

**MEMORANDUM OF UNDERSTANDING
BETWEEN
DELTA COLLEGE AND DELTA COLLEGE FACULTY ASSOCIATION, MEA/NEA
ON
SENATE POLICY 3.010: STANDARDS AND PROCEDURES FOR PROMOTION AND
TENURE (FACULTY HIRED BEFORE SEPTEMBER 1, 2012)**

This Memorandum of Understanding (“MOU”) is entered into between and among Delta College (“College”) and the Delta College Faculty Association, MEA/NEA (“Association”) (individually, a “Party” and collectively, the “Parties”). The Parties hereby agree to adopt the following Senate Policy 3.010 – applicable to faculty hired before September 1, 2012 – and agree that this policy will supersede any policies or practices inconsistent with this policy, understanding that this policy is subject to further negotiation during collective bargaining and that this MOU cannot be changed unless by a written agreement signed by an authorized representative of each Party:

**3.010 STANDARDS AND PROCEDURES FOR PROMOTION AND TENURE
Procedure for Promotion and Tenure. Only for candidates participating during the 2019-2020 Academic Year, or until a contract is established through labor negotiations.**

I. Promotion

A. The Purpose of Promotion:

1. The purpose of promotion is to encourage and reward effective teaching plus professional achievement, educational growth, and productive activity for the College other than instruction.
2. Since the purpose of promotion is different from tenure, qualification for promotion does not imply qualification for tenure, nor does qualification for tenure imply qualification for promotion.

B. Eligibility:

1. All Faculty members with one-year or tenure-track appointments are eligible for promotion. Although it is not sufficient reason to promote, length of service is a general qualification for promotion; and each individual is expected to serve a minimum number of years in each rank. If the majority of one's load involves released time, the promotion criteria listed below may be adjusted to reflect the priorities of the job.
2. Accelerated promotion may be given where there is evidence of special value to the College as demonstrated by outstanding achievement.

C. Minimum qualifications for promotion from Instructor to Assistant Professor:

1. Three years at Delta College at the rank of Instructor.
2. Internal evidence that the individual:
 - a. Is making suitable progress in (1), (2), and (3) or is making exceptional progress in (1) and suitable in either (2) or (3):
 - (1) Teaching effectiveness.
 - (2) Educational growth and professional growth.
 - (3) Productive activity for the College other than instruction.
 - b. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the development trend under "a." above will persist.

D. Minimum qualifications for promotion from Assistant Professor to Associate Professor:

1. Five years of college Faculty status, at least three of which have been at Delta College as an Assistant Professor.
2. Accumulated internal evidence that the individual:
 - a. Has performed effectively over a sustained period as an Assistant Professor.
 - b. Has demonstrated his or her ability in relation to (1), (2) and (3), or has demonstrated exceptional progress in (1) and (2) or (1) and (3):
 - (1) Teaching effectiveness.
 - (2) Educational growth and professional growth.
 - (3) Productive activity for the College other than instruction.
3. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the developmental trends under "b." above will persist.

E. Minimum qualifications for promotion from Associate Professor to Full Professor:

1. Ten years of college Faculty status, at least five of which have been at Delta College as an Associate Professor.

2. Accumulated internal evidence that the individual:
 - a. Has performed effectively over a sustained period as an Associate Professor.
 - b. Has demonstrated ability in (1), (2), and (3) and also has established excellence in (1) and (2) or (1) and (3):
 - (1) Teaching effectiveness.
 - (2) Educational and professional growth.
 - (3) Productive activity for the College other than instruction.
 - c. Has demonstrated leadership.
 - d. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the developmental trends under "b." and "c." above will persist.

F. Procedure for Promotion:

NOTE: Throughout this promotion procedure, only those Faculty who have completed one year of full-time status at Delta College will participate in the evaluation process. In computing any time limit specified under this procedure, Saturdays, Sundays, official College closings, and holidays will be excluded. Paragraphs A through M below apply only to candidates being considered for Promotion/Tenure during the 2019-2020 Academic Year, or until a contract is established through labor negotiations.

1. For candidates participating during the 2019-2020 Academic Year: Faculty members who decide they would like to be considered for promotion will consult with their division chair. (It is recommended this should be done by the tenth (10th) week of the Winter semester preceding the year in which the candidate wishes to be considered.) The division chair will advise the candidate in preparing the necessary data. (When the candidate is a division chair, the appropriate academic dean or appointed representative will substitute for the division chair in this procedure.)

For candidates participating during subsequent years prior to establishment of a negotiated contract: Faculty members who decide they would like to be considered for promotion will consult with their division associate dean. (It is recommended this should be done by the tenth (10th) week of the Winter semester preceding the year in which the candidate wishes to be considered.) The division associate dean will advise the candidate in preparing the necessary data.

2. The candidate will use a peer review committee.
3. The division associate dean will arrange and chair a meeting or meetings of the division Faculty to consider each individual. Within one week after the conclusion of the divisional process, a Faculty recommendation will be determined by a vote of the division Faculty. A positive recommendation will require at least a two-thirds majority of those Faculty casting positive and negative votes; otherwise the recommendation will be negative. Candidates will be permitted to vote on all candidates from their division excluding themselves.

The candidate will be notified in writing of the decision. This statement will be prepared by the division associate dean. The division associate dean will summarize, in writing, the division's explanations for or against promotion in an objective and constructive form. This summary will be given to the faculty member concerned.

4. Candidates who feel that the division's explanations provided in the summary (in 3) are not based on a fair consideration of all relevant factors may, within ten days from the date of notification, submit a written appeal to the division associate dean. The division associate dean and division faculty will arrange to meet with the individual to reconsider their recommendation on the basis of information contained in the appeal. The decision by division faculty will be conveyed to the individual within ten days from the date of appeal. Reasons supporting the recommendation will be furnished in writing at the candidate's request by the faculty.
5. Upon receipt of the division's recommendation of the faculty, the division associate dean will review and submit the list of candidates to the appropriate academic dean with the division's written recommendation on each individual. Each candidate will receive a copy of the division associate dean's summary regarding his or her candidacy.
6. The Chief Academic Officer will convene division associate deans for the purpose of reviewing the divisions' recommendations. The peer committee chair will be present for and participate in the presentation and discussion of the candidate(s) they are representing. The division associate dean will present the division's recommendation and summary on each of these candidates to the Dean of Teaching and Learning. Candidates who feel the information presented by the division associate dean is not based on a fair consideration of all relevant factors may submit a written appeal of the recommendation to the division associate deans. The appeal will be conducted in accordance with procedures established by the Academic Services Office in conjunction with the Office of Human Resources, and must be completed prior to any action on the promotion/tenure packet by the Dean of Teaching and Learning.

7. Upon receipt of all recommendations, the Dean of Teaching and Learning will review and submit the list of candidates to the chief academic officer with a recommendation on each candidate.
 8. Upon receipt of the list of recommendations, the chief academic officer will review the list and add recommendations on each individual to those of the appropriate academic dean and submit the list of candidates to the College President.
 9. The President may delay a submission of a candidate's name for further review and the acquisition of supportive data. However, the chief academic officer, appropriate dean, appropriate division associate dean, and the candidate will be notified about the delay. The delay and reasons will be communicated to the Faculty, if agreeable to the individual. The period of delay will last no longer than the end of the College's current spring session. If the President has not presented a recommendation (support or reversal) by the end of the current spring session, the candidacy is not supported; and the President will inform affected personnel.
 10. The College President will submit the list of candidates to the Board of Trustees for information purposes.
 11. The individual or office intending to make a recommendation which represents the first reversal of the Faculty recommendation will communicate the reasons to the individual affected and, if agreeable to the individual, to the Faculty. Following such communications, the candidate, and if applicable, the Faculty, will be afforded opportunities for further transmittal of their views before the recommendation is forwarded to the next level.
 12. The candidate and the faculty will be advised as to the action taken by the College President. The reasons for final decisions by the College President which do not concur with the recommendation of the Chief Academic Officer will be communicated in writing through appropriate channels to the candidate; if applicable, the faculty will be afforded opportunities for further transmittal of views. Requests for further transmittal of view must be received by the College President within 10 days of receipt by the candidate.
 13. Grievances based on alleged violations of this procedure may be pursued through the Senate Grievance Procedure.
- G. Any Delta administrator who attained tenure while appointed to the Faculty at Delta College will retain the highest rank attained in the event that person wished to return to the full-time teaching appointment.

II. Tenure

This section does not apply, as there are no faculty employed at the college, hired prior to September 1, 2012 who have not attained tenure.

A. The Purpose of Tenure:

1. The purpose of tenure is to protect academic freedom and protect against capricious dismissal.

2. Tenure is understood to mean continuous employment of a Faculty member with termination of teaching service only for adequate cause as defined under the sections on Suspension and Termination of Tenure Faculty.

III. Guidelines for Promotion and Tenure:

Each division will have written, dated guidelines in the Senate Office within one year of the date this policy is approved by the Board of Trustees. These guidelines will be approved by a majority of the members in each division.

(I. B. Revised) Board Action 4304 – May 14, 2002
(I.F.6. Revised) Board Action 3945 – November 11, 1997
Board Action 3622 – May 9, 1995
Board Action 2489 – February 11, 1986
Board Action 2051 – January 12, 1982

Delta College	<u>Jean Gordon</u>	Date <u>6-26-19</u>
Michigan Education Association	<u>John D. Stup</u>	Date <u>6-14-19</u>
Faculty Executive Committee Co-Chair	<u>David Clark</u>	Date <u>06/19/19</u>
Faculty Executive Committee Co-Chair	<u>Daisy McCurt</u>	Date <u>6/19/19</u>