

ARTICLE 16
EVALUATION OF PROFESSIONAL COMPETENCE

16.§1 PURPOSE. Evaluation of professional competence as defined in articles 17. §3.1 and 18. §3.1 shall be used to identify and reward the capable faculty member and to improve the quality of the University. Periodic evaluation of professional competence and performance will be conducted, the results of which are to be used for the purposes of: (a) improving the quality of instruction and/or the quality of the other professional duties and services rendered; (b) identifying and rewarding individual meritorious performance; and (c) assisting those responsible for making personnel recommendations by providing regular, useful, reliable, and comparable data for comparable groups.

16.§2 ENHANCING INSTRUCTION AND OTHER PROFESSIONAL DUTIES AND SERVICES. Evaluation and mentoring are related means of enhancing teaching and professional services at the University. Departments and department chairs are encouraged to use a variety of techniques that will support quality teaching, including but not limited to: (a) the assignment of faculty mentors to new faculty; (b) the encouragement of faculty to attend workshops and/or work with the Office of Faculty Development, Extended University Programs, and Office of Information Technology; (c) the facilitation of arrangements for faculty to observe classes taught by experienced and successful teachers; and (d) the facilitation of classroom observations.

16.§3 EVALUATION OF PROFESSIONAL COMPETENCE FOR MAKING PERSONNEL RECOMMENDATIONS. The evaluation of professional competence should rely on multiple sources of evidence of competence. Faculty are encouraged to submit a variety of materials that demonstrate effectiveness in teaching and/or other professional duties and services (see 17.§3.1).

16.§3.1 *Student Evaluations*. Student rating data shall function primarily as a means to faculty self-improvement, but shall also function as one source of information regarding teaching effectiveness. Student ratings should not be the sole source of information about teaching effectiveness. It is the faculty member's responsibility to provide additional evidence of competence as suggested in 16.§3.2 and 16.§3.3.

16.§3.2 *Instructional Portfolio*. The faculty member is advised to develop a portfolio of teaching materials, which may include documentation of teaching that includes information about class size and level, number of undergraduate and/or graduate student advisees, student learning objectives and outcomes, syllabi or course outlines, lecture notes, assignments, other materials used in courses; materials that demonstrate student learning such as examples of student work or pertinent information about student performance, presentations at instructional conferences and/or professional development workshops, or other evidence the development of teaching skills and techniques, and other information about course content, goals and methodologies, as well as summarized student and peer evaluations. Materials representing out-of-class instructional work may also be included in this portfolio.

16.§3.3 *Teaching Observations.* The Administration and the Chapter agree that observations of teaching may provide valuable information for both the faculty member and administration.

16.§3.3.1 Pre-Tenure Observations. Faculty on probationary status shall have at least one observation per year by either a faculty colleague or an administrator. The probationary faculty member and his/her chair shall determine for each observation, by mutual agreement, who the observer shall be. If the faculty member and department chair are unable to reach agreement, the department personnel/tenure committee shall work with the faculty member and chair to facilitate the process. In the event that, after facilitation, there is still no agreement, the matter will be referred to the Director of Academic Labor Relations and the Chapter's Contract Administrator for resolution. The observer may be a department colleague, the department chair, or a faculty member or administrator outside of the faculty member's department, but within the institution. The date/time of each observation shall be determined, by mutual agreement, between the faculty member and his/her chair. There shall be no unscheduled observations.

16.§3.3.1.1 Additional Observations. Nothing in this Agreement shall prevent the faculty member from arranging additional teaching observations beyond the one required visit per year.

16.§3.3.1.2 Termination of Observations. After three (3) annual pre-tenure observations during the first three years of the probationary track, the faculty member and his/her chair may determine, by mutual agreement, that no further observations shall be necessary for the duration of the probationary period.

16.§3.3.2 Post-Probationary Observations. There shall be no *required* observations once a faculty member has been awarded tenure.

16.§3.3.3 Narrative Report. For each required observation, the observer shall prepare a brief, signed narrative report that shall be distributed only to the faculty member and his/her chair. The department chair shall schedule a conference with the faculty member to discuss the report. A copy of the report shall be entered into the faculty member's personnel file for use in tenure and promotion reviews. The faculty member shall have the right to append a response to the report at the time that it is entered into the personnel file.

16.§4 STUDENT RATINGS OF FACULTY. Student ratings shall be conducted in each class taught by a bargaining unit faculty member in at least one semester of each academic year (to be determined by the faculty member). Through their Department Policy Statements, departments may require that student ratings be conducted more frequently. The course instructor shall not be present during the completion of the student evaluation materials. The Administration and the Chapter agree to the use of one valid and reliable student rating instrument by all members of the bargaining unit. The Administration shall pay for all costs associated with the administration of student ratings, as well as for data analysis.

16.§4.1 Student Ratings Instrument. The Administration shall use a university-wide student rating system. The system, and the procedures and practices for the use of the system, shall be agreed upon by written mutual consent between the Administration and the Chapter. Until such written mutual consent is achieved, the current system, procedures, and practices shall continue unchanged. Faculty members and departments may choose to use additional evaluative tools. The Administration agrees to take the evidence on professional competence provided by such instruments into consideration in tenure and promotion reviews, as one of several sources of evidence of professional competence.

~~By January 15, 2018, the Administration shall provide the Chapter with a list of three to five (3-5) externally developed student ratings instruments that meet university and technical requirements. No later than March 15, 2018, the Chapter shall select an instrument from the list for implementation. The Chapter's selection will constitute written mutual consent. Unless otherwise agreed upon by the Administration and the Chapter, the selection connotes acceptance of the vendor's standard item template. If the Chapter chooses not to select a replacement instrument from the list, the existing system shall continue.~~

16.§4.2 *Handling of Student Rating Data.* Analyzed data shall be made available to department chairs in the form of summary scores for each course taught in their department, including the department, college, and university global items, as well as individual responses to each required item. At the college level, deans will have access to summary scores for each course taught in their college, including the department, college, and university global items. Summary student rating data shall be entered into the faculty member's personnel record and may be used by the appropriate reviewing bodies in performance reviews such as tenure and promotion in accordance with established department policy pertaining to response rate requirements. Neither individual nor aggregate evaluation data may be used to compare faculty to other faculty outside of their own departments for the purpose of tenure and promotion reviews.

16.§4.2.1 Faculty shall have access to both the individual student evaluation "forms" and the summary reports for each course or section that is evaluated.

16.§4.3 *Student Comments.* Student comments may provide valuable feedback to the instructor to assist in making improvements in instructional performance.

16.§4.3.1 Student comments included as part of each course's evaluation will be available solely to instructors and shall remain the sole property of the faculty member. Students shall be informed that the instructor will be allowed to see all student comments, following the submission of grades at the close of the semester/session.

16.§4.3.2 Bargaining unit members may choose to include student comments in

adjunctive files submitted for performance reviews (e.g., promotion, tenure). If the faculty member does submit comments, the full data set (e.g., all comments submitted for that course or course section) shall be included in the adjunctive file.

16.§4.4 *Unsubstantiated Comments.* The anonymity of students shall be preserved. Western shall not use unsubstantiated comments in personnel decisions.

16.§4.5 *Faculty Option.* In cases where evaluations are conducted in more than one semester, the bargaining unit faculty member shall have the option of submitting evaluation data from more than one semester or session for use in performance evaluations.

16.§5 ADDITIONAL EVALUATION OF FACULTY BY WESTERN. Western may evaluate the performance of bargaining-unit faculty at other times than those specified in this Agreement, if it needs additional information in order to make personnel decisions. Such evaluations shall reflect the principles and intent of evaluations described in the articles of this Agreement.

16.§6 TERM APPOINTMENTS. Only the professional competence and service of term faculty shall be evaluated unless the term faculty member requests an evaluation of professional recognition. Term faculty shall be evaluated annually, with the unit faculty review being completed by March 15 and the department chair review completed by April 1. Term faculty shall have reasonable notice regarding their employment status for the following academic year, and, when practicable, notice shall be given no later than the final day that classes meet during the spring semester.

16.§6.1 *Student Ratings.* Student ratings shall be conducted in all class sections taught at Western in a given semester and/or session. Term appointees may, in either semester, use instrumentation additional to standardized student rating form.

16.§6.2 *Teaching Observations.* During the first semester of a term appointment, an observation shall occur for the purpose of professional improvement. During the second semester of a term appointment, an observation may occur at the discretion of the chair, the results of which are to be considered by the Administration in determining subsequent appointment.

16.§6.2.1 For term appointees, the department chair (or his/her designee) shall determine who shall conduct the observation. The time/date of the observation shall be mutually agreed to by the term appointee and the department chair (or his/her designee).

~~16.§7 EXTENDED UNIVERSITY PROGRAMS. Bargaining unit faculty who teach in Extended University Programs shall be evaluated using the same student rating instrument and evaluation procedures as those specified above for faculty teaching on the main campus.~~

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16. ~~§8-7~~ EVALUATION OF OTHER PROFESSIONAL DUTIES AND SERVICES FOR MAKING PERSONNEL RECOMMENDATIONS. Competence in performance of other professional duties appropriate to certain units is a necessity for faculty whose primary assignment is not classroom teaching. The use of data in the evaluations of these faculty shall be handled in the same manner as student rating data and classroom evaluations.

16. ~~§8-7.1~~ *Evaluation of Professional Competence.* The evaluation of professional competence may include, but is not limited to: indicators of student and/or client satisfaction and/or engagement data; observed or documented student and/or client outcomes; assessment of student and/or client achievement of performance objectives; or observation of strategies used in the performance of professional duties (see also 17. §3.1). The faculty member is advised to develop a portfolio of materials that document professional competence in the primary area of responsibility.

16. ~~§98~~ WESTERN'S OBLIGATION. In making personnel decisions, Western agrees to consider carefully all valid, reliable evidence of professional competence, including professional competence portfolios, observations reports, student ratings, peer evaluations if provided, and any other evidence provided by the faculty member.

Tentative Agreement

WMU: _____ *Kang Min Lee*

WMU-AAUP: _____ *Whitney DeLap*

Date: _____ May 20, 2021

Date: _____ 2021-05-20