

**WAC 132V-22-040 Duties and responsibilities of review committee.**

(1) The general duty and responsibility of the tenure review committee shall be to assess and advise the probationer of his/her professional strengths and weaknesses and to make reasonable efforts to encourage and aid him/her to overcome his/her deficiencies.

(2) The first order of business for each tenure review committee shall be to establish the procedure it will follow in evaluating the performance and professional competence of the full-time probationer assigned thereto. The committee's evaluation of the probationer shall be directed toward and result in the determination of whether or not the probationer possesses the necessary personal characteristics and professional competence to perform effectively in his/her appointment. In determining professional competence, the committee shall give due consideration to the criteria under which the employee was hired, as established by the probationer's department, program, or advisory group. A review committee's evaluation procedures should include, as it deems necessary, the following:

(a) Classroom observations by members of the tenure review committee;

(b) Student evaluation administered by a member of the review committee;

(c) Assessment of the probationer's contributions to the department, program[,] division, and institution by the department or program, and division heads and other faculty; and

(d) Self-evaluation.

(3) Each tenure review committee shall be required to conduct an on-going evaluation of the full-time probationer assigned thereto and render the following written reports to the president, probationer, and the appointing authority on or before the designated times during each regular college year that such appointee is on a probationary status, or, as is also required, within fifteen days of the president's written request therefor:

(a) A written evaluation of each full-time probationary faculty appointee's performance, including the degree to which the probationer has overcome stated deficiencies, on or before February 15. The review committee shall obtain the appointee's written acknowledgment of receipt of the written evaluation.

(b) A written recommendation regarding the employment or nonemployment of the probationer for the ensuing regular college year on or before February 15.

(c) A written recommendation that the appointing authority award or not award tenure, such written recommendations to be submitted during the regular college year deemed appropriate by each review committee, provided that during such probationer's third regular college year of appointment the review committee shall, prior to February 15 of such regular college year, make a written recommendation as to the award or nonaward of tenure. The failure of any review committee to make such written recommendation by February 15 of a probationer's third consecutive regular college year shall require that the probationer's supervising dean make a written recommendation as to the award or nonaward of tenure by the following February 25.

(4) The appointing authority shall be required to give reasonable consideration to any recommendation of a review committee and is not bound thereby.

(5) All written evaluations and recommendations prepared and submitted by a review committee pursuant to these rules shall include the committee's findings and supportive data and analysis.

(6) If the probationer disagrees with the review committee's recommendation as to the award or nonaward of tenure, the probationer shall be provided an opportunity to challenge the review committee's recommendations before a committee of the appointing authority.

(7) On or before the last day of the winter quarter of each regular college year of a probationary appointment, the appointing authority shall notify the probationer of their decision to either grant him/her tenure or not renew his/her appointment for the ensuing year.

(8) The decision of the appointing authority to not rehire a probationary academic employee for a second or third year of the probationary period or to not grant tenure is final, and the academic employee affected by this decision shall not have access to the hearing procedure relating to dismissal for cause and reduction in force as provided by section 12.32 of the negotiated agreement, but the academic employee may submit written appeal and appear, in person, at the next board meeting following such nonrenewal.

(9) As per chapter 112, Laws of 1975, 1st ex. sess., those academic employees funded more than fifty-one of their annual salaries by other than state funds are nontenurable, per WAC 131-16-400. Inclusion of this paragraph shall not limit the union in its court appeal of this law, rulings pursuant thereto and its effect on present employees in this category. Management will make every effort to shift presently affected employees to tenurable jobs as they become available. Management and the union agree to make necessary modifications in this section in order to bring it into compliance with subsequent court decisions, if any.

[Statutory Authority: RCW 28B.50.140(13) and 28B.50.852. WSR 81-08-002 (Order 6-81, Resolution No. 81-6), § 132V-22-040, filed 3/19/81; Order 16, § 132V-22-040, filed 12/28/73; Order 9, § 132V-22-040, filed 3/1/73; Order 3, § 132V-22-040, filed 5/29/70.]

**Reviser's note:** RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.