

MOU to Revise Article 20.6 of Faculty Agreement to Allow for a CHRO Designee and Expanded Committee Participants

November 29, 2022

This Memorandum of Understanding (MOU) is entered into this 29th day of November by the Faculty Association, the non-exclusive representative of the Residential Faculty at Maricopa County Community College District, and the Chancellor of the Maricopa County Community College District, hereafter referred to jointly as “the parties.”

The parties agree to the following revision of Article 20.6 of the Faculty Agreement:

20.6. Administrative Evaluation

The purpose of this process is to evaluate the validity of a complaint against a Residential Faculty member and, at the option of the College President or designee, to provide guidance as to appropriate action. This process should not be used to evaluate student claims of discrimination or student complaints involving an academic process.

The College President, or designee, in response to a written, signed complaint from a student, Faculty member, administrator, or staff, may initiate an administrative evaluation after advising the Residential Faculty member within fifteen (15) accountability days of receipt of the complaint; and, at the option of the Faculty member, will advise the Faculty Senate President. To request an Administrative Evaluation, the College President or designee will submit a written request to the CHRO. **The CHRO, or designee, who** will then form an Administrative Evaluation Team within seven (7) calendar days of the request consisting of **one (1) a** Vice President of Academic Affairs (VPAA) **or Instructional Dean**, and two (2) appointive Residential Faculty members identified from the District Administrative Evaluation membership roster. ~~An Adjunct Faculty member from the Administrative Evaluation membership roster may also be included on the team if requested.~~ Selection of the team members will avoid both apparent, as appropriate, and actual conflicts of interest. In no instance shall the Department/Division Chair of the evaluatee or the Faculty Senate President serve on the evaluation team. This team will use the standards adopted for their scope of assignment.

Prior to the evaluation, the College President, in consultation with the evaluation team, will determine the nature and scope of the evaluation. The scope may be expanded to include recommendation for action to the College President. The evaluation team will begin to conduct the evaluation process as soon as possible and submit a report that explains the evaluation results in less than forty (40) accountability days from the sent date of the notification letter to the evaluatee; if the evaluation process falls within a period of non-accountability, the faculty in question may be asked to participate outside of accountability days but will not be required to do so. The evaluation process is confidential. Only the results of the evaluation will be discussed with the evaluatee, the

evaluation team, and, at the option of the evaluatee, the Faculty Senate President. The College President and the evaluatee will receive a copy of this evaluation. If appropriate, the report will be placed in the evaluatee's official personnel file (see Article 23). The College President will have fourteen (14) calendar days from receipt of the report to take any action based on the results of the evaluation. By mutual agreement between the College President or designee, evaluation team and evaluatee, the deadline may be extended.

The proposed revision of 20.6 allows for the CHRO to designate the identification of the Administrative Evaluation Team to another party and permits the Administration participant to be an Instructional Dean from the Academic Affairs divisions at the colleges, thereby expanding the available roster of Team members to ensure the District can accommodate potential future needs.



Faculty Association President

Camille Newton

Date: 29 November 2022



Chancellor of Maricopa County Community College District

Steven Gonzales

Date: 29 November 2022