

**Collective Bargaining Agreement
BY AND BETWEEN**

**EASTERN MICHIGAN
UNIVERSITY**

AND

**THE EASTERN MICHIGAN UNIVERSITY
CHAPTER OF THE AMERICAN ASSOCIATION
OF UNIVERSITY PROFESSORS
September 1, 2012 – August 31, 2015**

The following is an excerpt from the Collective Bargaining Agreement at Eastern Michigan University.

This handout contains:

- Table of Contents for the full Collective Bargaining Agreement**
- An excerpt of Article XV: Evaluation Criteria and Procedures for Reappointment, Tenure, Promotion, and Periodic Reviews of Tenured Faculty.**

The full Collective Bargaining Agreement can be found online at:

<http://www.emich.edu/ahr/PDFs/Contracts/AAUP%202012-2015%20Contract.pdf>

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while serving on a formal appointment under Plan C or Plan C1. Faculty Members who work less than thirty-two (32) weeks during the regular fall /winter semesters or while serving on a formal appointment under Plan C or Plan C1, or whose appointment is less than 100%, shall have their service/rank credit proportionately reduced. A Faculty Member shall not earn more than one (1) full year's service/rank credit during any twelve (12) month period commencing September 1 through and including August 31.

With these general guidelines, Faculty Members shall, except as otherwise provided in this Agreement, be accorded service/rank credit, as follows:

520	<i>Creditable</i>	<i>Non-Creditable</i>
521	Service on Grants directly related to the Faculty Member's discipline Released time as provided for under Article V	Time spent on unpaid leaves except as provided for in Article XI. Service on grants not directly related to the professional field in which the Faculty Member is employed by the University.
522	Time spent on Sabbatical Leaves or Faculty Research/Creative Activity Fellowship Leaves.	
523	Other time spent on leave where service/rank credit is approved by EMU.	
524	Prior experience at other institutions of higher education or equivalent for which credit is given at the time of hire in accordance with the provisions of XIV.A.14.	
525	F. All grants of tenure or promotion shall become effective at the beginning of the academic year following the academic year in which application for same is made.	

ARTICLE XV. EVALUATION CRITERIA AND PROCEDURES FOR REAPPOINTMENT, TENURE, PROMOTION, AND PERIODIC REVIEWS OF TENURED FACULTY

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|-----|--|
| 526 | A. 1. Each department shall conduct Faculty evaluations using procedures, techniques, and criteria specified in its Departmental Evaluation Document developed and/or subsequently modified in accordance with the Faculty input system as provided for in Article XIII. |
| 527 | 2. There are three (3) kinds of evaluations of Faculty performance: (1) Interim Evaluations of probationary Faculty; (2) Full Evaluations of probationary |

and tenured Faculty for reappointment, tenure, and/or promotion; and (3) Professional Evaluations of tenured Faculty Members.

528 3. Evaluations shall be conducted in accordance with the schedules
established in this article. Faculty Members who have five (5) working
days to respond to an evaluation shall obtain an extension of five (5)
working days upon notifying the evaluator in writing.

529 4. Annual Activity Reports

530 By no later than October 15 of each year every probationary and tenured
Faculty Member shall complete and submit an Annual Activity Report to
his/her Department Head unless the Faculty Member is on leave and time is
not creditable pursuant to Article XIV.E. The information contained in the
Annual Activity Report shall provide the basic data for interim evaluations
and professional performance evaluations of tenured Faculty Members.
Department Heads may provide additional relevant documentation. In
addition Faculty Members undergoing Full Evaluations shall be required to
complete additional forms.

531 **B. Evaluation Criteria**

532 1. Instructional Effectiveness

533 a. The required and most important criterion is Instructional
Effectiveness. The teaching Faculty shall give evidence of ability and
commitment to lead students of varying capabilities into a growing
understanding of the subject matter, tools, and materials of their
disciplines. The Faculty Member shall demonstrate his/her
continuing concern for Instructional Effectiveness through methods
of presentation and evaluation of students. In support of Instructional
Effectiveness, a Faculty Member must maintain a high level of
knowledge and expertise in his/her discipline or area of
specialization. One of the many ways to demonstrate such knowledge
and expertise is the presentation of research and/or creative activities
in the classroom by explaining how its results have
changed/improved the course content, the instructional methodology
and/or the overall teaching-learning process. In the case of non-
teaching and library Faculty satisfactory professional performance
shall be the equivalent of Instructional Effectiveness.

534 b. Evaluation techniques for all Faculty Members shall include at least
the following types of evaluation of teaching: peer evaluations,
Department Head evaluations, student evaluations, and self
evaluations. Where appropriate, assessment of academic advising of
students shall also be included. Departments shall incorporate in their
Departmental Evaluation Document: 1) a set or sets of approved
questions for the student evaluation form comprised of the two core
items plus no fewer than an additional six items determined by a vote
of Faculty Members in the Department. An additional set of at least
six questions shall be prepared for student evaluation of courses that
include online instruction. 2) approved questions for peer and
Department Head classroom visitations, and additional approved
questions appropriate for evaluation of online instruction. 3) a
procedure for classroom visitations, covering whether and when
notice of the visit will be given to the Faculty Member. 4) A

procedure for evaluation of online instruction that limits such evaluation to a single lesson or unit of the course, equivalent to one face-to-face course meeting during which the faculty member shall be present. Each individual peer and Department Head classroom visitation or online course observation and related evaluative statements shall be in writing, shall name the observer, and shall be provided to the Faculty Member within ten (10) working days following the classroom visit. Rationale for evaluative statements must be explained and/or documented. The Faculty Member shall be entitled to up to two additional peer evaluations by faculty chosen by mutual agreement of the Faculty Member and the Department Head.

- 535 c. Faculty Members shall be responsible for retaining all original copies of approved student evaluation forms and summary reports, including handwritten comments, for the period under evaluation. During any evaluation of Instructional Effectiveness, the Faculty Member shall make available to evaluators any and all copies of forms and reports, including handwritten comments, for such period.
- 536 d. All Full Evaluations (including Full Professional Performance Evaluations of tenured Faculty) must include classroom visitations by the Department Head and members of the appropriate departmental committee. Responsibility for setting up classroom visitations rests with the parties doing the evaluation of the Faculty Member. Classroom visitations as a part of Full Evaluations occur after October 15, unless mutually agreed to by all parties involved.
- 537 2. Scholarly/Creative Activity
- 538 The manner in which each of the Scholarly/Creative Activities listed below is counted toward fulfilling the evaluation criteria of each department is governed by its Departmental Evaluation Document.
- 539 a. Faculty Member shall give documented evidence of his/her contribution to his/her discipline or area of specialization within the discipline or in an interdisciplinary specialization by scholarly investigation (e.g. research) and/or creative activity, and of its publication or other dissemination in one of the following ways:
- 540 (1) among practitioners in his/her discipline; or
- 541 (2) among a wider community.
- 542 b. It is intended that the Faculty Member shall utilize his/her expertise to address problems in his/her discipline or in an interdisciplinary specialization through scholarly and/or creative activity that clearly contributes to the discipline, specialization, or interdisciplinary area through:
- 543 (1) Scholarly investigation, creative activity and/or research of an original and/or previously unreported nature; or
- 544 (2) applied research, investigation, or scholarly analysis of existing research, information, and creative endeavors resulting in the

development of new data, information, applications, and/or interpretations.

545 (3) In disciplines where practice and tradition include Faculty involvement in student research which is subsequently published or otherwise disseminated, such research shall not be barred from consideration as appropriate scholarly activity, insofar as said Faculty involvement is shown to fulfill the expectations in Section 2.b.(1) or 2.b.(2) above.

546 c. Retraining

547 In recognition of the need to encourage the retraining of Faculty to assume professional responsibilities in areas where available expertise is in short supply, completion by the Faculty Member of a retraining program which brings him/her to a specified level of skill in such area of need may be applied toward satisfaction of the Scholarly/Creative Activity criterion for such purposes and for such period of time only as expressly approved in writing by the appropriate departmental committee, the Department Head, the college Dean and the Provost and Vice President. In those instances where written approval of a retraining program is not obtained in advance, retraining shall be barred from consideration when the Faculty Member's Scholarly/Creative Activity is evaluated.

548 d. Each of the three (3) activities below may, under the conditions specified, be considered as partially fulfilling the Scholarly/Creative Activity criterion. The Scholarly/Creative Activity criterion cannot be satisfied by any of these alone, or solely in combination with each other.

549 (1) Professional Development

550 Professional development shall be an acceptable substitute for Scholarly/Creative Activity, only as specifically allowed in Departmental Evaluation Documents amended after September 1, 1993.

551 EMU and the Association recognize the value of substantive professional development activities that may be undertaken by Faculty to enhance their delivery of classroom instruction and/or expand their professional knowledge base. In order to encourage Faculty to engage in such endeavors, professional development activities may be applied toward satisfaction of the Scholarly/Creative Activity criterion insofar as these activities are clearly in addition to those necessary to maintain the level of knowledge and/or expertise in the Faculty Member's discipline or area of specialization required to fulfill the Instructional Effectiveness standards (Article XV.B.1.) of this Agreement, subject to the following conditions:

552 Prior to undertaking any professional activity for which credit may be sought, a Faculty Member shall submit a written proposal for pre-approval to his/her department. The proposal shall outline the professional activity, its duration and the projected benefits of the activity. If approved by the Department Head and the

appropriate departmental committee, the professional development, when completed, shall be evaluated to determine if it fulfills the criteria for such professional development contained in the Departmental Evaluation Document.

553 (2) Grant Development/Administration

554 EMU and the Association recognize the need to encourage Faculty to engage in the vital process of seeking, obtaining and administering grants from outside agencies. The preparation of grant proposals for outside agencies, whether funded or not, and/or the administration of a grant project, shall be considered as Scholarly/Creative Activity if said preparation involves scholarly activity (e.g. research or teaching projects) of a substantial nature. The applicant must document such activity and the importance of the endeavor to the discipline or interdisciplinary area, the department, the college or University, as set forth in Article XV.B.2.b. above.

555 (3) Doctoral Dissertation Research

556 Doctoral dissertation research undertaken by Faculty in those departments where the doctorate is not recognized as the terminal degree or required for the purpose of achieving tenure shall be considered as Scholarly/Creative Activity in the year(s) in which such research is undertaken, provided the applicant furnishes documentary evidence of the nature of the research and provides an abstract documenting the importance of the endeavor to the discipline and the appropriate departmental committee and Department Head provide a qualitative statement supporting the importance of the doctoral research.

557 3. Service

558 The Faculty Member must satisfy one of the criteria below:

- 559 a. The Faculty Member shall give evidence of identifying new needs in the department and assisting colleagues in departmental activities.
- 560 b. The Faculty Member shall give evidence of interest and activity that extends beyond the department into areas such as University and college-wide committees, student activities, professionally related community affairs, and grant activities, either disciplinary or interdisciplinary if not counted as Scholarly/Creative Activity.

561 4. Standards of Performance

- 562 a. The foregoing criteria must be applied to applicants engaged in disciplines as varied as dance, literature, marketing, physics, and mathematics. To guide applicants within the various disciplines concerning activities which might be considered appropriate as counting toward fulfillment of these criteria, EMU and the Association have recognized the need for evaluation documents within each department, as provided in Article XIII.

563 b. To clarify the role of Departmental Evaluation Documents in specifying the ways in which contract requirements may be met, EMU and the Association hereby reaffirm and make clear their intent that, in addition to satisfying the conditions set forth in the applicable Departmental Evaluation Documents, all candidates for reappointment, tenure, and promotion must satisfy without exception and irrespective of the terms of any Departmental Evaluation Document, application form, or other document to the contrary, all elements of the evaluation criteria provided herein, and all other terms and conditions of this Agreement.

564 In those instances where a requirement set forth in this Agreement diverges from a requirement set forth in the Departmental Evaluation Document, the more stringent requirement shall apply, except as modified by this Agreement. For purposes of further clarification, each Departmental Evaluation Document contains listings of activities that might be considered appropriate as counting toward fulfilling obligations in the areas of Instructional Effectiveness, Scholarly/Creative Activity, and Service. However, the fact that an applicant may cite an activity which is included in a Departmental Evaluation Document does not mean that it will automatically count toward fulfilling an evaluation criterion. Each Faculty Member must provide qualitative documented evidence that establishes that he/she has, in fact, satisfied the appropriate evaluation criteria. No activity shall count towards fulfilling an evaluation criterion without such qualitative documentation unless otherwise provided herein.

565 5. Only work completed while a Faculty Member is in rank at EMU may be counted for purposes of reappointment, tenure, and promotion decisions, unless, in accordance with Article XIV.A.14., partial service/rank credit is granted for experience prior to joining the Faculty at EMU. The partial service/rank credit which a Faculty Member receives at the date of hire, and the Instructional Effectiveness, Scholarly/Creative Activity, and Service documented during the period of time for which he/she is given credit at the initial date of hire shall be creditable for reappointment, tenure, and/or promotion, insofar as: (a) the activities are consistent with the definitions set forth in the Agreement; (b) the activities fulfill the standards of the Faculty Member's Departmental Evaluation Document; and (c) the Faculty Member's application for reappointment, tenure, and/or promotion is in compliance with the terms and conditions of this Agreement.

566 **C. Procedures for Faculty Evaluation**

567 1. Evaluations shall be initiated in order that all reappointment, tenure, promotion, Professional Performance Evaluations of tenured Faculty, and termination decisions may be made in accordance with the time schedules provided in this Agreement.

568 2. It is recognized that the evaluation process is a continuing one, intended for constructive purposes. The Department Head shall provide regular opportunity to discuss professional evaluation and to offer assistance to the Faculty Member in the improvement of his/her professional performance.

569 3. Evaluations shall not be conducted during a term that a Faculty Member is on leave (as provided for in Article XI and/or XII).