period. During that time, faculty members will receive annual faculty performance evaluations and faculty peer mentoring. The probationary period will also include a planned and guided "Pathway" for continual faculty improvement and growth in the "Seven Essential Faculty Competencies":
 - Promoting an Atmosphere of Academic Success and Growth
 - Diversity, Equity, and Inclusion
 - Learning Outcomes-Centered Practices
 - Professionalism and Scholarship
 - Student Learning Assessment
 - Student-Centered Teaching and Learning Strategies
 - Technology and Systems Operations
2. The criteria for ending the probationary period for faculty members will include competencies and evidence defined by the Alamo Colleges District. These criteria should include:
 - Completion of annual faculty performance evaluations with demonstrated instructional excellence and attention to improvement in the following areas:
 - Instructional Design and Delivery
 - Professional Growth
 - Service to the Institution
 - Service to the Discipline
 - Completion of faculty development pathway with successful demonstration of continual professional pursuit of improvement and excellence in the Seven Essential Faculty Competencies.
 - Demonstrated excellence in holistic measures of student success as demonstrated on annual faculty performance evaluations (this is included in the Chair Evaluation)
3. During the sixth year of the probationary period, faculty members will apply for tenure. The membership of each Tenure Review Committee will include faculty members from the tenure candidate's discipline or department and also faculty members from outside the department of the tenure candidate to reduce the possibility for internal department bias.
4. The current accountability system and procedures for faculty performance evaluations, progressive discipline, and termination of a tenured faculty member should be reviewed to make them more effective if accountability is needed.

5. The four recommendations above amount to a new tenure system for the Alamo Colleges District; the last recommendation is that this new tenure-track system should be implemented at all five Alamo Colleges. See pages 36-40 of this document for reimplementation models.

The first four recommendations above contain significant changes and improvements to the components of the tenure system – namely the probationary period, tenure review, and the post-tenure review and accountability procedures. This report will explain these changes and their rationale. By attracting, developing, and sustaining the best faculty with a new tenure model at the Alamo Colleges District, the Executive Faculty Council believes restoring tenure will be a primary means by which the Alamo Colleges District takes its next step in fulfilling its vision to be the best in the nation in student success and performance excellence.

Introduction

This report presents the work of the Executive Faculty Council Ad Hoc Committee on Tenure, and it contains this committee's recommendations for implementing a new tenure-track system at the Alamo Colleges District. In Fall 2020, the United Faculty Senates charged the Executive Faculty Council to provide recommendations regarding the Tenure System at the Alamo Colleges District. As this report will make clear, the committee believes implementing a new tenure-track system will be in the best interest of the Alamo Colleges District and its mission.

The Alamo Colleges District suspended its tenure-track system in 2011 due to concerns about faculty accountability. This decision was largely unpopular with faculty members, and faculty leadership asked when the suspension would be lifted. In a 2017 memo to faculty stakeholder groups, the Chancellor communicated that, in the service of student success, improvements to faculty performance evaluation and faculty development systems were necessary before the Chancellor and Board of Trustees would revisit and reconsider the tenure suspension (see Appendix IV).

To satisfy this requirement, extensive improvements to ACD's faculty development and faculty performance evaluations systems have been implemented since 2016: A new faculty evaluation system using an ePortfolio was introduced in 2016. The current faculty evaluation system is more rigorous, more thoroughly evidence-based, and more consistent across the colleges than our previous system. At the time of this writing, the performance evaluation system is also being reviewed by EFC to identify additional opportunities for improvement. Likewise, since 2017, the Alamo Colleges District has implemented a new and robust faculty development model built around "Seven Essential Faculty Competencies" – this faculty development model is informed by a district-wide Faculty Development Advisory Board and facilitated by dedicated Faculty Fellows at each campus.

The work has been done, and with robust faculty development and faculty performance evaluation systems in place, student success and performance excellence at the Alamo Colleges District have thrived. Now is the time to revisit the issue of tenure, as we believe that implementing this new tenure-track system will benefit the institution, its stakeholders, and the primary goal of student success.

Faculty members who possessed tenure or were on a tenure-track prior to 2011 have maintained their tenured status, however, all full-time faculty since 2011 have been hired as non-tenure-track, contract employees on annual contracts. While the suspension of tenure accelerated efforts to reform faculty development and faculty performance evaluation, key problems also emerged:

- Full-time faculty are divided into a two-tiered (tenured/contract) system with inherent inequities that negatively impact the institution and student success objectives.
- The status of non-tenured, or probationary, faculty is ambiguous because the current wording of procedure [D.2.5.5 – Faculty Tenure Process](#) implies that all non-tenured faculty are in a permanent state of probation without any option or goal of acquiring

permanent status within the five colleges.

- Many Alamo Colleges District board policies and procedures related to tenure are outdated or in an ambiguous state of suspension.
- Contract faculty members feel that they lack job security.
- There is a perceived difficulty recruiting and retaining new faculty of the highest quality, because the incentive of tenure is absent for new hires.

The EFC's charge was further prompted by the importance of tenure recognized by faculty:

- Tenure provides a process for data-informed and peer-reviewed vetting, so that colleges retain only the best faculty members. Rigorous review of faculty members directly impacts students and student success.
- Tenure supports the academic freedom of faculty members in their primary roles of teaching and oversight over curriculum as well as their important role in shared governance to maintain the academic integrity of our institutions and compliance with SACSCOC accreditation standards.
- The two-tiered system of tenured and probationary contract faculty members is not aligned with the Alamo Colleges District's goals of addressing equity, diversity, and inclusion. Current tenured faculty members – all hired prior to 2011 - are less diverse than the makeup of the totality of our faculty, leaving many from minoritized populations including women and people of color effectively in a second-class status among faculty.

The Work of the Ad Hoc Committee

In Fall 2020, the EFC accepted the charge to review and create a recommendation for the tenure system at the Alamo Colleges District. The work of this committee was defined by the EFC Work Charge (for complete work charge see Appendix I). To accomplish its work, the EFC assembled an ad hoc committee comprised of faculty and administrators from across the district (for a complete list of committee members, see page 1)

The ad hoc committee organized into four working groups to research and draft sections of the report. A Canvas course shell was used by all four groups to post and share research and drafted sections, in addition to the discussions and sharing that took place during regular meetings. The separate sections drafted by the work teams were submitted to the entire ad hoc group, and then a drafting group was charged with assembling the work of the four working groups into a single draft. This draft has been reviewed and agreed upon by the entire ad hoc group, and then presented to the entire body of Alamo Colleges District faculty via Qualtrics survey to solicit feedback and gauge faculty support for the recommendations. After faculty feedback was incorporated, the recommendations of the ad hoc committee were presented to the Executive Faculty Council and approved, with feedback for improvement, by consensus.

The ad hoc committee did extensive research and a literature review on what defines tenure. It found that the tenure system as defined by the American Association of University Professors (AAUP) is the model used by nearly every academic institution in the country. The defining features of what constitutes tenure include academic freedom and the security of continuous employment. The components of this system include a probationary period, tenure review, and accountability measures. The committee further discovered the significance tenure has for academic freedom, shared governance, student success, and equity.

A landscape analysis of three models of tenure at peer institutions was done by this committee. These institutions are each Aspen Award winners or finalists, and include: Valencia College, Walla Walla College, and El Paso Community College.

From this research, landscape analysis of peer institutions, and review of our current policies and procedures of tenure, the ad hoc committee makes the following recommendations to bring a new era of tenure to the Alamo Colleges District. First, we recommend that the first six years of faculty employment be a probationary period to include a defined pathway of faculty development along with the existing requirements of annual performance evaluation to demonstrate teaching excellence and commitment to the values and mission of the Alamo Colleges District. Second, we recommend that criteria for ending the probationary period be defined by the Alamo Colleges District, and we list those criteria in detail (see pages 32-33). Third, we recommend that all Tenure Review Committees include faculty representatives from both the discipline or department of the tenure candidate and faculty representatives from outside the candidate's department to increase objectivity and decrease the possibility for departmental bias. Fourth, we recommend that our current accountability system be reviewed to make it more efficient if accountability is needed, to include termination of a tenured faculty member. These first four recommendations constitute a new tenure-track system, and the committee's final recommendation is that the Alamo Colleges District implement this new tenure-track system, such that all new faculty hires would be on a tenure-track, and that all full-time faculty members hired since 2011 would be put on a tenure-track, culminating in a tenure application and decision.

During the course of the ad hoc committee's work, the issue of multi-year contracts for faculty members was suggested by the ad hoc committee's sponsor, and later raised by the Chancellor to the UFS. The idea of multi-year contracts was discussed by the ad hoc committee, and the members of the ad hoc committee agreed that fixed multi-year contracts do not fall under the definition of tenure (see page 11 below for tenure definition), since a key feature of tenure is the nature of continuing contracts after tenure is awarded and not contracts with a fixed term.

However, the institution of tenure is not incompatible with a model utilizing multi-year contracts that are automatically renewed each year unless there are deficiencies. As such, this report includes two models for tenure: the first is a traditional tenure model with automatic renewal of annual faculty contracts; the second is an innovation combining the automatic contract renewal feature of tenure with a multi-year contract model for faculty members; this can work only if the multi-year contracts contain a mechanism for automatic annual renewal. Additionally, since multi-year contracts can provide more job security than year-to-year or semester-to-semester

contracts, there could be a place for multi-year contracts at the Alamo Colleges District during the probationary period for tenure-track faculty or for long-serving adjunct faculty members. However, fixed multi-year contracts are not a replacement for the institution of tenure, and this committee does not recommend fixed multi-year contracts be considered instead of implementing the new tenure-track system.

The contents of this report address why tenure is valuable to the Alamo Colleges District, how tenure benefits student success, the importance of tenure in the areas of academic freedom, shared governance, equity, and due process, why tenure is important to faculty, and the role accountability plays in the tenure system. Using a detailed landscape analysis (included in Appendices) examining the tenure systems at three Aspen Award Winner/Finalist community colleges, the final section of the report offers a set of recommendations and implementation strategies to implement a new tenure-track system at the Alamo Colleges District.

Background / Overview of Tenure

This section of our report will summarize what an extensive literature review on tenure says about what tenure is and why it is important. The American Association of University Professors (AAUP) has been the organization that has defined tenure for higher education, and our own tenure system and process at the Alamo Colleges District is aligned with the AAUP's model for tenure. The intellectual and economic securities of the tenure system are the bedrock of any effort by a college or university to fulfill its obligations to students and society.

Definition of Tenure

Tenure is defined as the awarding of continuing contracts to full-time faculty. Tenured and tenure-track faculty are evaluated thoroughly, and tenure is only awarded after a probationary period by the affirmative vote of academic peers, college administration, and the District Board of Trustees. As such, tenure is defined as a professional status conferred upon faculty members who have demonstrated scholarship and teaching ability or other skills sufficient to warrant recognition of their achievement of predetermined standards of professional competence. The achievement of tenure indicates responsible professional performance and carries with it an ongoing contract of employment with the institution, which shall entitle the employee to continue in a faculty position at the College without the necessity for annual nomination or reappointment and which can be terminated only for adequate cause or financial exigency. It likewise carries with it the faculty member's ongoing responsibility to maintain their teaching excellence and professional competence through continued evaluation and professional development.

Basic Features of Tenure

As stated by the 1940 Statement of Principles on Academic Freedom and Tenure:

“Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society” (AAUP “1940 Statement”).

Reasons and Principles for the Award of Tenure.

The following are recognized as principles underlying the award of tenure:

1. Tenure is one of the instruments by which standards of excellence are maintained in the academic community.
2. Tenure provides significant protection for academic freedom. Academic freedom is essential for maintaining social and political freedom in a democracy.
3. Professors sometimes choose to discuss controversial issues. It is recognized that some

individuals could be offended in the process. Tenure protects individual faculty members and the faculty at large from capricious and arbitrary retribution which might otherwise result from such controversy.

4. Tenure, applied wisely, gives dignity, recognition, and stability to worthy members of the profession.
5. Tenure is a positive and important factor in recruiting and retaining talented faculty.
6. Tenure empowers faculty to participate actively in shared governance to ensure academic values are protected.
7. The body of tenured faculty gives stability and continuity to an institution and inspires confidence, pride, and recognition of the institution within the community and provides accountability to external accrediting and funding agencies.

(Valencia College, “Award of Tenure”, 2018; AAUP “1940 Statement”; Hutchinson, 2018, p. 124; Hutchens and Fernandez, 2018; Chait, R.P., 2005; Rizvi, 2015; Bérubé, 2015; Kahlenberg, 2016)

The Vulnerability of the Institution and Non-Tenured Faculty on Annual Contracts

Both the faculty members and the academic institution are vulnerable when faculty are non-tenured and on annual contracts.

- Faculty on annual contracts work under the uncertainty that their contract will or will not be renewed, effectively being fired with no explanation and no due process.
- This uncertainty can inhibit their exercise of academic freedom and engagement with shared governance as the primary guardians of disciplinary knowledge and academic integrity.
- Such an arrangement can lead to a patronage system where faculty compromise academic standards and integrity in order to keep their job.
- This uncertainty is stressful for faculty and prevents them from committing long-term to projects or initiatives at the institution or to their community.

The academic institution is also vulnerable when its faculty are non-tenured on annual contracts.

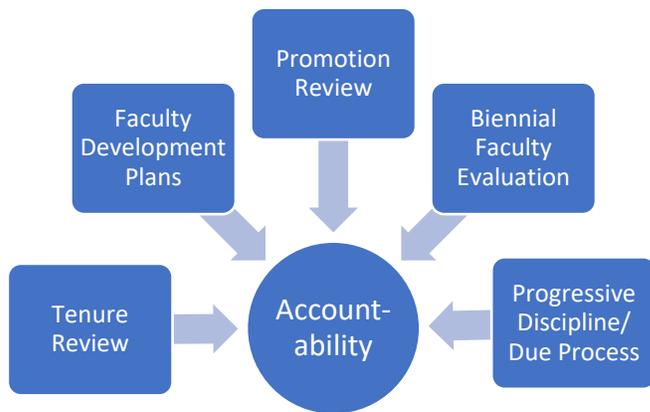
- Without a faculty secure in their ability to speak up about important academic matters, institutions can make bad decisions.
- Without offering faculty a reasonable degree of security in their employment, the institution will not be able to attract the best candidates or keep the best faculty.
- Without tenured faculty, academic institutions may not have adequate numbers of available faculty members to participate on important committees and serve as chairs and directors to fulfill the mission of the institution.

(Bernstein and Kezar 2019; Bérubé and Ruth 2015; Bérubé, 2015; Greenwald 2019; Flaherty, 2018)

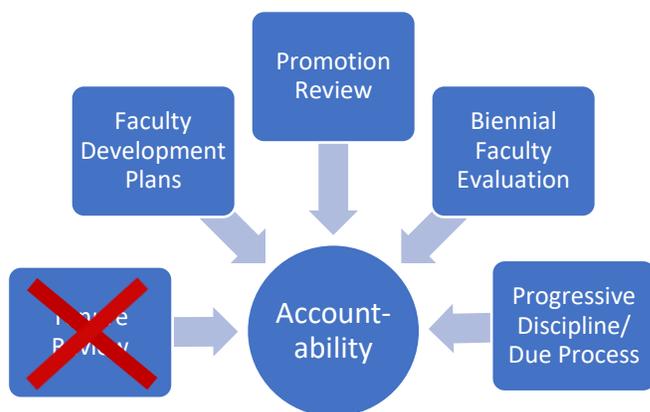
Tenure and Accountability

The tenure system is founded on a structure of accountability. Both in the selection of tenured faculty and the continuance of their employment, faculty must demonstrate professional competence and growth to secure and maintain their position. At the Alamo Colleges District, the five elements of this accountability system are:

- Tenure Review (currently suspended)
- Promotion Review
- Annual or Biennial Faculty Performance Evaluation
- Faculty Development Plans
- Due Process in Discipline and Termination



Accountability without Tenure:



Without tenure, one of the most robust systems of accountability is removed. Tenured faculty must go through all the normal systems of accountability required of non-tenured faculty, plus the added tenure review.

Tenure Review

These are the key aspects of the Tenure System:

- **Probationary Period**
Tenure-track faculty are hired as probationary employees for a defined period of time—typically three, five, or seven years. During this time, new faculty develop their skills and demonstrate their excellence in teaching, scholarship, and value to the institution.
- **Faculty Evaluation**
During the probationary period, faculty are annually evaluated on their teaching, scholarship, and service to the institution. Faculty have the chance to remediate deficiencies through what is identified in these evaluations.
- **Tenured Decision**
At the end of the probationary period, the institution decides through a formal tenure review process to grant the faculty member tenure or not. This decision is made through a thorough and formal review of the faculty member's record and competence and is only granted after a lengthy demonstration of competence during the probationary period.
- **Post-Tenure Review**
Some institutions have instituted formal reviews of faculty that go beyond the standard system of periodic review after they achieve tenure. At the Alamo Colleges District, tenured faculty members instead have biennial faculty performance evaluations.

Promotion Review

Faculty are only awarded promotion after careful review of their achievements and added credentials. The criteria for promotion at the Alamo Colleges District is based on years of service, the accumulation of graduate credit in the faculty member's discipline, and demonstration of teaching excellence and service.

Below are the qualifications for promotion at each level at the Alamo Colleges District:

- 1) Assistant Professor: three years minimum as an Instructor plus 12 graduate hours above the qualifying degree
- 2) Associate Professor: four years minimum as an Assistant Professor plus 24 graduate hours above the qualifying degree
- 3) Professor: five years minimum as an Associate Professor plus 36 graduate hours above the qualifying degree

For each level of promotion, a faculty member must submit a dossier demonstrating the quality of their teaching and professional activity, including:

- Student evaluation summaries
- Classroom observations
- Faculty self-evaluations

- Faculty evaluations by a Peer Review Committee
- Faculty evaluations by the Chair/Supervisor
- Official transcripts of credits earned since initial appointment or last promotion

This promotions dossier is evaluated and must be approved by a departmental Promotions Committee, the Department Chair, the Dean/Director, the responsible Vice President, the President, and the Board. Currently, the contents of the faculty portfolio (or dossier) and process of review for tenure and promotion are approximately the same.

Faculty Performance Evaluation

The primary goal of annual or biennial faculty performance evaluation is the improvement of teaching and the job performance of the faculty member. The criteria for this evaluation at the Alamo Colleges District, as listed below, closely align with the faculty job description. Faculty members must submit a portfolio containing artifacts for performance evaluation over these three areas:

I. Teaching

1. Instructional Design
2. Instructional Delivery
3. Instructional Assessment
4. Class/Course Management

II. Scholarly/Creative Work

1. Professional Development
2. Discovery/Creative Activities
3. Dissemination

III. Service

1. Service Outside the Classroom
2. Service to the Profession
3. Community Service

Faculty members involved in administrative duties must also submit material demonstrating their performance in this area as well.

Faculty performance evaluation portfolios are reviewed by department peer faculty and the Department Chair. The Department Chair and faculty member discuss the evaluation together to identify areas of strength and areas for improvement. This is a thorough, collaborative, and continuous process.

Faculty Development Plans

At the Alamo Colleges District, full-time faculty annually complete a Faculty Development Plan, a documented process that allows faculty to formalize a well-thought-out professional development plan tied to their individual goals and interests as it relates to the mission and objectives of the faculty member's department, college, and/or district. These plans are framed through the seven Essential Faculty Competencies that were established by faculty during college-wide and district-wide charrettes in the Fall 2017.

These Essential Faculty Competencies include:

1. Promoting an Atmosphere of Academic Success and Growth
2. Diversity, Equity, and Inclusion
3. Learning Outcomes-Centered Practices
4. Professionalism and Scholarship
5. Student Learning Assessment
6. Student-Centered Teaching and Learning Strategies
7. Technology and Systems Operations

The Alamo College District's current implementation of this Faculty Development Plan is not currently integrated with faculty performance evaluations and or other continuous improvement efforts, however, the recommendations of the ad hoc committee entail integrating faculty performance evaluations with faculty development plans in the probationary period of the tenure process.

Due Process, Progressive Discipline, and Termination

Tenure is not an unconditional guarantee of employment, but it does assure a tenured faculty member that he or she will not be dismissed without an explicit statement of the cause and a fair hearing to establish whether the cause is valid, pertinent, and sufficient to justify such an action.

- Tenured faculty members are subject to Progressive Discipline: "The intent of this progressive discipline is to communicate the need to modify unacceptable behavior, which is inappropriate, unproductive, disruptive, or otherwise problematic to the goals of the Alamo Colleges District" ([D.9.1.2 - Progressive Discipline – Tenured Faculty](#)). Progressive discipline has four steps and can culminate in termination, if necessary. Faculty members can be fired for single offenses of certain actions, as detailed in Alamo Board Policy [D.10.2.5 - \(Procedure\) Termination: Tenured Faculty](#)
- Tenured faculty members recommended for termination, after exhausting college and district administrative remedies, may request a formal hearing by a representative body made up of faculty, administration, and staff (if appropriate) to review their case. This hearing committee may affirm the termination or recommend disciplinary action based upon progressive discipline procedures. The Board of Trustees then reviews the hearing decision and either sustains or overrules it.

Tenure and Our Peer Institutions

The Alamo Colleges District utilizes a number of community colleges in the state of Texas as benchmark institutions. The following table shows where these institutions stand in regards of tenure policy and implementation. Meanwhile the second table includes a list of nationally-recognized community colleges (Aspen Award winners/finalists). This document also includes three models of tenure processes implemented at Valencia College, Walla Walla College, and El Paso Community Colleges, respectively.

Benchmark Institutions for the Alamo Colleges District

INSTITUTION	TENURE-TRACK POLICY/PROCESS
AMARILLO CC	YES (policy and process)
AUSTIN CC	NO
COLLIN CC	NO
DALLAS CCCD	NO
EL PASO CC	YES (policy and process)
HOUSTON CCD	NO
LAREDO CC	YES (policy and process)
LONE STAR CC	NO
ODESSA COLLEGE	YES (policy)
SAN JACINTO CC	NO
TARRANT CC	YES (policy)

National (Aspen Award Winners)

INSTITUTION	TENURE-TRACK POLICY/PROCESS
INDIAN RIVER CC	YES (policy)
MIAMI DADE CC	YES (policy)
SANTA FE CC (FL)	Rolling contracts
TALLAHASSEE CC	NO
VALENCIA CC	YES (policy and process)
WALLA WALLA CC	YES (policy and process)

Tenure, Student Success, and Performance Excellence

Tenure's Contribution to Student Success

Faculty performance excellence is critical to student success. Faculty excellence is achieved by participation in professional development opportunities, and by regular performance evaluations that result in continual improvement. Faculty performance evaluation and faculty development are the two pillars of the probationary period in the tenure process, and they provide the criteria by which faculty are reviewed at the time of the tenure decision.

Through faculty development during the probationary period, the tenure-track faculty member can develop the core competencies as an educator that lead to improved student success. Through faculty evaluation, the institution can gauge the tenure-track faculty member's professionalism and ability to produce strong student success results. Thus, the tenure process is an opportunity for the institution to fully understand the teaching competence and commitment to student success of each full-time, tenure-track faculty member. This process allows the institution to terminate employment if the requirements of tenure are not met. As such, tenure directly affects student success by creating a high stakes system of required faculty excellence.

Due to this interconnection among student success, professional development, and performance evaluation, the reinstatement of tenure is in alignment with the Alamo Colleges District's commitment to performance excellence. It will enhance the momentum of continuous improvement that earned the Malcolm Baldrige National Quality Award in 2018. Furthermore, the following sections regarding performance evaluation and professional development will explain how restoring tenure will bolster quality of instruction and position the Alamo Colleges District to serve as a national model of performance excellence.

Faculty Performance Evaluation and Student Success

A robust process cycle annual performance evaluation is integral to the tenure-track faculty position. This annual review and conversation with the faculty member's chair and faculty colleagues provides the guidance and support necessary to fully integrate the new faculty member with the college community. It also is a means to fully understand and commit to the mission of the institution, the needs of the division or discipline, and the responsibilities of a full-time faculty member. The performance evaluation process supports the faculty member in the development of teaching and learning strategies that are effective for student success within a variety of modalities.

Starting in 2014, the faculty performance evaluation process was dramatically revised in order to better align the areas to be evaluated with the responsibilities of a full-time faculty member as defined in the faculty job description and as required by SACSCOC. The current faculty performance evaluation system has been in place since 2016. Recognizing the need for continuous improvement, the Executive Faculty Council is now conducting a further review and

revision of the faculty evaluation process and tools, but the contents of the faculty performance evaluation will remain largely the same. The categories for faculty performance evaluations are listed below; the emphasis on teaching is clear:

- 1) Teaching
 - a) Instructional Design
 - b) Instructional Delivery
 - c) Instructional Assessment
 - d) Class/Course Management
- 2) Scholarly/Creative Activities and Professional Development
- 3) Service to the Institution
- 4) Service to the Profession

Additionally, the faculty performance evaluation process includes:

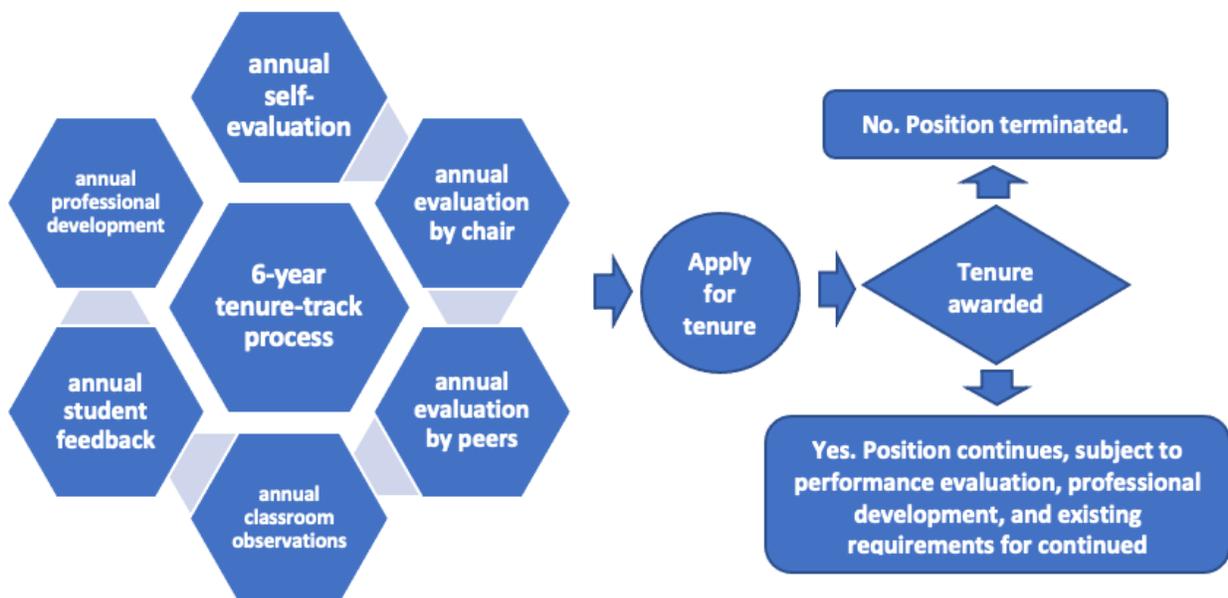
- an evaluation by faculty peers
- an evaluation by the chair
- the creation a development plan, which designs a program of professional development to be pursued during the following year.

Every full-time faculty member is evaluated annually in the above categories for the first six years of full-time employment and evaluated biennially after that. For the EFC's current review of the faculty performance evaluation system, we recommend framing annual faculty performance evaluations around progress toward the sixth-year tenure review for non-tenured faculty members, and continuing performance evaluation biennially for tenured faculty members. For non-tenured faculty members, annual faculty performance evaluations create a repeating cycle of improvement such that the key indicators of instructional design quality, instructional delivery, methods of assessment, and classroom management are tracked for improvement or lack thereof. These teaching competencies are the ingredients of faculty excellence that result in increased student success outcomes.

Outline of Faculty Evaluation Process



The process of tenure has a unique value to the institution and to the success of its students because, unlike any process in place for other employees, the probationary period for tenure-track faculty members incorporates a six-year period of review before a full commitment by the institution is made - and even after tenure is earned the processes of performance evaluation and professional development remain in place. An effective tenure model relies upon a robust faculty performance evaluation process, which is now in place and subject to ongoing review and improvement.



Faculty Development and Student Success

Like faculty performance evaluations, professional development for faculty members at the Alamo Colleges District has been greatly enhanced: The Alamo Board of Trustees charged the Chancellor with improvement in this area in 2016. As a result, a district-wide framework was established to support the creation and delivery of faculty development programs. This framework includes an 18-member Faculty Development Advisory Board, comprised of faculty and administrative representatives across the five colleges. The advisory board works with the district Faculty Development Office and five Faculty Fellows (one for each college) to offer a rich variety of development offerings that serves and enriches the diverse community of faculty across the district.

Faculty development has been calibrated to target essential faculty competencies that were established by faculty during college-wide and district-wide charrettes in Fall 2017.

The Seven Essential Faculty Competencies are:

1. Promoting an Atmosphere of Academic Success and Growth
2. Diversity, Equity, and Inclusion
3. Learning Outcomes-Centered Practices
4. Professionalism and Scholarship
5. Student Learning Assessment
6. Student-Centered Teaching and Learning Strategies
7. Technology and Systems Operations

Efforts to improve faculty development across the district earned the Alamo Colleges District a “Best Award” from the Association for Talent Development in 2020. A thorough explanation of the faculty development system and a complete list of professional development programming for faculty may be found in the [Faculty Development Brochure for 2021](#).

Effect of Enhanced Faculty Performance Evaluation and Development on Student Success

After the massive effort at the Alamo Colleges District to enhance faculty performance evaluations and faculty development as detailed above, we have seen improvement in student success metrics in the last 5 years. These include:

- An Increase in 3-Year FTIC Graduation Rates
 - An Increase in 4-Year FTIC Graduation Rates
 - An Increase in 6-Year FTIC Transfer Rates
 - Increase in PGR
 - Decrease in High Challenge Courses
- (Tom Cleary “Performance Update” Presentation to Board of Trustees – April 13, 2021)

Investing in the professional development of our faculty and accountability via faculty performance evaluations has moved the needle in the critical student success metrics listed

above, and earned the Alamo Colleges District numerous national accolades, including the “Rising Star” Aspen Prize for Community College Excellence at Palo Alto College in 2019, and the prestigious, highly coveted Malcolm Baldrige National Quality Award which was bestowed upon the entire Alamo Colleges District as a whole, also in 2019.

Though anecdotal, we might also look to peer institutions that have implemented tenure in a way that is specifically tied to faculty development and student success. Valencia College, another winner of the Aspen Prize for Community College Excellence, successfully implemented a tenure process that merged a robust faculty development program with the tenure process (see Valencia’s tenure model in the Landscape Analysis portion of this report starting on page 29). The result was increased faculty engagement and sustained demonstration and documentation of teaching excellence and student success.

“Building a Faculty Culture of Student Success,” published by the Aspen Institute’s College Excellence Program, states that the successful overhaul at Valencia was centered around “dual triggers”: student learning and faculty tenure. According to the piece, “Valencia achieved its culture in substantial part through a process of faculty development that other institutions can replicate. At its core is the Valencia tenure process, which is built around a system that requires faculty members to use data and experiment with their own teaching in ways that will improve student learning and supports them along the way.”

Like Valencia, as we continue to build on the improvements in Faculty Performance Evaluations and Faculty Development at the Alamo Colleges District, we can maximize our own gains by reimplementing tenure in order to support a faculty culture that holds Student Success paramount by investing in continual faculty improvement and accountability.

Principle-Centered Leadership: Academic Freedom, Shared Governance, and Equity-Mindedness

The Alamo Colleges District embraces the Stephen Covey philosophy of Principle-Centered Leadership (Covey, 1992) for its students, faculty, and administrators. This leadership style encourages individuals to exhibit the principles of integrity and honesty, which allows each person in the organization the opportunity to develop leadership skills and to serve as role models for each other. These principles of integrity and honesty are important to academic freedom and shared governance, both of which are essential components to the mission of our institution, to our commitment to equity, and to the continuance of our accreditation. Reinstating tenure will protect and promote both academic freedom and shared governance. Furthermore, it will align with the [Board of Trustees charge to the Chancellor](#) to support equity-mindedness. This is vital because academic freedom and shared governance are both equity issues (Bradley, 2004; Tinberg, 2009; Jafar et al. 2017).

Academic Freedom

Tenure can help to protect academic freedom by providing necessary job security for faculty. According to the AAUP, the academic tenure of faculty members protects academic freedom and ensures quality teaching provided by faculty (About the AAUP, n.d.). The AAUP recognizes that tenure not only protects the academic freedom of faculty members, it also supports student learning because faculty members are able to design curricula without feeling concerned about modifying information to avoid controversial issues (AAUP, Tenure, n.d.). For these reasons, tenure is a benefit to the community at large. Academic freedom, protected by tenure, is important to sustaining a culture of academic excellence, contributing to the growth and development of a free and literate population.

The definition of academic freedom in this context comes from the 1940 AAUP [Statement of Principles on Academic Freedom and Tenure](#), which serves as the foundation for the ACD Board policy [D.5.3 \(Policy\) Academic Freedom and Responsibilities](#):

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should: always be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not speaking for the institution.

Academic freedom is essential to the mission of the academy. Scholars should have freedom to teach or communicate ideas or facts, including those that are inconvenient or unpopular. Faculty members with tenure are empowered to robustly engage in discussions germane to their subject matter without fear that controversial subjects could result in offense, complaint, or disciplinary action, including removal. According to the AAUP, “Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning” (AAUP, 1940). At its center, then, academic freedom is a student success issue. Academic freedom, protected by tenure, ultimately benefits the student who seeks a full, robust, and diverse educational experience.

Controversies over academic freedom affect large numbers of faculty, administrators and students. These cases receive significant amounts of public attention (Lukianoff, 2014; O’Neil,

2015; also, see the [Foundation for Individual Freedom in Education \(FIRE\)](#)). While many of these high-profile cases involve tenured faculty, research suggests that a “silent self-censorship” exists among contract faculty members, who are most vulnerable to student complaints. Contract faculty, without the job security provided by tenure, may be avoidant of issues that could be inflammatory. These faculty members “may not feel free to teach rigorously, discuss controversial topics, make heavy reading assignments, or award low grades to those who earn them” (Bradley, 2004; Monnier, 2017). In such an environment, student success suffers because the rigor of instruction and exchange of ideas are compromised. This occurs not only at the individual faculty member level but also communally within the institution. Having more tenured professors results in more stability and the security to support academic freedom for *all* members of the academic community, including non-tenured and part-time instructors. Therefore, academic freedom is crucial to student success, and academic freedom is enhanced by a tenure system.

Shared Governance

In addition to promoting academic freedom, the existence of a tenure model can also promote active faculty participation in the shared governance because faculty members with tenure are more, not less likely to meaningfully participate in shared governance.

The definition and understanding of shared governance here is from the AAUP’s 1966 [Statement on Government of Colleges and Universities](#):

The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process. On these matters the power of review or final decision lodged in the governing board or delegated by it to the president should be exercised adversely only in exceptional circumstances, and for reasons communicated to the faculty. It is desirable that the faculty should, following such communication, have opportunity for further consideration and further transmittal of its views to the president or board. Budgets, personnel limitations, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set limits to realization of faculty advice (AAUP, 1966).

The shared governance model described above ensures that the employees who know the most about instruction and student success – faculty members– are included in decisions that directly affect instruction, students, and faculty members. An important tenet of shared governance is responsibility: for administration, it is the responsibility to engage stakeholders in good faith; for faculty members, the responsibility is engagement on issues that can be controversial, such as curriculum, faculty status, instructional delivery method, and faculty assignments.

Faculty members with the job security that tenure provides are more, not less, engaged in the shared governance concerning core issues of instruction. They feel secure in offering candid input and insight without fear of retaliatory action. Research supports this conclusion: Gasman

(2010) found that tenure “promotes shared governance by preventing administrators from dismissing faculty who disagree with them.” Likewise, Ruth & Bérubé (2015) concluded that an overreliance on non-tenure-track faculty “leads to the creation of fiefdoms and patronage systems.”

In conclusion, academic freedom, protected by tenure, is an important element of robust shared governance. In 1994, the AAUP released a statement titled [On the Relationship of Faculty Governance to Academic Freedom](#). In this statement the AAUP argued that, “sound governance practice and the exercise of academic freedom are closely connected, arguably inextricably linked.” Clearly, academic freedom and shared governance currently exist at the Alamo Colleges District. This report does not seek to make the argument that ACD lacks these two vital components. This report does argue, however, that academic freedom and shared governance are enhanced by the existence of tenure (AAUP, Tenure, n.d.).

Equity-Mindedness

The Board of Trustees of the Alamo Colleges District included “Support for Equity-Mindedness” in its [Charges to the Chancellor for 2019-2020](#). According to that Charge, equity-mindedness is defined as “a demonstrated awareness and willingness to address and resource equity issues among stakeholders- students, faculty, staff and partners/suppliers.” Furthermore, District Board Policy [F.6.5 Student Success: Equity](#) states “The Alamo Colleges District is committed to systemic transformation to make quality learning a shared priority.” Safeguarding academic freedom and shared governance, through tenure, is one way that the Alamo Colleges District could nurture this transformation because academic freedom and shared governance are integral to equity.

In order for faculty members to fully engage in the Alamo College District’s goal of “systemic transformation,” they need assurance that their academic freedom in the classroom is protected. In their research, Vélez and Curry (2020) conclude that, “without the rights of faculty to speak, research, and pursue diverse ideas, equity is not possible. Academic freedom allows faculty members to academically challenge racist ideology and structures in the context of their expertise.” The full protection of academic freedom that tenure provides is necessary as faculty members pursue equity-minded pedagogy and attempt to make their curriculum more inclusive. This is important to student success, as research suggests that students who feel their identities excluded from the curriculum struggle in the classroom (Nelson-Laird, 2014).

For many non-tenured faculty members, broaching controversial topics with students or assigning classroom materials that push back against dominant narratives without the protection of tenure is a risky endeavor. Indeed, according to the AAUP, “If faculty members can lose their positions for what they say in the classroom or for what they write in an article, they are unlikely to risk addressing controversial issues” (“Tenure”). Issues related to diversity, equity, and inclusion are perceived to be controversial, yet controversial issues and difficult conversations are the centerpiece of the college classroom. Nelson-Laird (2014) concluded that women and faculty of color are include more diversity in their curriculum, and receive lower student

evaluations; therefore, they are much more likely to need this protection of academic freedom.

In 2020, the Alamo Colleges District made a commitment to “align our faculty demographics with our student demographics and to elevate awareness of equity issues with faculty” (ACD, 2020). In accordance with this commitment, the five colleges in our district are striving to apply equity-mindedness to their hiring practices, with a goal of achieving a more diverse faculty population. As we pursue this goal, this growing body of diverse faculty members, who better reflect the racial and ethnic identities of our students—will not have the same protections of tenure as our less-diverse body of faculty who currently hold tenure. In practice, many of our future full-time faculty members from minoritized groups will not have the same level of protection and support for academic freedom and shared governance that tenure provides, yet they will be performing the same job as the more homogenous cadre before them. This will leave them in a second-class status among faculty. This is not only an equity problem for the Alamo Colleges District: national research shows that, for example, women of color are overrepresented in full-time, non-tenure-track positions (Harper et al., 2001; Richeau, 2019).

In Fall of 2019, the percentage of full-time, tenured faculty members who identified as “White” was larger than the percentage of full-time non-tenured faculty members who identified as “White.” That same semester, the percentages of full-time faculty members who identified as “Black or African American” and “Hispanic or Latino” was larger among full-time, non-tenured faculty members than it was among tenured faculty members. We also saw a significant increase in the population of “Asian” faculty members without tenure. Again, what this Fall 2019 demographic data suggests is that, as we apply more equity-mindedness in our hiring practices, and as we become more diverse in our full-time faculty population, these faculty members will not have the same protections of academic freedom and shared governance that tenure provides (Appendix II).

Ensuring academic freedom and shared governance, via tenure, is necessary to promoting equity, student success, and the “systemic transformation” sought by the Alamo Colleges District. In a recent AAUP publication, *Liberal Education*, Henry Reichman (2020), chair of the AAUP's Committee on Academic Freedom and Tenure, connected academic freedom to diversity, noting that without the protection of academic freedom, “diverse voices may be stifled.” Pointing to the 1940 joint *Statement of Principles on Academic Freedom and Tenure*, Reichman clarified that the purpose of academic freedom is not about individual professors or institutions, but rather the “common good” which depends upon the “free search for truth.” This search for truth “depends on the protection of diverse voices.” Indeed, academic freedom is a crucial aspect in educating students to be fair and conscientious citizens in an increasingly diverse world of people and perspectives. Threats to academic freedom are threats to freedom, equality, justice, and progress.

Academic Freedom, Shared Governance, and Accreditation Standards

As described above, tenure promotes academic freedom and shared governance, both of which are explicit components of the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) accreditation standards. According to Standard 6.4 in the [SACSCOC](#)

[*Resource Manual for the Principles of Accreditation*](#), “The institution publishes and implements appropriate policies and procedures for preserving and protecting academic freedom.”

Like academic freedom, shared governance is a requirement of the SACSCOC accrediting standards. According to Section 6 in the [*Handbook for Institutions Seeking Initial Accreditation*](#),

Qualified, effective faculty members are essential to carrying out the mission of the institution and ensuring the quality and integrity of its academic programs. The tradition of shared governance within American higher education recognizes the importance of both faculty and administrative involvement in the approval of educational programs. Because student learning is central to the institution’s mission and educational degrees, the faculty is responsible for directing the learning enterprise, including overseeing and coordinating educational programs to ensure that each contains essential curricular components, has appropriate content and pedagogy, and maintains discipline currency.

As outlined in a previous section, if tenure is not reimplemented, the percentage of faculty members with inhibited academic freedom and a suppressed stake in shared governance will continue to grow, impacting student success and adherence to SACSCOC accreditation standards at the Alamo Colleges District.

In conclusion, to reward the diligence, dedication, and excellence of our faculty members by reinstating the faculty tenure system would be a powerful demonstration of the Alamo Colleges District’s commitment to principle-centered leadership. Doing so would promote academic freedom and shared governance, elements that are critical to student success, to equity, and to fostering trust between faculty and administration. Furthermore, principle-centered leadership also helps to build trust in the workplace. Reinstating tenure could foster trust between administration and the faculty, by demonstrating dedication to fulfilling Strategic Objective II of “The Alamo Way” - “Provide opportunities for Alamo Colleges District students and employees to develop as leaders and collaborators” ([The Alamo Way](#)).

Due Process for Tenured and Non-Tenured Faculty Members

Tenure promotes performance excellence by extending a degree of trust that encourages long-term commitment, rather than precarious employment and perpetual job seeking. Faculty members who have a reasonable guarantee of continued employment are more likely to invest, engage, and serve the institution and community to which they feel a sense of belonging and mutual respect – a community in which they know they are valued.

In addition to Equal Opportunity Employment and non-discrimination protections, tenure is also a safeguard that protects teachers’ civil rights. It ensures good teachers cannot be fired for reasons of race, gender, age, religion, disability, or sexual orientation. It ensures that good teachers cannot be fired because of cronyism or local politics. It ensures they cannot be fired for pregnancy. Before tenure was in place at institutions of high education, educators frequently lost their jobs for arbitrary and politically motivated reasons, or for no reason at all.

However, the safeguards mentioned above do not shield tenured faculty members from dismissal. There is a commonly held belief that tenured faculty members cannot be fired. This is not true. The AAUP has identified the conditions by which and process whereby tenured faculty members may be subject to progressive discipline and dismissal (Euben, 2004). “Adequate cause” can include a range of reasoning for progressive discipline and dismissal, to include poor performance of job duties as well as egregious behavior. The persistent myths that, “a tenured professor cannot be fired” and “tenure equals lifetime job security” are untrue, and unfounded, and have always been so.

At the Alamo Colleges District, the district procedures for progressive discipline of tenured faculty members ([D.9.1.2](#)) and termination of tenured faculty members ([D.10.2.5](#)) both closely adhere to the AAUP guidelines (Euben, 2004). These procedures provide a pathway with due process to either resolution or faculty termination. The due process built into these procedures ensures fairness, protects a faculty member’s rights, and decreases the likelihood of protracted legal battles for the Alamo Colleges District, provided that the procedures are followed. If the identified process has been followed as defined in district procedure, tenured faculty members may be terminated immediately, or following a process of progressive discipline.

Due Process and Termination of Tenured versus Contract Faculty Members

There is a significant difference between a tenured faculty member and a contract faculty member at the Alamo Colleges District with regard to due process. Tenured faculty members possess protections that are not extended to those who are non-tenured and therefore on annual contracts that are not automatically renewed. The faculty contracts for tenured and non-tenured faculty are identical, as are the procedures for progressive discipline, suggesting that due process provisions are also identical. However, there is additional language and due process protection for tenured faculty members in Alamo Board Policy documents (See comparative Alamo Board policies in this link: [Termination Policies: D.10.2 \(Policy\) Separation from Employment](#)). The procedures for tenured and non-tenured faculty members in this section differ in two basic but fundamental areas: reasons for nonrenewal or termination, and subsequent processes of appeal.

In [D.10.2.3 - Nonrenewal: Non-Tenured Employees](#) the opening clause states (bolding added for emphasis):

Contracted employment does not create any entitlement to employment beyond the current term of the current contract. Renewal of a contract is not automatic. Nothing herein shall prevent the Board from deciding, by vote or by inaction, not to offer a term contract employee further employment with the College District beyond the current term of the current contract, **for any legal reason or for no reason.**

In contrast, [D.10.2.5 - Termination: Tenured Faculty](#) states (bolding added for emphasis):

A tenured faculty member relinquishes tenure upon separation from employment. **Faculty members with tenure appointments may be terminated for the following reasons:**

1. Discontinuance of a course of study or financial exigency after at least 12 months' written notice to the faculty member. If tenure appointment is terminated because of financial exigency or discontinuance of a course of study, the released faculty member's place shall not be filled by a replacement within a period of two academic years, unless the released faculty member has been offered reappointment to a college within the College District and has declined it.
2. Progressive discipline shall be practiced when possible for offenses not requiring immediate termination. Adequate cause for the dismissal of a faculty member with tenure shall include professional incompetence, moral turpitude, gross neglect of professional responsibilities, and sexual harassment subject to termination as defined in [H.1.2](#).
3. A tenured faculty member relinquishes tenure upon exceeding the duration of an authorized leave of absence. A tenured faculty member relinquishes tenure where he/she is not reinstated to his or her position, or to an alternate tenured position, at the conclusion of an approved leave of absence. Relinquishment of tenure results in automatic termination of employment.

In addition to the issue of “reasons” for nonrenewal or termination, the appeal process is markedly different. A non-tenured faculty member may file a grievance upon nonrenewal of a contract, and this grievance goes directly to the Chancellor. The Chancellor alone decides whether to act or, by non-action, let the nonrenewal stand.

In contrast, when a tenured faculty member is terminated and wishes to appeal the termination, a detailed process is in place that serves to both protect the institution from litigation – provided that the process is followed – and protects the due process rights of the tenured faculty member facing termination. This appeal process employs a committee pool of faculty and administrative representatives from across the colleges to hear and consider the facts related to the termination. Ultimately, the decision to uphold the termination or overturn it lies with the Alamo Colleges District Board of Trustees.

Comparing the two procedures above, it is clear that the due process rights afforded tenured faculty members who are terminated far exceeds the due process rights extended to non-tenured faculty members in the event of contract nonrenewal. Those without the institutional guarantee of due process may still pursue it in accordance with the 14th Amendment to the United States Constitution, and case law stemming from it (see Appendix III), but this will enmesh both parties in costly and time-consuming litigation. Litigation can also cause public relations problems. Granting tenure and due process within the institution decreases the likelihood that a terminated faculty member would immediately move the matter to litigation rather than appeal employment termination according to the termination process outlined in board policy.

We may conclude that although contracts are the same for tenured faculty members and non-tenured faculty members, due process rights are substantially different, based upon tenure status. Tenure does not prevent the Alamo Colleges District from terminating the employment of those who have violated the terms of their employment contract, but it does provide due process before such actions can be taken, thereby decreasing the chance of litigation.

Recommendations for a New Tenure at the Alamo Colleges District

This section will present recommendations and a model for lifting the suspension of tenure at Alamo Colleges District. These recommendations are built around the principle that the key features of the tenure system are part of any tenure model, but characteristics and implementation of these key features may vary.

Recommendation #1: The first six years of a faculty member's employment will be a probationary period. During that time, faculty members will receive annual faculty performance evaluations and faculty peer mentoring. The probationary period will also include a planned and guided "Pathway" for continual faculty improvement and growth in the "Seven Essential Faculty Competencies"

The probationary period is an important time for tenure-track faculty members to demonstrate their excellence in teaching and their commitment to the mission and culture of the college. To improve the probationary period, we recommend a model similar to Valencia College's, which includes both the opportunity for faculty members to demonstrate excellence in annual faculty performance evaluations and also the opportunity for the college to train and develop their faculty in ways that serve the college's goals and mission.

The probationary period currently described in ACD's board policy [D.2.5.5 \(Procedure\) Faculty Tenure Process](#) and that of El Paso CC follow a traditional approach that only uses annual performance evaluations to gauge performance excellence of probationary faculty members. The tenure-track, thus, is mostly about demonstration and lacks any learning goals or development track. We find more value in the Valencia model, which has a guided, detailed five-year track of development that involves a blend of individual learning objectives and trainings in developing the "Essential Competencies of a Valencia Educator."

For the Alamo Colleges District, elements of this development track during the probationary period should include the following:

- A) Faculty development during the probationary period should support faculty members in developing ACD's Seven Essential Faculty Competencies, as well as other ACD values.
- B) The probationary period should include the opportunity for peer mentoring, in which a tenured faculty member mentors a tenure-track faculty member during the probationary period. Research reveals the multiple benefits of faculty peer mentoring. These include the promotion of professional growth and career development; increased collegiality and collaboration across the institution; the fostering of a culture of caring, mutual respect, and trust; and finally, the mitigation of the damaging effects of microaggressions experienced by faculty of color (Savage et al., 2004; Ulery et al., 2004; Fountain & Newcomer, 2016; Louis et al., 2016). For both tenured faculty and tenure-track faculty peer mentoring, while encouraged, should be voluntary.

Below is an example model for year-by-year tenure-track activities at the Alamo Colleges

District during the proposed probationary period:

Tenure-track Year	Activities/Objectives for Fall Term	Activities/Objectives for Spring Term
1 st year	<ul style="list-style-type: none"> Orientation and Acclimation: Development Sessions ground new faculty in procedures and processes at the college and district Peer Mentor may be requested during first year or at any time in the probationary period 	<ul style="list-style-type: none"> Orientation and Acclimation: Development Sessions ground new faculty in procedures and processes at the college and district 1st year Performance Evaluation
2 nd Year	<ul style="list-style-type: none"> Instructional design training: could include Online Teaching certification 	<ul style="list-style-type: none"> Discipline specific Instructional design project 2nd year Performance Evaluation Instructors: If applying for promotion, prepare dossier for promotion application in the 3rd year Faculty Development plan for 3rd year
3 rd Year	<ul style="list-style-type: none"> Individualized Faculty Development Plan following Seven Essential Faculty Competencies Implementation of Instructional Design Project Faculty hired at Instructor rank: Apply for promotion to Assistant Professor 	<ul style="list-style-type: none"> Individualized Faculty Development Plan If faculty member applied for promotion, decision conferred 3rd Year Performance Evaluation/ Tenure Progress Review Assistant Professors: Prepare dossier for promotion application in the 4th year (if applying for promotion)
4 th Year	<ul style="list-style-type: none"> Address any deficiencies identified in 3rd year review (Peer mentor, if applicable) Individualized Faculty Development Plan Faculty hired at Assistant Professor rank: Apply for promotion to Associate Professor (if applicable) 	<ul style="list-style-type: none"> Individualized Faculty Development Plan 4th Year Performance Evaluation If faculty member applied for promotion, decision conferred
5 th Year	<ul style="list-style-type: none"> Individualized Faculty Development Plan Address any deficiencies identified in 4th year performance evaluation 	<ul style="list-style-type: none"> Individualized Faculty Development Plan 5th Year Performance Evaluation
6 th Year	<ul style="list-style-type: none"> Individualized Faculty Development Plan Apply for Tenure; Submit Tenure Dossier Last term of Peer Mentoring, if applicable 	<ul style="list-style-type: none"> Individualized Faculty Development Plan 6th year Performance Evaluation Tenure Decision Conferred

The above chart is only a model of what this development track might be, and if this recommendation is adopted a special task force involving faculty should be created to determine the exact contents of this development track during the probationary period.

After the probationary period:

- Faculty members will continue creating annual faculty development plans to strengthen the Seven Essential Faculty Competencies.

- Post-Tenure Review will consist of the biennial Faculty Performance Evaluations already in place among ACD tenured faculty members.

Recommendation #2: The criteria for ending the probationary period for faculty members will include competencies and evidence defined by the Alamo Colleges District.

Every tenure model includes the periodic evaluation of tenure-track faculty member while in the probationary period culminating with a decision whether to award tenure or not. Crucial to this decision is the criteria upon which faculty are evaluated. This committee recommends that the criteria for awarding tenure include criteria defined by the Alamo Colleges District, and we recommend these criteria should be:

1. Completion of annual Faculty Performance Evaluation with demonstrated instructional excellence and attention to improvement in the following areas:
 - a. Instructional Design and Delivery
 - b. Professional Growth
 - c. Service to the Institution
 - d. Service to the Discipline
2. Completion of faculty development pathway with successful demonstration of continual professional pursuit of improvement and excellence in the Seven Essential Faculty Competencies.

We recommend that criteria for tenure for Faculty Chairs should be established in consultation with the District Council of Chairs.

Recommendation #3: During the sixth year of the probationary period, faculty members will apply for tenure. The membership of each Tenure Review Committee will include faculty members from both the tenure candidate's discipline or department and faculty members from outside the department of the tenure candidate to reduce the possibility for internal department bias.

The Alamo Colleges District currently has an internal tenure review process. In this model, the main performance evaluation is done by an internal Tenure Review Committee at the discipline or department level that reviews the tenure packet and makes recommendations to the Department Chair and administration on whether to award tenure or not. This recommendation then is reviewed and approved or not by the Dean, Vice President of Academic Success, College President, the Chancellor, and eventually the Board of Trustees. The chief characteristic of this approach is that the main tenure review is done at the discipline (or department) level. ACD's board policy [D.2.5.5 \(Procedure\) Faculty Tenure Process](#) currently describes the membership and formation of departmental Tenure Review Committees this way:

By September 15 of each year, a Tenure Committee(s) shall be selected by faculty and

approved by the Dean/Vice President/President. A department Chairperson/Supervisor should not be a member of a committee. At least one member of each committee must be a tenured faculty member. The membership may (if desired) be the same as for the Promotion Committee(s).

For the Tenure Review Committee, inclusion of faculty members from a tenure candidate's own discipline or department is important and should be retained, but in order to decrease the possibility for internal bias on the part of department colleagues, we recommend that each departmental Tenure Review Committee should also include faculty membership from outside the tenure candidate's own department. Membership of each departmental Tenure Review Committee should be 5 full-time faculty members, and two members should be from the tenure candidate's own discipline or department. The other three faculty members should be from other departments. At the beginning of each academic year Department Chairs, with help from the college Academic Leadership team and in consultation with the faculty, will identify faculty members to serve in the Tenure Review Committee for each department. We recommend keeping the approval steps currently outlined in the ACD board policy: recommendations from the Tenure Review Committee go to the Department Chair, Dean, Vice President of Academic Success, College President, Chancellor, and finally the Board of Trustees.

In our landscape analysis, we found significant differences in tenure review models. Walla Walla has a single college-wide Tenure Review Committee that reviews candidates at key points in the tenure-track. Valencia has two levels of external review—the Individual Learning Plan/Portfolio Review Panel which is composed of discipline and college-wide faculty, and a Tenure Review Committee, a separate college-wide panel that evaluates all tenure-track faculty. At Valencia, recommendations from the Tenure Review Committee then go up to administration. El Paso Community College has three layers: essentially it has the internal performance evaluation of a Peer Review Committee whose recommendations are reviewed by administration. What is different for EPCC is that they also have a District Tenure Review committee that then reviews the recommendations coming from the Peer Review Committee and the administration.

Another key characteristic of these external tenure review committees is their membership. Members can include faculty, administration, and student representatives. For instance, Walla Walla's Tenure Review Committee has seven-members: four tenured faculty, two administrators, and one student. El Paso CC's Tenure Review Committee is comprised of an administrative liaison and all tenured faculty members representing both the arts and sciences and occupational education instructional areas. The final recommendation from the Tenure Committee then goes to the College President and Board of Trustees for approval.

Our recommendations are a middle ground between our current entirely internal departmental tenure review process and the Valencia model, which adds an extra external review step. After considering adding the extra step of an external tenure review committee, we asked ACD faculty for feedback. In the feedback from faculty members, we received extensive concerns that adding the extra step of the external tenure review committee would unnecessarily slow down the tenure review process and would be costly because the members of a college-wide Tenure Review Committee would require extra release time due to the workload. Also, there was a feeling that

an extra review step would be redundant if the review was done properly and thoroughly at the department level. We therefore arrived at the compromise of maintaining the departmental Tenure Review Committees but changing the membership to include faculty members from both inside and outside the candidate's department to decrease internal departmental bias.

Membership, as stated above, should be five full-time faculty members, and we agree with the current tenure ACD procedure that at least one member of the tenure review committee should be a tenured faculty member. We do not think Tenure Review Committees should include students. Also, while administrators can provide valuable insights, we do not recommend adding administrators to the voting membership of Tenure Review Committees, because administrative review will occur after the Tenure Review Committee and the Department Chair forward their recommendations to the Dean, Vice-President of Academic Success, College President and finally the Chancellor and Board of Trustees.

Recommendation #4: The current accountability system and procedures for faculty performance evaluations, progressive discipline, and termination of a tenured faculty member should be reviewed to make them more effective if accountability is needed.

We recommend that the faculty accountability procedures be examined to determine what is working well and where the process stalls in cases of poor performance or bad behavior. Further, opportunities for improving adherence to existing accountability procedures should be identified or revised, if needed.

Alamo Board policy [D.10.2.5 - Procedure – Termination: Tenured Faculty](#) provides clear reasons for termination and a process for termination and appeal. However, there are perceptions that this procedure is complex and cumbersome. Those perceptions could be alleviated by revising the procedure for clarity. For example, section 3 of the Termination Procedure begins with a one-sentence direction for assembling faculty committee hearing pools at each college, then proceeds with a two-and-a-half page description of how those pools may be assembled. To make the step-by-step process clearer and easier to follow, move the long description to another section and proceed to the next step. Additionally, an accompanying flow chart for the termination and progressive discipline procedures would greatly clarify the process and reduce ambiguity should the procedures need to be used.

Tenured faculty members can be terminated for “adequate cause”: “Adequate cause for the dismissal of a faculty member with tenure shall include professional incompetence, moral turpitude, gross neglect of professional responsibilities, and sexual harassment ([D.10.2.5 \(Procedure\) Termination: Tenured Faculty](#)). Currently at the Alamo Colleges District, we have a Progressive Discipline policy and procedure that set clear criteria for reprimand when issues of conduct arise. However, faculty performance factors in terms of what might constitute “professional incompetence” or “gross neglect of professional responsibilities” are not clear in our policies. The result is ambiguity in terms of applying standards of professional competence and responsibility when reprimanding or terminating a tenured faculty member.

Similarly, there is currently ambiguity with regard to the connection between Faculty

Improvement Plans initiated as part of Faculty Performance Evaluations, Progressive Discipline, and termination (for tenured faculty) or non-renewal of contract (for non-tenured faculty). There are Alamo Board policies and procedures for each of these, but they do not clearly reference each other in a way that allows for an obvious transition from one to another. For example, while “Failure to Meet Performance Expectations” is a reason for progressive discipline in Board policies [D.9.1.1](#) and [D.9.1.2](#), there is no reference to progressive discipline in Board Policy [D.7.1.2 - \(Procedure\) Faculty Performance Evaluation](#).

By evaluating our current procedures, concerns surrounding tenure and accountability can be addressed.

[Recommendation #5: The four recommendations above amount to a new tenure system for the Alamo Colleges District; the last recommendation is that this new tenure-track system should be implemented at all five Alamo Colleges.](#)

As this report has made clear, implementing a new tenure-track system is in the best interest of the Alamo Colleges District and its mission. In making this recommendation, the ad hoc committee affirms the reasons and principles supporting tenure:

1. Tenure is one of the instruments by which standards of excellence are maintained in the academic community.
2. Tenure provides significant protection for academic freedom. Academic freedom is essential for maintaining social and political freedom in a democracy.
3. Professors sometimes choose to discuss controversial issues. It is recognized that some individuals could be offended in the process. Tenure protects faculty from capricious and arbitrary retribution which might otherwise result from such controversy.
4. Tenure, applied wisely, gives dignity, recognition, and stability to worthy members of the profession.
5. Tenure is a positive and important factor in recruiting and retaining talented faculty.
6. Tenure empowers faculty to participate actively in shared governance to ensure academic values are protected.
7. The body of tenured faculty gives stability and continuity to an institution and inspires confidence, pride, and recognition of the institution within the community and provides accountability to external accrediting and funding agencies.

(Valencia College, “Award of Tenure”, 2018; AAUP “1940 Statement”; Hutchinson, 2018, p. 124; Hutchens and Fernandez, 2018; Chait, R.P., 2005; Rizvi, 2015; Bérubé, 2015; Kahlenberg, 2016)

The time is right to implement a new tenure-track system, as improvements to faculty performance evaluation and faculty development systems have satisfied the requirements for the reinstatement of tenure as stated by the Chancellor in 2017 (see Appendix IV).

Recommendations for Implementation of a New Tenure-Track System at the Alamo Colleges District

Model #1: Traditional Tenure and Tenure-Track Model of Automatic Annual Renewal

For this model, annual contracts for tenured faculty members would auto-renew each year – this is how contracts work for Alamo Colleges District faculty members tenured prior to the suspension of the tenure system in 2011.

New Faculty Hires:

- New full-time faculty members will be on year-to-year contracts for the first six years of employment. During this probationary period, tenure-track faculty members will receive annual performance evaluations and pursue professional development in support of progress toward meeting the requirements and criteria for tenure. New full-time faculty members are also encouraged to request a peer mentor. Should the need arise, progressive discipline and/or termination of employment would proceed according to board policies D.9.1.1 and D.10.2.3.
- In the sixth year of the probationary period, tenure-track faculty members will apply for tenure.
- If granted tenure, faculty members will shift to automatic renewal of year-to-year contracts. Evaluation and development will continue for tenured faculty members, and, should the need arise, progressive discipline and/or termination of employment would proceed according to board policy D.9.12 and D.10.2.5.
- If a faculty member's application for tenure is denied, the faculty member may choose to appeal the decision. If the appeal is unsuccessful the faculty member's contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.
- If a faculty member's application for tenure is denied and faculty member does not appeal, the faculty member's contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.

Faculty Members Currently Employed-

Faculty members Who Are Currently Tenured:

- Tenured faculty members retain tenured status and continue with the evaluation and development processes already in place. Should the need arise, progressive discipline and/or termination of employment would proceed according to board policies D.9.12 and D.10.2.5.
- Tenured faculty members will be asked to do peer mentoring for contract faculty members to assist in preparing tenure materials and support professional development.

Peer mentoring will be voluntary.

- Tenured faculty members could be designated by Human Resources “CT” to indicate continuing tenure from previous era as opposed to those applying in new era.

Full-time Faculty Members Hired Since 2011:

- Non-tenured full-time faculty members will shift to tenure-track status, and all years of full-time employment as ACD faculty members will count in their progress toward the sixth year. Years of credit will be assigned based on date of hire.
- For tenure-track faculty members, year-to-year non-automatic contracts will continue until tenure is awarded. For all tenure-track faculty members, progressive discipline and/or termination of employment would proceed according to board policies D.9.1.1 and D.10.2.3.
- Tenure-track faculty members who, at the end of the 2021-2022 academic year, have completed at least five years of employment as full-time ACD faculty members will be eligible to apply for tenure in Fall 2022.
- Tenure-track faculty members may request a peer mentor to assist in preparing tenure materials and support professional development.
- Tenure-track faculty members may choose to delay their tenure application for up to six years for the purpose of preparation of materials. These faculty members will remain on year-to-year contracts.
- If granted tenure upon application, faculty members will shift to automatic renewal of yearly contracts. Evaluation and development continue for tenured faculty, and, should the need arise, progressive discipline and/or termination of employment would proceed according to board policy D.9.1.2 and D.10.2.5.
- If a faculty member’s application for tenure is denied, the faculty member may choose to appeal the decision. If the appeal is unsuccessful the faculty member’s contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.
- If a faculty member’s application for tenure is denied and faculty member does not appeal, the faculty member’s contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.

Faculty Chairs:

- Tenure-track faculty members who are Department Chairs are eligible to apply for tenure. But because their job description and role are different from faculty members who are not Department Chairs, the criteria and timeline may differ. Details for how and when Faculty Chairs may apply for tenure should be developed in consultation with the District Council of Chairs.

Model #2: Multi-year Contract Model for Tenured and Tenure-Track Faculty Members

In this model, multi-year contracts are of a fixed duration during the probationary period, and then shift to “evergreen” after tenure is awarded. Nominally, a multi-year evergreen contract has a duration of more than one year, however, this type of contract *automatically renews each year* unless there are performance deficiencies in need of attention or other grounds for progressive discipline. This annual auto-renewal feature allows an evergreen multi-year contract model to satisfy the tenure definition of providing for continuous employment.

For example, if a faculty member signs an evergreen 2-year contract in Fall 2022, that 2-year contract would automatically renew in Fall 2023, Fall 2024, etc. – so that the faculty member is always in the first year of the 2-year contract unless a biennial faculty performance evaluation shows deficiencies or other grounds for progressive discipline. If deficiencies are identified and/or progressive discipline initiated, the contract would not automatically renew and the faculty member would proceed to the second year of the contract while an improvement plan or progressive discipline measures are in place to address the deficiencies or progressive discipline. If the deficiencies are remedied or progressive discipline resolved, the 2-year contract would again be renewed the following year. If the deficiencies are not remedied or progressive discipline moves toward termination, the faculty member’s contract would not be renewed and employment would end at the end of the academic year. While not a traditional tenure model, the feature of autorenewal allows this model to fall under the definition of tenure.

New Faculty Hires:

- For new full-time faculty members, employment during the probationary period will consist of two fixed 3-year contracts – the first initiated at the time of hire and the second executed upon satisfactory progress toward tenure criteria as demonstrated in annual faculty performance evaluations. Department Chairs will be responsible for recommending renewal of the 3-year contract during the third year of the probationary period. During the probationary period, tenure-track faculty members will receive annual performance evaluations and pursue professional development in support of progress toward meeting the requirements and criteria for tenure. Should the need arise, progressive discipline and/or termination of employment would proceed according to board policies D.9.1.1 and D.10.2.3.
- In the sixth year of the probationary period, tenure-track faculty members will apply for tenure.
- If granted tenure, faculty members will shift to “evergreen” 2-year contracts. That is, each year the 2-year contract would be automatically renewed unless a deficiency is identified by the Department Chair or progressive discipline has been initiated. Evaluation and development will continue for tenured faculty members. In the case of non-renewal of the 2-year contract, progressive discipline and/or termination of employment would proceed according to board policy D.9.12 and D.10.2.5.
- If a faculty member’s application for tenure is denied, the faculty member may choose to appeal the decision. If the appeal is unsuccessful the faculty member’s contract will not

be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.

- If a faculty member's application for tenure is denied and faculty member does not appeal, the faculty member's contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.

Faculty Members Currently Employed:

Faculty members Who Are Currently Tenured:

- Tenured faculty members retain tenured status and continue with the evaluation and development processes already in place.
- Faculty members tenured prior to the suspension of tenure will retain autorenewal of annual contracts and will not switch to evergreen multi-year contracts. Tenured faculty members could be designated by Human Resources "CT" to indicate continuing tenure from previous era as opposed to those applying in the new era.
- Should the need arise, progressive discipline and/or termination of employment would proceed according to board policies D.9.12 and D.10.2.5.
- Tenured faculty members will be asked to do peer mentoring for contract faculty members to assist in preparing tenure materials and support professional development. Peer mentoring will be voluntary.

Full-time Faculty members Hired Since 2011:

- Non-tenured full-time faculty members will shift to tenure-track status, and all years of full-time employment as ACD faculty members will count in their progress toward the sixth year. Years of credit will be assigned based on date of hire.
- For tenure-track faculty members, year-to-year non-automatic contracts will continue until tenure is awarded. For all tenure-track faculty members, progressive discipline and/or termination of employment would proceed according to board policies D.9.1.1 and D.10.2.3.
- Tenure-track faculty members who, at the end of the 2021-2022 academic year, have completed at least five years of employment as full-time ACD faculty members will be eligible to apply for tenure in Fall 2022.
- Tenure-track faculty members may request a peer mentor to assist in preparing tenure materials and support professional development.
- Tenure-track faculty members may choose to delay their tenure application for up to six years for the purpose of preparation of materials. These faculty members will remain on year-to-year contracts. **VPAS concern: Applying for tenure should not be mandatory – some faculty members who were hired with the understanding that the position was not tenure-track may wish to opt-out.**
- If granted tenure, faculty members will shift to "evergreen" 2-year contracts. That is,

each year the 2-year contract would be automatically renewed unless a deficiency is identified by the Department Chair or progressive discipline is initiated. Evaluation and development will continue for tenured faculty members. In the case of non-renewal of the 2-year contract, progressive discipline and/or termination of employment would proceed according to board policy D.9.12 and D.10.2.5.

- If a faculty member's application for tenure is denied, the faculty member may choose to appeal the decision. If the appeal is unsuccessful the faculty member's contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.
- If a faculty member's application for tenure is denied and faculty member does not appeal, the faculty member's contract will not be renewed and employment with the Alamo Colleges District will terminate upon completion of the Spring semester.

Faculty Chairs:

- Tenure-track faculty members who are Department Chairs are eligible to apply for tenure. But because their job description and role are different from faculty members who are not Department Chairs, the criteria and timeline may differ. Details for how and when Faculty Chairs may apply for tenure should be developed in consultation with the District Council of Chairs.

Proposed Timeline for Implementation

Once the implementation of a new tenure-track system at the Alamo Colleges District has been approved, we recommend that the 2021-2022 be a year of preparation and that the first cohort of new era tenure candidates apply in Fall 2022. Key benchmarks and tasks to be pursued in 2021-2022 include:

- Organize a district-wide Tenure Task Force to facilitate and troubleshoot the reimplementation of tenure
- Update policies and procedures that deal with tenure (see next section)
- Establish the specific list of tenure criteria and required artifacts, including faculty development plans based on the Seven Essential Faculty Competencies
- Establish voluntary peer mentoring process for tenure-track faculty members
- Develop communications regarding resumption of tenure process, including application, forming of Tenure Review Committees and tenure review chain
- Identify first cohort of tenure applicants and establish timeline for application

Tenure in the Alamo Colleges District Policies and Procedures

It is recommended that all policies and procedures that mention tenure be reviewed – with faculty input - for accuracy as a new tenure-track system is implemented. Board Policies that mention tenure include:

[D.2.2.1 Hiring Practices \(Procedure\) \(PDF\)](#)

[D.2.3.2 Faculty and Department Chair Positions \(Procedure\) \(PDF\)](#)

[D.2.5.1 Hiring Authority, Status, Assignments and Duties \(Procedure\) \(PDF\)](#)

[D.2.5.4 Full-Time Tenured and Tenure-track Faculty Relocation Between Colleges \(Procedure\) \(PDF\)](#)

[D.2.5.5 Faculty Tenure Process \(Procedure\) \(PDF\)](#)

[D.3.5 Academic Freedom and Responsibilities \(Policy\) \(PDF\)](#)

[D.5.3.1 Holidays, Leaves, and Absences \(Procedure\) \(PDF\)](#)

[D.5.4.1 Family and Medical Leave \(Procedure\) \(PDF\)](#)

[D.7.1.2 Faculty Performance Evaluations \(Procedure\) \(PDF\)](#)

[D.8.2.1 Promotion Process \(Procedure\) \(PDF\)](#)

[D.9.1.1 Progressive Discipline: Non-Tenured Employees \(Procedure\) \(PDF\)](#)

[D.9.1.2 Progressive Discipline: Tenured Faculty \(Procedure\) \(PDF\)](#)

[D.10.2.2 Termination During Contract Term: Non-Tenured Employees \(Procedure\) \(PDF\)](#)

[D.10.2.3 Nonrenewal: Non-Tenured Employees \(Procedure\) \(PDF\)](#)

[D.10.2.5 Termination: Tenured Faculty \(Procedure\) \(PDF\)](#)

Conclusion

The institution of tenure bolsters student success by ensuring faculty accountability and faculty performance excellence. At the Alamo Colleges District, the ingredients for tenure—systems for faculty performance evaluation and faculty development—have been greatly improved over the last five years. Additionally, while the diversity of our faculty increases, faculty members hired since 2011 and new faculty hires face less job security, greater vulnerability, and fewer due process protections than our less-diverse body of tenured faculty. It is time to address the inequity of our current system and implement a new tenure-track system for faculty at the Alamo Colleges District.

While the implementation of a new tenure-track system will mean a great deal to faculty, support

student success, and reaffirm the organization's commitment to Principle-Centered Leadership and Performance Excellence, it will not cost the Alamo Colleges District anything, since granting tenure to a faculty member does not entail an increase in salary.

Finally, implementation of a new tenure-track system will help the District support its vision to be the "best in the nation in Student Success and Performance Excellence" ([A.1.3 College District Vision, Mission, Values and Goals, 2021](#)) by attracting and recruiting high-quality faculty to our colleges. Tenure is an incentive for hiring, and according to Shulman et al. (2016), recruiting and retaining well-qualified faculty aids in the success of academic support and college services provided by the institution.

Appendix I: Executive Faculty Council Work Charge

Alamo Colleges District

Executive Faculty Council

<p>Name of Work Proposal</p> <p>Initiator</p> <p>Contact</p> <p>Date</p>	<p>Review and Reimplementation of Tenure-track System at the Alamo Colleges District</p> <p>United Faculty Senates</p>
<p>Background:</p> <p>In 2011, the Alamo Colleges District suspended the tenure-track system. Although faculty who possessed tenure at that time maintained their tenured status, all full-time faculty hired since 2011 have been non-tenure-track, contract employees. The result has been a number of problems, including:</p> <ul style="list-style-type: none"> · Full-time faculty are divided into a two-tiered (tenured/contract) system with inherent inequities. · The status of non-tenured, or probationary, faculty is ambiguous because the current wording of procedure (D.2.5.5) implies that all non-tenured faculty are in a permanent state of probation without any option or goal of acquiring permanent status within the five colleges. · The District is out of compliance with a range of board policies related to tenure (See Appendix I). · Contract faculty, who are on annual contracts, lack job security. · Perceived difficulty recruiting and retaining new faculty of the best quality <p>A review of our tenure-track system is important to the Alamo Colleges District because:</p> <ul style="list-style-type: none"> · Tenure provides a process for data-informed and peer-reviewed vetting, so that colleges retain only the best faculty members, ensuring excellence in teaching and service. Rigorous review of faculty directly impacts students and student success · Tenure supports the academic freedom of faculty in their primary roles of teaching and oversight over curriculum as well as their important role in shared governance to maintain the academic integrity of our institutions and compliance with SACSCOC accreditation standards. · The two-tiered system of tenured and probationary faculty is not aligned with the Alamo Colleges District’s goals of addressing equity, diversity, and inclusion. Current tenured faculty – all hired prior to 2011 - are less diverse than the makeup of the totality of our faculty, leaving minoritized populations including women and people of color effectively in a second-class status among faculty. (for breakdown of faculty by Racial/Ethnic group see Appendix II) <p>What has been done to address this issue?</p> <p>Since the suspension of tenure in 2011, faculty have developed systems for continual review and improvement of:</p> <ul style="list-style-type: none"> · Faculty Evaluations · Faculty Development · End-of-Course-Student Surveys 	

1. **Charge and Work Products** The primary charge is to make a recommendation regarding the tenure-track system at Alamo College. The components of this work include:
 - a. Data Deliverables
 - i. Best practices regarding tenure around the country among peer institutions
 - ii. Data showing how improvements to Faculty evaluation and development have contributed to improvements of student success metrics
 - iii. Data reflecting how lack of tenure has impacted recruitment and retention of quality faculty at the Alamo Colleges District (HR records)
 - iv. Statistical make-up of faculty by gender and race and how those numbers are different among tenured vs. non-tenure-track faculty hired after 2011. (HR records; for breakdown of faculty by Racial/Ethnic background see Appendix II)
 - b. On the Merits: Making the Case for Tenure
 - i. Define tenure for the Alamo Colleges District
 - ii. Answer the major questions surrounding tenure by assessing the benefits and liabilities of tenure and a tenure-track system for the Alamo Colleges District, including:
 1. How does tenure benefit our ultimate goal of Student Success?
 2. Myth versus fact: What legal barriers are created by the tenure system and the process for removal of tenured faculty?
 3. How does tenure impact faculty accountability, development, and evaluation?
 - c. The Path Forward
 - i. Based on the data and assessments detailed above, recommend changes to policies or procedures related to tenure.
 - ii. Develop outlines for any processes needed that result from the recommendations regarding tenure.
2. **Known Constraints, Criteria, or Design Principles:** See above under: On the Merits: Making the Case for Tenure
3. **Relevant Strategic Objectives:** All three Alamo Colleges District Strategic Objectives are served by this work.
 - a. Student Success: Having tenure-track faculty may enhance recruitment and retention of top-quality faculty by rewarding excellence in teaching and service. Student success is the result.
 - b. Principle-Centered Leadership:
 - i. Tenure is a well-established method among colleges and universities of telling a faculty member with a demonstrated record of excellence: “Good work – we believe in you and want you to continue teaching and serving our students.”

- ii. Studying the tenure system now would acknowledge the hard work that has gone into the transformational enhancement of faculty performance evaluation procedures and faculty development efforts since 2011.
 - iii. Tenure provides faculty with academic freedom and a shared governance stake in alignment with SASCOC accreditation standards and best practices in higher education across the nation.
 - c. Performance Excellence:
 - i. Tenure creates a process for only the best faculty to remain with a college. It is a reward for sustained commitment and promotes faculty engagement and excellence in teaching and service.
- 4. **Sponsors of the Work**¹
Linda Boyer-Owens
- 5. Internal Stakeholders or Resources
 - a. Full-time faculty from each college, including both tenured and contract faculty
 - b. College administrators who supervise faculty (College President, Deans, Chairs)
 - c. District legal representation
- 6. Preliminary List of Team Members – all voting members
 - a. Two Co-chairs from United Faculty Senates
 - b. Two Full-Time Faculty from each college: one tenured, one full-time contract
 - c. One Vice-Chancellor of Academic Success
 - d. One college Vice President of Academic Success
 - e. One college Faculty Chair
- 7. Deadline for Work Product
Spring/Summer 2021

¹ The role of the sponsor is to support the faculty by removing barriers, securing needed resources and providing an administrative lens to the considerations.

Appendix II: Statistics of Racial/Ethnic Groups – tenured vs. non-tenured Faculty at ACD as of Fall 2019

Alamo Colleges District

NON-TENURED FACULTY (including Faculty Chairs)

All Practitioners classified as Non-Tenured Faculty on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)		0.00%
Asian (Not Hispanic or Latino)	14	4.20%
Black or African American (Not Hispanic or Latino)	24	7.21%
Hispanic or Latino	119	35.74%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)		0.00%
Two or more races (Not Hispanic or Latino)	14	4.20%
White (Not Hispanic or Latino)	162	48.65%
Grand Total	333	100.00%

ADJUNCT FACULTY (Including Full-Time Temporary Faculty)

All Practitioners classified as Adjunct Faculty on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)	8	0.72%
Asian (Not Hispanic or Latino)	44	3.98%
Black or African American (Not Hispanic or Latino)	102	9.23%
Hispanic or Latino	392	35.48%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)	2	0.18%
Two or more races (Not Hispanic or Latino)	23	2.08%
White (Not Hispanic or Latino)	534	48.33%
Grand Total	1,105	100.00%

CLASSIFIED FULL-TIME STAFF

All Practitioners classified as Classified Staff on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)	4	0.54%
Asian (Not Hispanic or Latino)	9	1.22%
Black or African American (Not Hispanic or Latino)	51	6.94%
Hispanic or Latino	525	71.43%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)	1	0.14%
Two or more races (Not Hispanic or Latino)	9	1.22%
White (Not Hispanic or Latino)	136	18.50%
Grand Total	735	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
	0.00%		0.00%		0.00%		0.00%
13	4.44%	11	4.30%	7	3.10%	3	2.04%
25	8.53%	20	7.81%	17	7.52%	8	5.44%
110	37.54%	98	38.28%	87	38.50%	57	38.78%
	0.00%		0.00%		0.00%		0.00%
14	4.78%	13	5.08%	12	5.31%	13	8.84%
131	44.71%	114	44.53%	103	45.58%	66	44.90%
293	100.00%	256	100.00%	226	100.00%	147	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
8	0.71%	8	0.70%	8	0.72%	8	0.66%
37	3.29%	44	3.87%	43	3.87%	42	3.49%
97	8.62%	88	7.74%	86	7.75%	96	7.97%
382	33.96%	376	33.07%	364	32.79%	380	31.56%
1	0.09%	2	0.18%	1	0.09%	1	0.08%
19	1.69%	17	1.50%	14	1.26%	14	1.16%
581	51.64%	602	52.95%	594	53.51%	663	55.07%
1,125	100.00%	1,137	100.00%	1,110	100.00%	1,204	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
2	0.27%	2	0.27%	1	0.13%	1	0.13%
7	0.94%	8	1.08%	10	1.32%	9	1.20%
50	6.74%	47	6.36%	49	6.47%	45	6.02%
534	71.97%	543	73.48%	562	74.24%	566	75.77%
1	0.13%	1	0.14%	1	0.13%	1	0.13%
9	1.21%	7	0.95%	5	0.66%	6	0.80%
139	18.73%	131	17.73%	129	17.04%	119	15.93%
742	100.00%	739	100.00%	757	100.00%	747	100.00%

Alamo Colleges District

TOTAL EMPLOYMENT (Employee's Primary Job; excluding work study students)

All Administrators, Faculty, and Staff Employed on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)	22	0.47%
Asian (Not Hispanic or Latino)	121	2.56%
Black or African American (Not Hispanic or Latino)	423	8.95%
Hispanic or Latino	2,337	49.43%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)	6	0.13%
Two or more races (Not Hispanic or Latino)	138	2.92%
White (Not Hispanic or Latino)	1,681	35.55%
Grand Total	4,728	100.00%

ADMINISTRATORS (including non-faculty Chairs)

All Practitioners classified as Administrator on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)		0.00%
Asian (Not Hispanic or Latino)	3	3.95%
Black or African American (Not Hispanic or Latino)	13	17.11%
Hispanic or Latino	22	28.95%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)		0.00%
Two or more races (Not Hispanic or Latino)	2	2.63%
White (Not Hispanic or Latino)	36	47.37%
Grand Total	76	100.00%

TENURED FACULTY (including Faculty Chairs)

All Practitioners classified as Tenured Faculty on the first day of class, Fall 2019

Racial/Ethnic Group	Fall 2019 #	Fall 2019 % of all
American Indian or Alaska Native (Not Hispanic or Latino)	3	0.66%
Asian (Not Hispanic or Latino)	8	1.75%
Black or African American (Not Hispanic or Latino)	21	4.59%
Hispanic or Latino	153	33.41%
Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)	1	0.22%
Two or more races (Not Hispanic or Latino)	33	7.21%
White (Not Hispanic or Latino)	239	52.18%
Grand Total	458	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
20	0.42%	18	0.36%	19	0.39%	23	0.49%
107	2.27%	110	2.23%	115	2.39%	107	2.27%
406	8.60%	419	8.48%	404	8.38%	403	8.53%
2,346	49.70%	2,406	48.68%	2,351	48.77%	2,274	48.15%
4	0.08%	4	0.08%	3	0.06%	4	0.08%
127	2.69%	116	2.35%	102	2.12%	95	2.01%
1,710	36.23%	1,869	37.82%	1,827	37.90%	1,817	38.47%
4,720	100.00%	4,942	100.00%	4,821	100.00%	4,723	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
	0.00%		0.00%		0.00%		0.00%
3	4.23%		0.00%		0.00%		0.00%
11	15.49%	10	17.24%	8	14.04%	9	16.36%
20	28.17%	19	32.76%	18	31.58%	16	29.09%
	0.00%		0.00%		0.00%		0.00%
2	2.82%	1	1.72%	1	1.75%	1	1.82%
35	49.30%	28	48.28%	30	52.63%	29	52.73%
71	100.00%	58	100.00%	57	100.00%	55	100.00%

Fall 2018	Fall 2018	Fall 2017	Fall 2017	Fall 2016	Fall 2016	Fall 2015	Fall 2015
#	% of all						
3	0.62%	3	0.57%	3	0.53%	3	0.50%
9	1.85%	9	1.72%	12	2.11%	13	2.17%
25	5.13%	25	4.77%	28	4.91%	31	5.17%
165	33.88%	172	32.82%	182	31.93%	190	31.67%
1	0.21%	1	0.19%	1	0.18%	1	0.17%
33	6.78%	37	7.06%	37	6.49%	40	6.67%
251	51.54%	277	52.86%	307	53.86%	322	53.67%
487	100.00%	524	100.00%	570	100.00%	600	100.00%

Appendix III: Case Law - Faculty Termination and Due Process

Case Law: Example #1 – [Perry v. Sindermann](#)

In the absence of a state tenure statute, a teacher can still attain de facto tenure rights if the customs or circumstances of employment demonstrate that a teacher has a "legitimate claim of entitlement for job tenure." The United States Supreme Court recognized this right in the case of *Perry v. Sindermann*, which also held that where a teacher has attained de facto tenure, the teacher is entitled to due process prior to dismissal by the school district.

Summary of *Perry v Sindermann* - this was a 1972 case in a “junior college” - Supreme Court reversed a lower court decision and ruled in favor of the faculty member.

<https://supreme.justia.com/cases/federal/us/408/593/>

Case Law: Example #2 – [Cleveland Board of Education v. Loudermill](#)

The United States Supreme Court case of *Cleveland Board of Education v. Loudermill* is the leading case involving the question of what process is due under the Constitution. This case provides that a tenured teacher must be: (1) given oral or written notice of the dismissal and the charges against him or her, (2) given an explanation of the evidence obtained by the employer, and (3) given an opportunity for a fair and meaningful hearing.

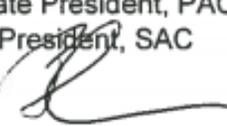
<https://supreme.justia.com/cases/federal/us/470/532/>



ALAMO
COLLEGES
DISTRICT

MEMORANDUM

TO: Cindy Katz, Faculty Senate President, SPG, Super Senate President
Dr. Brittany Chozinski, Faculty Senate President, NLC
Dr. Paul Martinez, Faculty Senate President, NVC
Matilda Staudt, Faculty Senate President, PAC
Julie Engel, Faculty Senate President, SAC

FROM: Dr. Bruce Leslie, Chancellor 

RE: **Request for Milestones to Tenure**

DATE: December 8, 2017

Thank you for your memo of November 17, 2017, presented to me at our Super Senate meeting on that day. The Board's charge to establish a new evaluation system with a unified faculty development program, designed to improve student success, is still, as you know, in the implementation phase this year. The Board's charge was to implement, as your memo states, "a robust faculty evaluation system." The Board also included a system-wide faculty development component and has invested specifically over the years to support the creation of this evaluation/development model as critical to supporting faculty, individually and collectively, to improve student success.

As appropriate, the faculty have driven the creation of this evaluation/faculty development model from the beginning and much progress has been made. However, the answer to your question as to when a robust system will be in place is determined by the faculty. Thus, once the faculty and administration agree that the evaluation/faculty development model is in place, and can validate to the Board that the intended impact is being realized, then you might make your reinstatement proposal.

As you know, the Board has established Student Success as our most important strategic objective. The Board's stipulation to create a new faculty evaluation/development model to improve student success in teaching and learning was one of the most important reasons for the Board's action to eliminate tenure. You understand, therefore, that a persuasive argument for reinstating tenure must show how tenure will, in fact, further enhance student success.

c: Board of Trustees
PVC

Appendix V: Landscape Analysis: Three Models of Tenure at Aspen Award Institutions

This appendix presents three models of tenure at comparable colleges. Our research has shown a key truth about tenure pointed out by Richard Chait in *The Questions of Tenure* (2002). While the “tenure system” and its components are mostly consistent across institutions of higher education, the practices of tenure vary: “Studies indicate that identical or similar policies yield to considerably different norms and interpretations when actually implemented” (310).

The following description of these models of tenure at Aspen Award-winning institutions will highlight key practices of tenure that characterize tenure at each institution. By comparison, these models may shed light on what the new, revived tenure practices can be at the Alamo Colleges District.

Model #1: Valencia College Tenure Model

The tenure system of the Alamo Colleges District and Valencia College (2011 Aspen Award winner) are similar, but Valencia has a very different process for enacting this tenure system. Valencia’s processes are aimed at developing, insuring, and maintaining faculty performance excellence in tenured faculty. The reward for this performance excellence in faculty is tenure; not maintaining this performance excellence can result in the loss of tenure.

The Five-Year Probationary Period is Like a PhD Program in Teaching

Tenure-track faculty at Valencia engage in a well-defined, five-year developmental program where they both develop and demonstrate their worthiness for tenure. Key components of this developmental program is the creation of a Faculty Portfolio, the submission and completion of an Individualized Learning Plan (ILP), and successfully demonstrating practice of the Essential Competencies of a Valencia Educator.

Below is an image showing the well-planned-out five-year curriculum of a tenure-track faculty member:

5-Year Tenure Process

	Fall Term	Spring Term	Summer Term		
Year 1	Acclimation <ul style="list-style-type: none"> Essential Competency Seminars & Roundtables Orientation to Valencia Learning-centered Teaching Workshops 	Acclimation <ul style="list-style-type: none"> EC Seminars & Roundtables Drafting: Analysis of My Practice (AMP) 	Submit <u>AMP</u> to Dean and TLA Beginning of April	<ul style="list-style-type: none"> ILP Development Faculty Learning Outcome (FLO) Development 	Spring/Summer Term – July 15 Dean submits Performance Benchmarks to HR
Year 2	Planning <ul style="list-style-type: none"> EC Seminars Individualized Learning Plan (ILP) Drafting & Refinement Submit draft of ILP to dean and TLA end of October 	Planning <ul style="list-style-type: none"> EC Seminars Prepare final ILP 	Submit <u>ILP</u> to Panel Beginning of February Reviews mid Feb – April	<ul style="list-style-type: none"> Begin Portfolio Development FLO Implementation (if possible) 	Spring/Summer Term – July 15 Dean submits Performance Benchmarks to HR
Year 3	Implementation <ul style="list-style-type: none"> FLO Implementation 	Drafting & Reflection <ul style="list-style-type: none"> FLO re-implementation (if applicable) Prepare Portfolio for submission 	Submit <u>Draft Portfolio</u> to Panel May – June*		Spring/Summer Term – July 15 Dean submits Performance Benchmarks to HR
Year 4	Refinement <ul style="list-style-type: none"> Portfolio Refinement Submit <u>Advanced Practice Plan</u> to Dean by the end of October 	Submission <ul style="list-style-type: none"> Submit <u>Final Portfolio</u> to Panel in January (first day of term) Begin Advanced Practice 		Advanced Practice Continues	Term – July 15 Dean submits Performance Benchmarks to HR
Year 5	Reflection <ul style="list-style-type: none"> Advanced Practice Continues Candidate submits <u>Advanced Practice Reflection</u> to Dean in December 	Tenure Decision <ul style="list-style-type: none"> Tenure Review Committee Meets February 		Tenure Recommendations go to DBOT in June	* April review may be necessary if a panelist is on a 6-6-0.

Valencia College provides equal opportunity for educational opportunities and employment to all. Contact the Office of Human Resources and Diversity for information.

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(Valencia College (2013), “5-Year Tenure Process”)

Essential to this process is the development of the Faculty Portfolio because it is the contents of the portfolio that will demonstrate performance excellence and be evaluated in the ultimate tenure decision.

The core contents of the Faculty Portfolio involve three Faculty Learning Outcomes (FLOs) as determined by their ILP. FLOs are major goals defined by tenure candidates in collaboration with their Dean of what they need to learn at this point in the development of their practice to improve student success. The graphic below shows an image of the contents of the portfolio as well as their connection to the seven Essential Competencies of a Valencia Educator:



The Seven Competencies of a Valencia Educator

- [Assessments](#)
- [Inclusion & Diversity](#)
- [Scholarship of Teaching & Learning](#)
- [Professional Commitment](#)
- [Outcomes-based Practice](#)
- [Learning-centered Teaching Strategies](#)
- [LifeMap](#)

(Valencia College, “Portfolio Overview”)

FLO #1 for all candidates is multi-semester Action Research Project where faculty engage in researching a classroom practice issue. This issue could be a persistent problem or area of concern they see in their class setting, a topic they would like to teach or present differently, or

an alternative method of assessment.

Cycle of Action Research



(Valencia College, “Elements of an Action Research Project”)

In addition to the Action Research Project, faculty must pursue two additional Faculty Learning Objectives which they report on in their Faculty Portfolio. Each FLO is assessed following [Valencia’s Standards of Scholarship](#), which involve clear goals, adequate preparation,

appropriate methods, significant results, reflective critique, and effective presentation. Throughout their work on their ILP, tenure-track faculty members take many professional development classes offered by the college and engage in their own scholarly research and reading. Below is a list of Year 1 Professional Development offerings faculty have to choose from:

- Faculty Orientation
- LCTS2224: Interactive Lecture
- Roundtable: Launching into the TLA
- LCTS 2111: Cooperative Learning in the College Classroom
- LCTS3160: 101 Strategies for Demonstrating the Essential Competencies
- Roundtable: Learning-centered Teaching
- INDV 7311: Creating a Safe Space for Dialogue
- LCTS 2222: Case-Based Teaching
- LCTS 2226: Write to Learn
- LCTS2214: Problem-based Learning
- LCTS 2223: Asking the Right Questions
- INDV 2151: Inclusion and Diversity
- Roundtable: Inclusion and Diversity
- ASSMT 2121: Assessment as a Tool for Learning
- Roundtable: Assessment
- Roundtable: Micro-teach Prep
- Roundtable: Micro-teach
- Analysis of My Practice: Peer Review
- LFMP 2141: LifeMap

Trainings are both designed to assist faculty in understanding the Essential Faculty Competencies as well as perform required tasks in the tenure process.

The Valencia tenure-track probationary period truly is like a PhD program in teaching with the Faculty Portfolio resembling the dissertation.

Criteria for Awarding Tenure

The Faculty Portfolio must show completion of the faculty member's Individualized Learning Plan and is assessed as "accepted" or "unaccepted" by an ILP/Portfolio Review Panel appointed by the Dean. The panel contains the Dean and three other tenured faculty members, two from the candidate's discipline, and is consistent over time (like a Dissertation Committee) and provides formative feedback as the candidate progresses through their tenure-track work on their ILP. The completion of the portfolio is a four-year process, with the fifth year focused on advanced practice and the tenure recommendations, to include modifications to the portfolio if recommended by the review panel.

A Tenure Review Panel evaluates whether to grant tenure or not to the candidate in the fifth year. Key criteria upon which the tenure decision is based include the following criteria:

- Completion of the Faculty Portfolio that is deemed “acceptable” by the ILP/Portfolio Review Panel
- Successful demonstration of the Essential Competencies of a Valencia Educator as evidenced by classroom observations, evaluations from Deans, Chairs, and faculty.
- Quantifiable measured effectiveness in the performance of faculty duties
- Currency and scope of subject matter knowledge
- Student success metrics to include:
 - o demonstrated or documented learning gains
 - o course completion rates
 - o graduation and/or certification pass rates
 - o continued process in subsequent and additional courses or educational pursuits
 - o job placements in the appropriate field
 - o other student success factors, including student learning outcomes, as measured through unit, course, and program outcomes
 - o successful term completion in good academic standing
 - o maintenance or restoration of good academic standing status
 - o maintenance or restoration of financial aid satisfactory academic status

Post-Tenure Review and Development at Valencia

Post-tenure faculty undergo annual faculty evaluation which includes fairly typical evaluation criteria, including criteria they were evaluated upon to get tenure. These include student success factors. The annual performance evaluation process includes a performance self-assessment prepared by the faculty member and an annual review of performance prepared by the Dean. The performance evaluation prepared by the dean addresses any performance and/or conduct issues, challenges, or concerns along with recommendations and any requirements for the resolution of such.

The annual performance evaluation, including the faculty member’s performance self-assessment, performance improvement plans, Essential Competencies Improvement Plans, and any other relevant documentation of faculty conduct and/or performance concerns is shared with the faculty member, the campus president, or the vice president of student affairs, as appropriate, and is collected, reviewed, and filed by Human Resources in the employee personnel record.

Accountability at Valencia—Disciplinary Action

Addressing Conduct Issues

Challenges or concerns with respect to conduct or performance of essential job functions (excluding demonstration of mastery of the Essential Competencies of a Valencia Educator) may be addressed in a performance improvement plan in addition to the annual evaluation process. Depending on the severity or nature of the performance or conduct issues or if improvement is not timely realized, other provisions of college policy/procedure may apply, which may lead to

or result in more serious employment action, up to and including termination (which is eligible to be reviewed through the college's grievance process).

Addressing Performance Issues

Issues, challenges, or concerns with respect to performance of the Essential Competencies of a Valencia Educator may be addressed in an Essential Competencies Improvement Plan, a developmental process designed to focus the faculty member's development in the area(s) of concern. If improvement is not realized, further provisions of college policy/procedure may apply, which may lead to more serious employment action, up to and including termination (which is eligible to be reviewed through the college's grievance process).

An Essential Competencies Improvement Plan Committee supports the faculty member in developing and implementing a year-long developmental plan to address gaps in demonstration of the essential competency(ies). This committee meets with the faculty member at the beginning of the academic term and before the annual performance review to assess the faculty member's work toward completion of the plan.

At the end of the period designated for the improvement plan, the dean may:

1. Accept the implementation of the plan as completed and close the plan.
2. If sufficient progress has been made but implementation of the plan is not accepted, the faculty member may be given an extended time to continue to work in the plan.
3. If sufficient progress has not been made by the faculty member toward achieving the plan goals, and the work of the faculty member on the Essential Competencies Improvement Plan is deemed unacceptable, the dean may proceed with formal disciplinary action.

Disciplinary Action

Disciplinary Action at Valencia may include but is not limited to:

- Written reprimand
- Suspension
- Demotion
- Return to Annual Contracts (for tenured faculty)
- Termination

Return to Annual Contract Status or Non-Renewal

Tenured faculty subject to disciplinary action may lose their tenure and be returned to annual contract status with no entitlement or expectancy of employment beyond the term of the contract.

Challenges to Discipline and Termination Recommendations

All employees follow the same Employee Dispute Resolution process. Valencia has an informal dispute resolution process and a formal dispute resolution process. For disputes not resolved informally, the formal dispute resolution provides two methods to resolve the conflict:

1. Mediation—informal and facilitated discussions to find mutually agreeable solutions.
2. Grievance—a review of circumstances by a committee of trained college representatives who render a recommendation (Grievance Committees members include a non-voting

Chair, and five members: three tenured faculty and two administrators).

Based upon the grievance committee recommendation, the campus President in consultation with their Vice-President of Organizational Development and Human Resources has the authority to accept or modify the recommendation. In the case of termination of a contract for employment, the grievant may appeal the final written decision to the College President. The College President's decision in the case of appeal is the final action of the College's grievance process.

Model #2: Tenure at Walla Walla Community College

The tenure process at Walla Walla Community College (WWCC - 2013 Aspen Award winner) has the standard features of the tenure system. The probationary period is shorter at nine consecutive quarters, exclusive of summer (equals three years). Below are some of the distinctive features of how they implement their tenure system which come from their 2019-2222 contract between the Community College District and the faculty ("Contract Between", 2019).

Tenure Review Committee

WWCC establishes a single tenure review committee for the entire college. What is distinctive about their model is the membership of their tenure review committee. The seven-member committee includes four tenured faculty (two from the transfer division - Arts and Sciences - and two from the workforce education division), two administrative appointees chosen by the college President, and one student selected by the Executive Committee of the Associated Student Body.

Tenure-track faculty are evaluated within their department/college the first and second quarters of each of their three probationary years. Also, the Tenure Review Committee evaluates each tenure-track faculty member after the second quarter, sending their evaluation to the college President to make a recommendation for reappointment or not. At the end of the probationary period, the Tenure Review Committee recommends for or against the awarding of tenure.

Criteria for Tenure Selection

Another distinct feature of their tenure model are the criteria used by the Tenure Review Committee to recommend tenure or non-tenure. They consider the following standards in determining whether the probationary appointee demonstrates the necessary professional behavior and professional competence to be granted tenure. A salient feature of the following criteria is the emphasis on relationships:

1. The probationer's instructional skills.
2. The probationer's relationship with students.
3. The probationer's relationship with the other employees.
4. The probationer's relationship with the administration.
5. The probationer's knowledge of the subject matter he/she is charged with teaching.

6. The probationer's professional development activities.
7. Any other relevant information received by the committee or which the probationary employee deems appropriate may be presented.

Professional Development Plans

Within the list of criteria for awarding tenure is another distinct feature of tenure (both for tenure-track faculty and tenured faculty): the requirement to do professional development. All faculty—probationary, tenured, and special-funding annual faculty—must develop and follow a Professional Development Plan that shows their commitment to professional improvement. The plans have a three-year compliance period in which faculty are required to complete a minimum of 60 hours of professional development.

While professional development at WWCC during the probationary period is not as thoroughly planned as it is at Valencia College, professional development during the probationary period is a crucial part of the tenure process.

Causes for Dismissal

Another feature that is interesting in the WWCC tenure model is the streamlined list of grounds considered sufficient cause for dismissal. These appear to apply to both faculty and staff. These grounds for dismissal include:

- A. Aiding, abetting or participating in an unlawful act.
- B. Failure in the performance of professional assignment.
- C. Failure to perform an assignment as specified by contract.
- D. Physical or mental inability to perform duties as required for professional faculty members.
- E. Failure to act appropriately within the ethical code of professional faculty as stated in the Faculty Handbook.
- F. Lay-off or reduction-in-force.

Also included is the elimination or reduction of financing or the elimination or reduction of a program.

WWCC also appears to have a more streamlined review process in the case of dismissal. They create a Dismissal Review Committee that considers cases for all employees (faculty and staff). The members include one administrator, three employees chosen by the employees acting in a body, and one full-time student. This Dismissal Review Committee holds a hearing and then makes a recommendation to the Board of Trustees.

Model #3: El Paso Community College Tenure Model

El Paso Community College (EPCC - 2015 Aspen Award finalist) has a similar tenure model to what the Alamo Colleges District had in the past. During the probationary period, faculty engage in their job duties without any additional requirement for creating a Faculty Portfolio (such as Valencia College's) or for certain professional development. The tenure candidate must demonstrate excellence and worthiness to receive tenure during his probationary period. The following information comes from their procedure 3.07.02.01 "Tenure Review and Recommendations" (El Paso Community College, 2020).

Definition of Tenure

El Paso Community College also has a clear definition of tenure:

"Tenure is assurance to a full-time faculty member who has served a full probationary period that he or she may expect to continue in his or her faculty position with the District unless adequate cause for dismissal is demonstrated" Board Policy 3.07.02, Faculty. Tenure is reserved for a probationary faculty member who has demonstrated his/her exemplary performance and service to the College. Tenure is worthy of respect and dignity and is under faculty purview"

Criteria for Tenure

The criteria for tenure include:

- A. Evidence of Exemplary Job Performance
- B. Evidence of Exemplary Full of Professional Responsibilities
- C. Evidence of Ongoing Professional Growth
- D. Evidence of Ongoing Professional Service to the Community/State/Nation

Tenure Review Committees and Process

Where El Paso Community College seems distinctive is in their model of Tenure Review Committees and the review process for granting tenure. Tenure review has three layers: the Peer Review Committee, the Administrative Supervisor, and the Tenure Review Committee.



Peer Review Committee

Each Tenure candidate at EPCC will be appointed a Peer Review Committee at the start of their second year, and it is this peer committee's job to review the tenure candidate's application materials and forward a recommendation regarding tenure to the candidate's appropriate

administrative supervisor. Peer Review Committee is a committee selected by the candidate and the candidate's administrative supervisor and is composed of at least three and no more than five tenured faculty. This peer review committee creates formal recommendations to the administrative supervisor during the candidates third and fifth years. At the third-year review, potential action plans to address deficiencies may be developed, necessitating a four-year review as well.

Administrative Assessment

As part of the annual performance evaluation of the tenure candidate, the administrative supervisor makes an overall assessment regarding the tenure candidate. This evaluation assessment may include several options, including the continuation of the candidate in a probationary status, the continuation of the candidate in a probationary status with the need for the candidate to address performance areas requiring improvement, non-renewal of the candidate, or other appropriate recommendation.

The administrative supervisor receives the third-year and fifth-year Tenure Portfolio recommendations from the Peer Review committee and develops his or her own recommendations. The administrative supervisor will forward his or her recommendation to the Tenure Committee during the candidate's fifth-year.

The Tenure Committee

The EPCC Tenure Committee consists of an administrative liaison, seven tenured instructors, one tenured librarian and one tenured counselor. The instructors will reflect a fair representation of both the arts and sciences and occupational education instructional areas.

Each member of the Tenure Committee individually reviews the tenure portfolio materials submitted by each candidate as well as the recommendations made by the Peer Review Committee and the Administrative Supervisor. Tenure Committee's recommendation for granting tenure or for recommending a sixth year will be made by a minimum two-thirds vote of the Committee's membership.

The final recommendation from the Tenure Committee then goes to the College President and Board of Trustees for approval.

Contents of Tenure Portfolio

The other interesting thing about the EPCC tenure model is the contents of the tenure portfolio. Although its contents are similar to what we have required in the past at the Alamo Colleges District, the sections on original course materials, new course development, and major revisions to established courses appear to highlight originality and innovation in faculty performance.

Comparison Chart of Models of Tenure

Roughly speaking, the tenure model has three core components:

1. The Probationary Period
2. Tenure Review and Tenure Decision
3. Accountability and Due Process for Tenure-track and Tenured Faculty

The chart below will roughly outline where the Alamo Colleges District and the three models of tenure fall in these areas. Seeing these models next to each other will help define the following recommendations:

	Alamo Colleges District	Valencia	Walla Walla	El Paso
Probationary Period	--6 years --annual faculty evaluation and review of progress --no particular professional development curriculum or track	--5 years --Extensive, planned faculty development track, creation of Faculty Portfolio --Annual review of progress by ILP/ Portfolio Review Panel --Faculty Portfolio due end of year 4 --5th year for advanced practice and tenure recommendations --Dean’s 2nd yr. and 5th yr. performance evaluation forwarded to Tenure Review Committee	--3 years --evaluation first and second quarters of each year by Dean/Director and peer(s), sent to President --required Faculty Learning and Improvement Plan --plans last for three years with a minimum of 60 hours of Professional Development required	--5 years --annual evaluation --Peer Review committee appointed start of 2 nd year --formal 3 rd year Peer Review Evaluation --can be put on improvement Plan of Action during probationary period --no particular faculty development plan or curriculum
Tenure Review/ Decision	--Departmental Tenure Committee reviews tenure packet and makes recommendation to Chair, to Dean, to VP, to President and to Board --Committee and review process same as for Promotion	--Tenure Review Committee makes final recommendation --one TRC per “division” on campus --criteria the Essential Competencies of a Valencia Educator (includes student success performance indicators)	--single Tenure Review Committee for college (7 members: 4 tenured faculty, 2 administrators, and 1 student) --reviews faculty evaluation at second and fifth quarter for reappointment the next year --makes final recommendation for tenure or not	--Peer Review committee evaluates and makes recommendation --Administrative review done by Supervisor and VP of Instruction --District Tenure Committee reviews tenure portfolio and recommendations and makes final recommendation to President of college

Accountability	<p>--Annual performance evaluation to Chair</p> <p>--4 step Progressive Discipline process, can lead to dismissal for cause</p> <p>--Faculty Improvement Plans for faculty with low student success rates, does not lead to formal discipline or potential dismissal.</p>	<p>--Annual performance evaluation pre- and post-tenure (includes student performance metrics)</p> <p>--Conduct issues addressed with in Performance Improvement Plan</p> <p>--Performance issues addressed by Essential Competencies Improvement Plan</p> <p>--ECIP Committee supports faculty in year-long development plan</p> <p>Insufficient progress in either type of plan may result in formal disciplinary action</p> <p>--Discipline can result in termination or a return to annual contracts for tenured faculty</p>	<p>-- Dismissal Review Committee (5 member: 1 administrator, 3 employees, 1 student)</p>	<p>--Annual performance evaluation during probationary period and biennial after</p> <p>--performance improvement Action Plans during probationary period if necessary</p> <p>--Dismissal or suspension of faculty for “adequate cause” (includes professional incompetence, but does not state student performance factors)</p>
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Comparison Chart of Criteria for Tenure

Two approaches exist for the criteria used to award tenure: demonstration of standard performance excellence criteria, or demonstration of standard performance excellence criteria that includes criteria tied to college-defined competencies. The table below illustrates the difference in these two types of criteria:

El Paso Community College Criteria for Tenure	Valencia College Criteria for Tenure
<ul style="list-style-type: none"> • Evidence of Exemplary Job Performance • Evidence of Exemplary Full of Professional Responsibilities • Evidence of Ongoing Professional Growth • Evidence of Ongoing Professional Service to the Community/State/Nation 	<ul style="list-style-type: none"> • Completion of the Faculty Portfolio that is deemed “acceptable” by the ILP/Portfolio Review Panel • Successful demonstration of the Essential Competencies of a Valencia Educator as evidenced by classroom observations, evaluations from Deans, Chairs, and faculty.
Walla Walla CC Criteria for Tenure	
<ul style="list-style-type: none"> • The probationer's instructional skills. • The probationer's relationship with students. • The probationer's relationship with the other employees. • The probationer's relationship with the administration. • The probationer's knowledge of the subject matter he/she is charged with teaching. • The probationer's professional development activities. • Any other relevant information received by the committee or which the probationary 	<ul style="list-style-type: none"> • Quantifiable measured effectiveness in the performance of faculty duties • Currency and scope of subject matter knowledge • Student success metrics to include: <ul style="list-style-type: none"> o demonstrated or documented learning gains o course completion rates o graduation and/or certification pass rates o continued process in subsequent and additional courses or educational pursuits o job placements in the appropriate field o other student success factors, including student learning outcomes, as measured through unit, course, and program outcomes

<p>employee deems appropriate may be presented.</p>	<ul style="list-style-type: none"> o successful term completion in good academic standing o maintenance or restoration of good academic standing status o maintenance or restoration of financial aid satisfactory academic status
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The key college-defined criteria in the Valencia Tenure Model include competencies coming from the tenure-track development activities (specifically, the Tenure Portfolio), college-defined Competencies for faculty (The Essential Competencies of a Valencia Educator), and student performance metrics which are valued by the college.

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