

MEMORANDUM OF UNDERSTANDING

The following memorializes the understanding of the Butte-Glenn Community College District (hereinafter referred to as the “District”) and the Butte College Education Association (hereinafter referred to as “BCEA”) regarding Performance Improvement Plans (PIPs) and administrative review of full-time faculty performance outside of the evaluation process.

For the 2025-2026 academic year, the District and the BCEA agree to pilot and use the following process to address significant performance deficiencies about full-time faculty that arise outside of the formal evaluation process or that are identified during a formal evaluation but exceed the scope of typical recommendations for ongoing professional growth that would be noted in the new “Recommendations” section of the formal evaluation documents. This process will be used for all contract and regular faculty evaluations. The BCEA and the District will convene no later than March 2026 to review the efficacy of this pilot. This agreement will supersede all references to “Improvement Plans”, “Performance Improvement Plans” “Faculty Improvement Plans” and “Instructor Improvement Plan” in the 2024-2027 CBA.

Administrative Performance Review (APR) and Performance Improvement Plan

I. Overview

All tenured, contract, and temporary faculty are subject to an Administrative Performance Review (APR) upon written request by the supervising administrator and approval by the appropriate Vice President. Written notification of the APR initiation will be provided to the Butte College Education Association (BCEA) and the faculty member within five (5) days of approval.

Conditions for Initiating an APR

An Administrative Performance Review may be initiated in any of the following circumstances:

- Following a regular evaluation that raises significant performance deficiencies that exceed the scope of typical recommendations for ongoing professional growth and continuous improvement.
- In response to verified complaints and/or evidence that an faculty member is not teaching the approved course curriculum or providing the relevant services.
- Due to complaints about a faculty member’s conduct in the performance of their professional duties, including hostile or abusive communication with students, staff, or the public, reported through established Butte College complaint processes.
- For documented absenteeism or repeated failure to meet contractual obligations, including assigned work hours and locations.
- For violations of institutional policies, state or federal regulations, or cases listed in California Education Code Section 87732, subject to the limitations listed below.

Limitations:

Administrative Performance Reviews may not be used for issues related to academic freedom or complaints of discrimination, bullying, or harassment governed by Board Policies 3410, 3420, 3430, 3431, 3433, 3510, 3540, 4030, or other similar policies. If, during an APR, information emerges that is subject to these Board Policies, the APR will be halted, and the matter will be referred to the appropriate office.

Faculty will receive all due process protections provided under applicable federal and state law. Any resulting action will follow the principles of progressive discipline and adhere to the standards and processes outlined in California Education Code Title 3, Division 7, Part 51, Chapter 3, Article 4 – Evaluations and Discipline and Article 6 – Termination of Service and Reduction in Force.

II. Administrative Performance Review Process

1. Written Notification

Once the appropriate Vice President approves an APR, the supervising administrator will notify the faculty member in writing. The notice will specify the concerns to be reviewed, their basis in specific, express professional responsibilities, and the basis for such responsibilities in District policies or applicable laws. The BCEA grievance officer(s) will also be notified concurrently.

2. Administrative Review Team

The appropriate Vice President will assign two academic administrators to conduct the review, which may include the supervising administrator. Department chairs or other faculty may be consulted for information regarding instructional issues, especially where adherence to the Course Outline of Record is concerned.

3. Analysis and Review

The APR may include a review of:

- Express job performance responsibilities
- Verified incident reports
- Syllabi, Canvas course shells, and/or teaching materials
- Past evaluations and personnel file documentation
- Information from individuals with first-hand knowledge of any statements or events
- Classroom or worksite observations, if necessary, with prior notice

4. Written Report

The review findings will be documented on the official APR form maintained by the office of the appropriate Vice President. All findings must be supported by specific, verified evidence.

5. Conference and Faculty Response

Within ten (10) days of completing the report, the assigned administrators will provide an electronic copy to the faculty member. Within five (5) days of providing an electronic copy, the assigned administrators will meet with the faculty member to discuss the findings and recommendations. A printed copy of the report will be provided at this meeting. The faculty member may submit to the assigned administrators a written response within five (5) days following that meeting. This response will be appended to the final report submitted by the assigned administrators to the appropriate Vice President.

6. Vice President Review and Action

The appropriate Vice President will review the complete record, including the faculty member's response. If a Performance Improvement Plan is recommended, the appropriate Vice President will designate an administrator to oversee it. If further disciplinary action is recommended, the matter will be referred to Human Resources and processed according to applicable District procedures and relevant laws.

III. APR Outcomes

If the APR substantiates the initial concerns, one or more of the following actions may be taken:

- Development of a Performance Improvement Plan (PIP), using the standard form from the Office of Instruction
- Referral to the appropriate disciplinary process. In this case, the APR will fulfill the verbal and written steps of progressive discipline.

If the APR concludes that the concerns are unsubstantiated or require no further action, the assigned administrator will notify the faculty member within ten (10) days. All documents collected during the APR process will be managed according to applicable records retention policies and laws. Documentation or findings from a closed APR without a PIP or disciplinary outcome may not be used in future evaluations.

IV. Performance Improvement Plans (PIP)

A Performance Improvement Plan (PIP) is the outcome of a structured and collaborative process intended to support the professional growth of a faculty member whose job performance has been found to include deficiencies that are significant but remediable. A PIP is not a form of discipline; rather, it is a proactive, developmental intervention designed to clarify expectations, provide targeted support, and facilitate a clear pathway for measurable improvement.

A PIP will be developed when there is a finding of deficiencies in job performance that can be remediated through focused professional development, clearly articulated performance expectations, and reasonable support from the supervising administrator. The plan will be tailored to the specific concerns substantiated by the APR and will reflect the institution's commitment to continuous quality improvement, equity, and student success.

The goal of a PIP is to restore the faculty member to successful performance in their professional responsibilities, preserve the integrity of academic programs, and ensure a supportive and respectful learning environment for students and colleagues. PIPs will include:

- A summary of the APR findings and evidence
- Specific, measurable performance improvements expected
- A timeline with dates for improvement milestones within the next primary term, unless extended by the appropriate Vice President
- Required professional development and/or training activities, collaboratively determined by the faculty member and administrator

Assignment Limitations

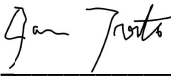
Faculty who have received a PIP may be subject to the following limitations:

- Removal from or reduction of additional compensated roles, including department chair or other CBA-designated duties or assignments
- Assignment of overload subject to approval by the Vice President of Instruction
- Adjustments to course assignments (modality, location, schedule, or office hours)

- Reassignment to different courses or areas within the same program or faculty service area
- Other reasonable work assignment modifications related to the concerns substantiated by the APR

B. PIP Completion

The faculty member may request a completion review by the designated administrator when they believe all requirements have been met or at the conclusion of the timeline, whichever comes first. The designated administrator and faculty member will meet to assess progress. If the objectives are satisfactorily met, the Performance Improvement Plan (PIP) will be considered complete. If not, the administrator may extend the PIP or initiate further disciplinary steps as necessary, in accordance with District policy, employment law and the collective bargaining agreement. The outcome of the completion review will be committed to writing and shared with the faculty member, the appropriate Vice President, and the BCEA grievance officer(s).

By: 

For BCEA

By:  Erik Shearer (Jun 16, 2025 07:04 PDT)

By:  Chris Little (Jun 16, 2025 12:10 PDT)

For the District












BCEA MOU Admin Perf Rev_June25

Final Audit Report

2025-06-16

Created:	2025-06-09
By:	Kathy Turner (turnerkat@butte.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAyXPGKND4NdpUpjHIJHDpl5IT3Z1nNDtV

"BCEA MOU Admin Perf Rev_June25" History

-  Document created by Kathy Turner (turnerkat@butte.edu)
2025-06-09 - 10:17:55 PM GMT- IP address: 205.155.141.8
-  Document emailed to Jason Trento (TrentoJa@butte.edu) for signature
2025-06-09 - 10:18:43 PM GMT
-  Email viewed by Jason Trento (TrentoJa@butte.edu)
2025-06-10 - 9:26:06 PM GMT- IP address: 212.105.152.229
-  Document e-signed by Jason Trento (TrentoJa@butte.edu)
Signature Date: 2025-06-13 - 6:18:31 AM GMT - Time Source: server- IP address: 188.92.255.220
-  Document emailed to Erik Shearer (shearerer@butte.edu) for signature
2025-06-13 - 6:18:33 AM GMT
-  Email viewed by Erik Shearer (shearerer@butte.edu)
2025-06-16 - 2:04:20 PM GMT- IP address: 104.47.56.126
-  Document e-signed by Erik Shearer (shearerer@butte.edu)
Signature Date: 2025-06-16 - 2:04:34 PM GMT - Time Source: server- IP address: 107.3.186.138
-  Document emailed to Chris Little (litlech@butte.edu) for signature
2025-06-16 - 2:04:35 PM GMT
-  Email viewed by Chris Little (litlech@butte.edu)
2025-06-16 - 2:48:03 PM GMT- IP address: 205.155.141.8
-  Document e-signed by Chris Little (litlech@butte.edu)
Signature Date: 2025-06-16 - 7:10:38 PM GMT - Time Source: server- IP address: 205.155.141.8
-  Agreement completed.
2025-06-16 - 7:10:38 PM GMT