

Memorandum of Understanding
Between
Grand Rapids Community College
And
Grand Rapids Community College Faculty Association

This Memorandum of Understanding ("MOU") is made by and between Grand Rapids Community College ("College") and the Grand Rapids Community College Faculty Association (collectively, "the Parties"), for the purpose of identifying a timeline and clarifying the process for certain appeals relating to the Faculty Performance Evaluation ("FPE") System contained within Parties' collective bargaining agreement ("contract").

The Parties mutually agree as follows:

1. The Parties' contract contains a provision relating to the appeal process (the "Appeal Process provision") for certain determinations related to the FPE System. (Art. 17 § H).
2. The Appeal Process provision sets forth, *inter alia*, processes for appealing the following:
 - (i) Non-approval of a faculty member's FPE resulting in a faculty member not being granted a merit salary increase (i.e., a step progression); or
 - (ii) The denial of a faculty member's application for the rank of associate professor or full professor; or the non-approval of a faculty member's FPE resulting in a faculty member not being granted a merit increase (i.e., a step progression) after obtaining the rank of full professor.

(Art. 17 §§ H(3), (4)).

3. The Parties agree that it is necessary to amend their contract to create limits relating to the time within which a faculty member shall be required to appeal the above-referenced determinations. The Parties further agree that it is necessary to amend their contract to create limits relating to the time within which the panel charged with rendering a decision on any such appeal shall make its determination. The Parties believe that these time limits will be mutually beneficial, in that they will provide faculty members and the College with additional certainty regarding these appeal processes.

4. The Parties further agree that the above-referenced appeal processes should be further amended to clarify the permissible considerations for appeal panels in rendering decisions.

5. Consequently, the Parties agree the language contained within Article 17, Section (H)(3), shall be revised to provide as follows:

Merit Midpoint Salary Increases: If a faculty member is not granted a merit midpoint salary increase, the decision may be appealed. A faculty member may appeal the decision by notifying the Provost, in writing, within thirty (30) calendar days of the College providing the faculty member with notice of the non-approval of their FPE. Where a faculty member does not appeal the non-approval of their FPE within thirty (30) calendar days, the decision shall be final.

All appeals pursuant to this Section shall be decided by a three-person panel. That panel will consist of an administrator appointed by the Provost, a faculty member appointed by the Faculty Association President, and a department head/program director agreed upon by both the Provost and Faculty Association President. The appeal panel will review the faculty member's FPE to determine whether the process set forth in this contract has been followed and whether the FPE is adequate to meet midpoint requirements. The panel may also review a written statement provided by the faculty member in support of their appeal, and if necessary, may request that the faculty member, associate dean and/or department head/program director provide additional information relevant to making a determination. The appeal panel's decision shall be based solely on the documentation contained within the faculty member's FPE, the faculty member's written statement, and any information requested by the panel.

The panel shall issue a decision regarding the faculty member's appeal within thirty (30) calendar days of the date when the Provost was provided with notice of the faculty member's appeal. If a decision cannot be issued within thirty (30) days because of the absence or unavailability of any panelist(s), the time for deciding the appeal may be extended by an additional thirty (30) days upon written notice being provided to the faculty member.

If the appeal panel does not render a decision within the time limit provided in this Section, the denial of the faculty member's application or the non-approval of the faculty member's FPE shall be reversed.

The appeal panel's decision shall be final.

6. The Parties further agree that the language contained within Article 17, Section (H)(4), shall be revised to provide as follows:

Associate Professor Rank, Full Professor Rank and Merit Salary Increases Following Full Professor: If a faculty member has applied for and been denied the rank of associate professor or full professor, or if a faculty member is not granted a merit salary increase after attaining the rank of full

professor, the decision may be appealed. A faculty member may appeal the decision by notifying the Provost, in writing, within thirty (30) calendar days of the College providing the faculty member with notice of the denial of their application for rank or the non-approval of their FPE, whichever is applicable. Where a faculty member does not appeal the non-approval of their FPE within thirty (30) calendar days, the decision shall be final.

All appeals pursuant to this Section shall be decided by a three-person panel. That panel will consist of an administrator appointed by the Provost, a faculty member appointed by the Faculty Association President, and a department head/program director agreed upon by both the Provost and Faculty Association President. The appeal panel will review the faculty member's portfolio or FPE, whichever is applicable, to determine whether the process set forth in this contract has been followed and whether the portfolio or FPE is adequate to meet the requirements of the rank or merit point. The panel may also review a written statement provided by the faculty member in support of their appeal, and if necessary, may request that the faculty member, associate dean and/or department head/program director provide additional information relevant to making a determination. The appeal panel's decision shall be based solely on the documentation contained within the faculty member's portfolio or FPE, the faculty member's written statement, and any information requested by the panel.

The panel shall issue a decision regarding the faculty member's appeal within thirty (30) calendar days of the date when the Provost was provided with notice of the faculty member's appeal. If a decision cannot be issued within thirty (30) days because of the absence or unavailability of any panelist(s), the time for deciding the appeal may be extended by an additional thirty (30) days upon written notice being provided to the faculty member.

If the appeal panel does not render a decision within the time limit provided in this Section, the denial of the faculty member's application or the non-approval of the faculty member's FPE shall be reversed.

If a faculty member's appeal pursuant to this Section is denied in three consecutive years, the faculty member may appeal the third denial through the parties' grievance procedure contained within Article 10. In all other cases, the appeal panel's decision shall be final.

7. This MOU shall not alter or amend the other Sections in the Appeal Process provision, including those contained within Article 17, Sections (H)(1) and (2). This MOU shall not otherwise alter or amend the Parties' contract in any way except as set forth herein.



Frank Conner
President, Faculty Association

12.12.23
Date



Sheila Jones
Provost

12/13/23
Date