

To: Governing Board, Chancellor's Executive Council, and Residential Faculty

From: 2012-2013 Meet and Confer Team

Subject: Meet and Confer End-of-Year Update – April 2013

The purpose of this update is to provide you with the status of the six core issues the Meet and Confer Team worked this year using the interest-based negotiation (IBN) process. As reported in the October 2012 Meet and Confer Update, the team tackled the following issues: residential/adjunct ratio, probationary faculty evaluation, administrative evaluation, attract and retain faculty, day/evening distinction, and a reduction in force policy. The first three issues were worked through to completion to include policy language and, if appropriate, an implementation plan. Progress was made on the last three issues; however, additional work is needed to finalize these issues. The Meet and Confer Team will work throughout the summer on these issues and hopes to reach consensus on policy language and implementation plans, as appropriate, during Fall 2013 for future ratification.

Attached to this document is a one-page summary sheet for each of the six issues. Each summary sheet describes the problem, highlights of the negotiated solution, identifies the affected sections of the RFP, provides a rationale for the solution, and identifies how the solution supports the Governing Board Strategic Directions. The edited RFP showing the specific changes in policy language will be made available to interested parties by the end of April.

Additionally, edits were made to the RFP under the category Clarification, Consistency, and Cleanup. These edits were made to clarify areas of ambiguity, bring internal consistency to the document, correct typographical errors, and reflect current practice. The most substantive of these changes was related to Section 7 which describes the meet and confer process. In that section, the policy language was updated to reflect our practice of using interest-based negotiations in the meet and confer process.

We appreciate that support that has been shown to the Meet and Confer Team this year by the Chancellor, the Chancellor's Executive Council, the Faculty Executive Council, the faculty instructional councils, the various councils of Vice Presidents, and the faculty at large. We also are grateful for the support of the Governing Board.

Respectfully,

The 2012 – 2013 Meet and Confer Team

Nikki Jackson, Co-Chair and Vice Chancellor of Human Resources

Frank Wilson, Co-Chair and Faculty

Daniel Corr, Vice President of Academic and Student Affairs

Eddie Genna, FEC Past President

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## Residential/Adjunct Faculty Ratio

### The Problem

Existing RFP policy requires that 90% of day classes be taught by residential faculty (RFP 5.2.2). District-wide, the proportion of day classes taught by residential faculty is woefully short of 90%. Furthermore, because the method of calculating the number of required residential faculty positions is based on credit hours instead of instructional load, the workload of faculty teaching lab courses was not appropriately valued (RFP 5.2.1.).

### Highlights of the Negotiated Solution

The residential/adjunct ratio is defined as follows:

$$\text{residential/adjunct ratio} = \frac{\text{residential load hours}}{\text{total load hours}} : \frac{\text{adjunct load hours}}{\text{total load hours}}$$

where total load hours is the sum of residential and adjunct instructional load hours for the Fall and Spring semesters for the prior academic year (exempting Rio Salado which follows a separate business model). For purposes of this computation, residential overload hours and OYO/OSO instructional load hours are counted as residential load hours. The negotiated residential/adjunct faculty ratio is 60:40 and includes instructional load from all classes not just day classes. As of 2011-2012, the residential adjunct ratio was 45:55.

Over the next 8 – 10 years, in excess of 300 new residential faculty will be hired to fill newly created faculty lines. The implementation plan includes the following steps:

1. Fill all budgeted faculty lines within an established timeframe.
2. Allocate new faculty lines annually.
3. Develop a parallel process for service faculty.
4. Establish new OYO/OSO hiring guidelines.
5. Use existing processes to regulate reassigned time.
6. Maintain role of the College Staffing Advisory Committee in making recommendations for allocation of lines within each college.

**Affected Sections of the RFP:** 1.2., 4.12., 5.2.

### Rationale

The 8 – 10 year implementation plan provides a fiscally responsible way to provide students with increased access to residential faculty, including those in evening and weekend classes. By focusing on instructional load instead of FTSE, we more accurately quantify student access to residential faculty. By including all load not just day load, we acknowledge that residential faculty contributions also benefit students outside of the day program. This is consistent with our desire to ensure that students have a quality learning experience regardless of the time of day, day of week, or teaching modality.

### Support of Governing Board Strategic Directions

This solution directly supports the following Governing Board strategic directions:

1. MCCCDC will **maximize stakeholder access** to the Maricopa Colleges' facilities, **programs, and services**.
2. MCCCDC will promote and support opportunities for students by enhancing learning environments and delivery options, **student retention** and success strategies and **quality teaching and learning**.
5. MCCCDC will **recruit, develop and retain a quality diverse workforce**.

## **Probationary Faculty Evaluation**

### **The Problem**

The existing tenure process for probationary faculty falls short of the professional standards advocated by the American Association of University Professors. Consequently, achievement of appointive status in MCCCCD is more dependent on the passage of time than on exceptional performance.

### **Highlights of the Negotiated Solution**

The new Peer Assistance and Review process is a tenure process adapted from a similarly named process developed by the Harvard Graduate School of Education. The process provides probationary faculty the opportunity to demonstrate excellence in teaching, service, and professional growth. Under the guidance of Peer Assistance and Review teams, probationary faculty create a portfolio of evidence documenting their achievements in these three areas of focus. The college-level Peer Assistance and Review Committee (PARC) reviews all probationary faculty portfolios annually and recommends renewal, renewal with concerns, or nonrenewal. At the end of the fifth year, the PARC will recommend appointive status or nonrenewal.

Because the Peer Assistance and Review process will represent a significant shift from existing practice, the 2013-2014 academic year will be a transition year with training activities taking place throughout the year. The first year of full implementation will be 2014-2015. During the transition year, faculty will continue to use the current probationary faculty evaluation process.

**Affected Sections of the RFP:** 1.2., 3.5.

### **Rationale**

A more rigorous tenure process will help ensure that faculty reaching appointive status have demonstrated sustained excellence in teaching, service, and professional growth. The process will also allow us to better acculturate the significant number of faculty that will join MCCCCD because of the residential/adjunct ratio implementation. To effectively address the educational needs of students and further the mission of the district, MCCCCD must attract and retain high quality faculty who excel in the classroom and actively participate in achieving district and college goals and outcomes. The revised probationary evaluation process will help to achieve this objective by familiarizing each faculty member with the identity of the college/district and the role and value of the college/district in the community.

### **Support of Governing Board Strategic Directions**

This solution directly supports the following Governing Board strategic directions:

2. MCCCCD will promote and support opportunities for students by **enhancing learning environments** and delivery options, student retention and success strategies and **quality teaching and learning**.
5. MCCCCD will recruit, **develop** and **retain** a **quality** diverse **workforce**.
6. MCCCCD will maintain a **strong identity** that reflects its role in and **value to the community**.

## **Administrative Evaluation**

### **The Problem**

The existing administrative evaluation process is unclear and may result in actions that interfere with a college's ability to address valid issues in a timely and effective manner. Additionally, the lack of clarity in policy language makes misinterpretation of the policy likely.

### **Highlights of the Negotiated Solution**

The purpose of the administrative evaluation process is to evaluate the validity of a complaint against a Faculty member and, at the option of the College President or designee, to provide guidance as to appropriate action. This process will not be used to evaluate student claims of discrimination or student complaints involving an academic process because other processes already exist to address those types of concerns. The revised policy language clearly identifies when administrative evaluation may be used, establishes a clear and comprehensible timeline, and helps to ensure appropriate representation.

**Affected Sections of the RFP:** 3.7. in 2012-13 RFP to become 6.4. in 2013-14 RFP, new Appendix.

### **Rationale**

As a result of the discussion surrounding administrative evaluation, it became clear that we had not defined a faculty code of ethics. The MCCCDC Faculty Statement on Professional Ethics is being added as an appendix in the RFP to help make clear to all parties the standards of the profession. The MCCCDC Faculty Executive Council adapted the American Association of University Professors ethics code and presented the final language to the Meet and Confer Team for inclusion in the RFP.

### **Support of Governing Board Strategic Directions**

This solution directly supports the following Governing Board strategic directions:

- 2.** MCCCDC will promote and support opportunities for students by **enhancing learning environments** and delivery options, student retention and success strategies and **quality teaching and learning**.
- 3.** MCCCDC will enhance **internal collaboration** and increase external partnerships.
- 5.** MCCCDC will recruit, **develop** and retain a **quality diverse workforce**.

## **Attract and Retain Faculty**

### **The Problem**

To effectively address the educational needs of students and further the mission of the district, MCCCDC must continue to attract and retain high quality faculty who excel in the classroom and actively participate in achieving district and college goals and outcomes. Maintaining a competitive compensation package is a core component of the attract and retain initiative.

### **Highlights of the Negotiated Solution**

The faculty members of the Meet and Confer Team requested a step and COLA to help ensure that faculty compensation remains competitive on a national level. Granting of either increase will be contingent upon funding availability and district approval.

Additionally, the Meet and Confer Team provided input to the District Classification and Compensation Advisory Committee related to future compensation practices. The Advisory Committee, which is seeking to ensure compensation across all employee groups is market competitive, will continue its work in the coming year. Any proposed changes to the faculty salary structure will need to be approved by the Meet and Confer Team and ratified by the faculty.

**Affected Sections of the RFP:** Appendix E

### **Rationale**

Rationale for solution will be provided once a solution is negotiated.

### **Support of Governing Board Strategic Directions**

A negotiated solution will seek to support the following Governing Board strategic directions:

2. MCCCDC will promote and support opportunities for students by enhancing learning environments and delivery options, **student retention** and success strategies and **quality teaching and learning**.
5. MCCCDC will **recruit, develop and retain a quality diverse workforce**.

## **Reduction in Force**

### **The Problem**

The existing reduction in force process is unnecessarily complex and difficult to administer and may result in actions that interfere with a college ability to fulfill its mission. Additionally, the lack of clarity in policy language makes misinterpretation of the policy likely.

### **Highlights of the Ongoing Discussion**

The revised policy language will not be finalized in time for inclusion in the 2013-2014 RFP. Topics for discussion have included: affirming that residential faculty in a discipline will not be subjected to a reduction in force until all non-residential faculty positions in the discipline have been eliminated, making clear that reduction in force actions may only be used in the event of program closure or financial exigency, providing retraining and reassignment options for residential faculty subjected to a reduction in force, and defining the policy language so that all parties understand when and how the process is to be applied, and thus prevent misapplication.

**Affected Sections of the RFP:** 3.18.

### **Rationale**

Rationale for solution will be provided once a solution is negotiated.

### **Support of Governing Board Strategic Directions**

This negotiated solution will seek to support the following Governing Board strategic directions:

4. MCCCCD will identify and pursue new and existing revenue sources while **promoting cost effectiveness**.
5. MCCCCD will recruit, develop and **retain a quality diverse workforce**.

## **Day/Evening Distinction**

### **The Problem**

To ensure that students have a comparable learning experience regardless of the time of day, day of week, or teaching modality, the team is presently investigating the feasibility of eliminating the day/evening distinction from the RFP. Because a number of policies in the RFP are based on the day/evening distinction, this change could have a broad impact.

### **Highlights of the Ongoing Discussion**

Because of the complexity of this issue and the importance of gathering feedback from stakeholders, there was insufficient time to resolve this issue this year. However, this issue will continue to be negotiated in the coming year with a hope for resolution in time for the 2014-15 RFP.

**Affected Sections of the RFP:** 1.2.3., 1.2.21., 5.2.1., 5.2.2., 5.3.1., 5.4.1., C.13., C.14., D.1.3., D.1.4., D.1.5.2.

### **Rationale**

Rationale for solution will be provided once a solution is negotiated.

### **Support of Governing Board Strategic Directions**

A negotiated solution will seek to support the following Governing Board strategic directions:

1. MCCCCD will **maximize stakeholder access** to the Maricopa Colleges' facilities, programs, and services.
2. MCCCCD will promote and support opportunities for students by **enhancing learning environments and delivery options**, student retention and success strategies and quality teaching and learning.
4. MCCCCD will identify and pursue new and existing revenue sources while **promoting cost effectiveness**.
6. MCCCCD will maintain a **strong identity** that reflects its **role in and value to the community**.