

**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 ON OR AFTER 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 on or after 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 and Tenure

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.

B. The Purpose of Tenure: Tenure track appointments are full-time positions by which the faculty member enters into a relationship with the college that implies a higher level of commitment from both parties. The purpose of tenure is to protect academic freedom and protect against capricious dismissal.

1. Tenure is understood to mean continuous employment of a faculty member with termination of teaching service only for
 - a. Just cause as defined under the section on Progressive Discipline of Faculty for Reasons other than Teaching Effectiveness (See Senate Policy 3.021 Progressive Discipline for Faculty).
 - b. Financial reasons under Release of Faculty for Financial Exigency (See Senate Policy 3.022 Resignation).

- c. Lack of teaching effectiveness under Termination of Employment and Appeal of Termination for Tenured Faculty (See Senate Policy 3.062 Termination of Employment).

II. Eligibility for Promotion and Tenure

A. Eligibility for Promotion:

1. All faculty members with non-temporary full-time 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.
2. 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.
3. Accelerated promotion may be considered when there is evidence of special value to the College as demonstrated by outstanding achievement.

B. Eligibility for Tenure:

1. All faculty members on tenure-track appointments are eligible for tenure.
2. Eight years is generally the maximum amount of time for a faculty member in a tenure-track position to obtain tenure. Prior to the end of the seventh year, a non-tenured faculty member will either:
 - a. Receive written notice that his or her appointment will terminate at the end of the eighth year if tenure is not attained, or
 - b. Receive an extended trial period under limited extenuating circumstances which must be approved by the College President. If an extended trial period is to be granted, the conditions of the extended trial period will be specified in writing by the immediate supervisor in conjunction with the Academic Office, approved by the College President, and a copy given to the non-tenured faculty member concerned as well as the official faculty file in the Human Resources Office.
3. All years in a tenure-track faculty position will be included in the eight years maximum time allowed.

III. Qualifications for Promotion and Tenure

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

1. Four academic years at Delta College at the rank of Instructor attained by the effective date for promotion.
 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. Has provided reasonable instructional assistance to course participants outside of regular class hours.
 - c. Meets administrative requirements as specified in the Senate Handbook.
 - d. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the development trend under "a-c." above will persist.
- B. Minimum Qualification for Tenure and Promotion from Assistant to Associate Professor:
1. Completion of six years of full-time college faculty status, at least two of which have been at Delta College as an Assistant Professor, attained by the effective date for promotion/tenure. Thus, the earliest tenure and promotion to Associate Professor would normally be granted is the beginning of the seventh year. Exceptions must originate by a two-thirds vote of the relevant division.
 2. Accumulated internal evidence that the individual:
 - a. Has performed effectively over a sustained period as an Assistant Professor.
 - b. Possesses the necessary minimum relevant academic or other experience, as specified in writing for each non-tenured continuing appointment faculty position.
 - c. 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 in student learning and student attitudes toward the subject matter and instruction.
 - (2) Educational growth and professional growth relevant to teaching responsibilities.

(3) Productive activity for the College other than instruction.

- d. Has provided reasonable instructional assistance to course participants outside of regular class hours.
- e. Works effectively and respectfully with fellow employees to further the success of students and the institution.
- f. Provides recommendations when requested or required by policy related to faculty appointments, reappointments, promotions, tenure, and dismissals selection as specified in the Senate Handbook.
- g. Meets administrative requirements as specified in the Senate Handbook.
- h. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the development trend under "a-g" above will persist.

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

- 1. Ten years of full-time college faculty status, at least five of which have been at Delta College as an Associate Professor, attained by the effective date for promotion.
- 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 in student learning and student attitudes toward the subject matter and instruction.
 - (2) Educational growth and professional growth relevant to teaching responsibilities.
 - (3) Productive activity for the College other than instruction.
 - c. Has demonstrated leadership.
 - d. Has provided reasonable instructional assistance to course participants outside of regular class hours.

- e. Works effectively and respectfully with fellow employees to further the success of students and the institution.
- f. Provides recommendations when requested or required by policy related to faculty appointments, reappointments, promotions, tenure, and dismissals as specified in the Senate Handbook.
- g. Meets administrative requirements as specified in the Senate Handbook.
- h. Is making suitable progress, in a consistent and sustained manner, to warrant the probable assumption that in the future the developmental trends under “a-g” above will persist.

IV. Procedure for Promotion and Tenure:

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. Only tenured faculty will participate in the evaluation process for tenure decisions.

- A. For candidates participating during the 2019-2020 Academic Year: Faculty members who decide they would like to be considered for promotion and/or tenure will consult with their division chair. (It is recommended this should be done by the tenth week of the fall 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 any subsequent years prior to establishment of a negotiated contract: Faculty members who decide they would like to be considered for promotion and/or tenure will consult with their division associate dean. (It is recommended this should be done by the tenth week of the fall 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.
- B. The candidate, in consultation with the division chair (for those participating in the 2019-2020 Academic Year) or division associate dean (for any subsequent years prior to the establishment of a negotiated contract), will use a peer review committee to evaluate teaching effectiveness.
- C. 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 eligible division faculty. (See section D below.) 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.

D. Voting Eligibility

1. Full-time faculty with at least one year of full-time faculty experience at Delta College are eligible to vote for Assistant Professor and Full Professor promotions.
 2. Only tenured faculty are eligible to vote for Tenure/Associate level promotions.
 3. Candidates eligible to vote will be permitted to vote on all candidates from their division excluding themselves.
- E. All division discussions, individual recommendations, and individual votes will be treated as confidential to the extent permitted by law.
- F. The division associate dean will summarize, in writing, the division's explanations for or against promotion and/or tenure in an objective and constructive form. This summary will be given to the faculty member concerned.
- G. Candidates who feel that the division's explanations provided in the summary in Paragraph IV.F are not based on a fair consideration of all relevant factors may, within ten days from the date of the summary, 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 after the associate dean receives the appeal. Reasons supporting the recommendation will be furnished in writing at the candidate's request by the faculty.
- H. 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 recommendation and associate dean's written summary on each individual. Each candidate will receive a copy of the division associate dean's summary regarding his or her candidacy.
- I. The Chief Academic Officer will convene division associate deans for the purpose of reviewing the division's 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 associate dean's summary on each of these candidates to the Dean of Teaching and Learning. Candidates who feel the information presented by the 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.

- J. 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.
- K. Upon receipt of the list of recommendations, the Chief Academic Officer will review the list and may add recommendations on each individual to those of the appropriate academic dean and submit the list of candidates to the College President.
- L. The College President will either approve or not approve a faculty member for promotion and/or tenure. If necessary, the College President may ask for additional supporting data before making a final decision. If a recommendation by the College President is different from that of the Chief Academic Officer, then the College President will communicate the rationale for the decision to all parties (CAO, Dean of Teaching and Learning, Division Associate Dean, faculty member) within 10 days of the receipt of the list from the Chief Academic Officer.
- M. The College President will submit the list of candidates to the Board of Trustees for information purposes.
- N. 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.
- O. 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.
- P. Grievances based on alleged violations of this policy may be pursued through the Senate Grievance Procedure.
- Q. Any Delta administrator who attained tenure while appointed to the faculty at Delta College will retain tenure and the highest rank attained in the event that person wishes to return to the full-time teaching appointment.

V. Specific Cases

- A. Individuals hired into one-year appointment positions or full-time ranked positions prior to this policy being passed, with the exception of those hired as division chair replacements in multi-discipline divisions, will be reclassified as tenure track

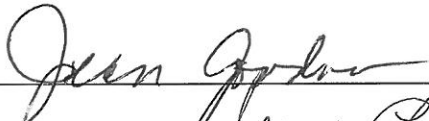
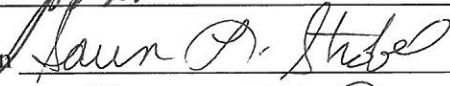
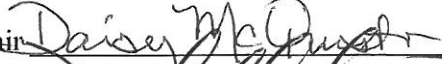

appointments effective July 1, 2012, if they so choose. Those who elected to remain in one-year appointment positions at the time of reclassification will maintain their one-year appointment status.

- B. Faculty appointed to a full-time non-temporary position prior to September 1, 2012 will utilize the Senate Policy 3.010 Standards and Procedures for Promotion and Tenure in place dated May 14, 2002.
- C. Faculty appointed to a full-time non-temporary position September 1, 2012 or later will utilize the Senate Policy 3.010 Standards and Procedures for Promotion and Tenure approved by the board on November 13, 2012.
- D. The previous Senate Policy 3.010 (approved 5/14/2002) will be held in the Senate Office for use by affected individuals as needed.

VI. Guidelines for Promotion and Tenure:

Each division has written, dated guidelines in the Senate Office.

Board Action 4967 – November 13, 2012
(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		Date	5-22-19
Michigan Education Association		Date	5-8-19
Faculty Executive Committee Co-Chair		Date	5/8/19
Faculty Executive Committee Co-Chair		Date	05/08/19