

1 ARTICLE 10

2 EMPLOYEE PERFORMANCE EVALUATIONS

4 10.1 Annual Evaluations.

5 (a) Policy. Performance evaluations are primarily intended to communicate to an
6 employee an assessment of that employee's performance of assigned duties by providing
7 written constructive feedback that will assist in improving the employee's performance and
8 expertise. Evaluations may be considered in employment related decisions such as salary,
9 retention, assignments, awards, tenure, and promotion. Each employee's performance shall
10 be evaluated in writing at least once annually. Employees shall be evaluated according to
11 the University Criteria for Annual Performance Evaluations (Section 10.1(d) below).

12 (b) Annual Evaluation Period. The annual evaluation period shall be the academic year,
13 beginning August 8th, and shall include the preceding summer, as appropriate. The
14 evaluation period for research may be longer than one year if specified in the approved
15 Annual Evaluation Standards and Procedures. The evaluation period used to distinguish
16 between ratings of Conditional and Unsatisfactory in any area of assignment may be longer
17 than one year.

18 (c) Evaluation Ratings. Evaluations shall use the rating categories of outstanding, above
19 satisfactory, satisfactory, conditional, and unsatisfactory in each area of assignment and for
20 the overall evaluation. The overall evaluation shall be consistent with the employee's
21 annual assignment, the evaluations in each assignment area, and the department or unit's
22 Annual Evaluation Standards and Procedures. An employee shall not be evaluated in and
23 the overall evaluation shall not be affected by an area in which the employee had no
24 assignment. A department or unit's Annual Evaluation Standards and Procedures may
25 require an employee to receive a minimum rating of Satisfactory in each area of assignment
26 with an assignment of effort of five percent (5%) or more in order to receive an overall rating
27 of Satisfactory or above.

28 (d) University Criteria for Annual Performance Evaluations. The annual performance
29 evaluation shall be based upon the professional performance of assigned duties and shall
30 carefully consider the nature of the assignments and quality of the performance in terms,
31 where applicable, of:

32 (1) Teaching effectiveness, including effectiveness in imparting knowledge,
33 information, and ideas by means or methods such as lecture, discussion, assignment and
34 recitation, demonstration, laboratory exercise, workshop, practical experience, student
35 perceptions of instruction, assessment of and engagement with student work, and direct
36 consultation with students.

37 a. The evaluation shall include consideration of effectiveness in imparting
38 knowledge and skills, and effectiveness in stimulating students' critical thinking and/or
39 creative abilities, the development or revision of curriculum and course structure, effective
40 student performance evaluation procedures, and adherence to accepted standards of
41 professional behavior in meeting responsibilities to students. The learning objectives of
42 each course, the means of assessing learning objectives, and the outcomes of the
43 assessment should be assessed as part of the teaching performance.

44 b. The evaluation shall include consideration of other assigned university
45 teaching duties, such as advising, counseling, supervision, or duties of the position held by
46 the employee.

47 c. The department chair or unit head (or “evaluator”) shall take into account any
48 relevant materials submitted by the employee such as class notes, syllabi, student exams
49 and assignments, an employee’s teaching portfolio, results of peer evaluations of teaching,
50 and any other materials relevant to the employee’s instructional assignment.

51 d. The evaluator shall consider all information available in forming an
52 assessment of teaching effectiveness.

53 (2) Contribution to the discovery of new knowledge, development of new educational
54 techniques, and other forms of research/scholarship/creative activity.

55 a. Evidence of research/scholarship/creative activity, either print or electronic,
56 shall include, but not be limited to, as appropriate, published books; chapters in books;
57 articles and papers in professional journals; musical compositions, paintings, sculpture;
58 works of performing art; papers presented at meetings of professional societies; funded
59 grant activities; reviews; and research and creative activity that has not yet resulted in
60 publication, funding, display, or performance.

61 b. The evaluation shall include consideration of the quality and quantity of the
62 employee’s research/scholarship and other creative programs and contributions during the
63 evaluation period, and recognition by the academic or professional community of what has
64 been accomplished.

65 (3) Performance of assigned professional duties.

66 (4) Public service that extends professional or discipline-related contributions to the
67 community; the state, including public schools; and the national and international
68 community. Such service includes contributions to scholarly and professional conferences
69 and organizations, governmental boards, agencies, and commissions that are beneficial to
70 such groups and individuals.

71 (5) Service within the university and participation in the governance processes of the
72 institution through significant service on committees, councils, and senates, attendance at
73 commencement, and the employee’s contributions to the governance of the institution
74 through participation in regular departmental or college meetings.

75 (6) Service for UFF activities is not considered university service and shall not be
76 evaluated.

77 (7) Other assigned university duties such as academic administration.

78 (e) Annual Evaluation Standards and Procedures (AESPs). Each University department
79 or unit shall maintain written AESPs by which to evaluate each employee according to the
80 University Criteria for Annual Performance Evaluations specified in this article. AESPs shall
81 be clarifications of the University criteria in terms tailored to the department or unit’s
82 discipline (s), employee positions (e.g., tenured or tenure earning, non-tenure-earning,
83 library faculty), and assigned duties. These discipline-specific clarifications shall:

84 (1) take into consideration the University’s mission, the college’s or division’s
85 mission the department’s mission, and the expectations for the different ranks;

86 (2) be adaptable to various assigned duties;

87 (3) address, as appropriate, how various research/scholarship/creative activities are
88 valued and the outlets in which employees might be expected to publish, exhibit, or perform.

89 (4) be rigorous and detailed enough that a reasonable employee should not be
90 uncertain or confused about what performance or accomplishment is sufficient in teaching,
91 research/scholarship/creative activity, professional duties commonly assigned in the
92 department or unit, and service to earn each performance evaluation rating. The
93 clarifications shall identify for each assignment area some representative examples of the
94 achievements or performance characteristics that would earn each performance evaluation
95 rating, consistent with an employee’s assigned duties. Examples shall be included for

96 typical assignments within the department or unit (e.g., for 2-2 and 3-2 teaching
97 assignments with correspondingly larger and smaller research assignments, if typically
98 assigned), and must demonstrate the equitable opportunity required by (2) above.

99 (f) Process for developing AESPs.

100 (1) In tenure-granting departments or units, a committee of six members including
101 four unit employees (at least two must have tenure) elected by the employees in the unit,
102 the department chair or unit head, and one representative appointed by the dean will
103 develop or revise AESPs. If a department or unit has fewer than two tenured employees,
104 the entire department or unit shall vote to elect up to four employees to serve on the
105 committee, along with the department chair or unit head and one member appointed by the
106 dean.

107 (2) Employees in the department or unit shall propose AESPs or changes thereto as
108 developed by the committee by a majority vote in a secret ballot. If a majority exists, the
109 proposed AESPs shall be forwarded to the dean or the appropriate vice president.

110 (3) The proposed AESPs or revisions thereto shall be reviewed by the dean or vice
111 president. If the dean/vice president determines the proposed AESPs do not meet their
112 expectations, the dean/vice president may refer them back to the department or unit for
113 revision with a written statement of the reasons for non-acceptance.

114 (4) Once the dean or vice president determines the proposed AESPs or revisions
115 are acceptable, they shall be forwarded to the university's representative for review to
116 ensure they are consistent with the mission and goals of the University and comply with this
117 Agreement. If the university's representative determines that the proposed AESPs or
118 revisions thereto are acceptable, they shall be approved. If not, they shall be referred back
119 to the college or division for revision by the department or unit with a written statement of
120 reasons for non-approval.

121 (5) If, one year after the initiation of the process described in this subsection, AESPs
122 acceptable to the dean/vice president and university's representative have not been
123 approved by the department or unit, draft AESPs, committee and department votes, and
124 comments from employees, committee, and the dean/vice president shall be forwarded to
125 the university's representative for consideration. The university's representative shall, in
126 conjunction with the dean/vice president and department head, and in consideration of the
127 opinions of the employees and of approved AESPs for other departments and units,
128 develop and institute new department or unit AESPs. These AESPs shall remain in place
129 until such time as new AESPs are developed and approved according to the procedure
130 outlined in this subsection.

131 (6) Approved AESPs and revisions thereto shall be kept on file in the department or
132 unit office. Upon written request, employees in each department or unit shall be provided an
133 electronic copy of that department or unit's current AESPs.

134 (7) Review of AESPs must occur on a regular basis and must begin no later than
135 five (5) years after the adoption or most recent review of those AESPs. The university's
136 representative, the dean, or a majority of employees in the department or unit may initiate
137 the review of AESPs at any time. The process for reviewing a department or unit's AESPs
138 shall be the same as the process for developing them, as described in this article. The
139 effective date for AESPs or revisions thereto shall be the start of the annual evaluation
140 period that begins after the date the AESPs or revisions are approved by the university's
141 representative and the employees of the department or unit are so informed in writing.

142 (g) Process for and Sources of Evaluation.

143 (1) Employee Annual Report. Every year, each employee shall submit to the
144 department chair or unit head (or "evaluator") a report of the employee's performance in

145 each area of assignment. This report shall be due to the evaluator on May 7 of each year.
146 The evaluator, may, at the written request from the employee, provide an extension of up to
147 twenty-one days to submit the annual report. The employee annual report may include any
148 interpretive comments and supporting data that the employee deems appropriate for
149 evaluating the employee's performance and shall also include an up-to-date and accurate
150 CV. The employee shall submit the report in the format determined by the college.

151 (2) The evaluator shall also consider, where appropriate and available, information
152 from the following sources: immediate supervisor (if different from the evaluator), peers,
153 students, employee, other university officials who have responsibility for supervision of the
154 employee, and individuals to whom the employee may be responsible in the course of a
155 service assignment, including public school officials when the employee has a service
156 assignment to the public schools. Copies of materials to be used in the evaluation process
157 submitted by persons other than the employee shall be provided to the employee, who may
158 attach a written response within thirty days of receiving that document.

159 (3) All assigned activities for which an employee receives compensation from the
160 university, including summer assignments, shall be reported upon and evaluated. An
161 employee may report activities related to the areas of assignment that are performed during
162 times when the employee is not compensated by the university; if reported upon, these
163 activities shall be evaluated.

164 (4) Observation/Visitation. The evaluator or the evaluator's representative may
165 conduct classroom observation/visitation in connection with the employee's evaluation. If
166 such classroom observations/visitations are conducted, no fewer than two
167 observations/visitations shall be completed during the evaluation period.

168 a. Absent immediate concerns described below, the evaluator shall notify the
169 employee at least two days in advance of the date and time of any direct classroom
170 observation or visitation. If the employee determines this date is not appropriate because of
171 the nature of the scheduled class activities, the employee may suggest a more appropriate
172 date.

173 b. If the evaluator has received a complaint or other information that gives rise
174 to immediate concerns about the conduct of the class, the evaluator or the evaluator's
175 representative may observe or visit the class at any time without notice to the employee.

176 c. Observation/visitation of online classroom settings is permitted at any time.

177 d. A written report of the observation/visitation shall be submitted to the
178 employee, if the employee requests a report, within two weeks of the observation/visitation.
179 If the observation/visitation involves a course that was assigned to the employee with less
180 than six weeks' notice, such change shall be noted in the report. The employee shall be
181 offered the opportunity to discuss the evaluation with the evaluator prior to its being finalized
182 and placed in the employee's evaluation file and may submit a written reply within thirty
183 days of receipt, which shall be attached to the report.

184 e. Peer Assessment. An employee has the right to have the evaluator assign a
185 peer to observe/visit the employee's teaching and to have an assessment of that
186 observation/visitation included as part of the employee's annual report. A department or unit
187 may require peer observation/visitation, which shall be carried out in accordance with the
188 requirements of this subsection. In these cases, the peer may be a colleague within the
189 University, a retired colleague, or a colleague in the same discipline from another university.

190 (5) Written Evaluation.

191 a. The proposed written annual evaluation shall be provided to the employee by
192 the start of the fall semester. Annual evaluations are not required for employees who have

193 been non-reappointed or whose employment ends before December 31 of the new
194 academic year.

195 b. The employee shall be offered the opportunity to discuss the evaluation with
196 the evaluator prior to its being finalized and placed in the employee's evaluation file. The
197 evaluation shall be signed and dated by the evaluator and by the employee, to acknowledge
198 receipt of it. The employee may attach a concise comment to the evaluation within thirty
199 days of receipt. A copy of the evaluation shall be provided to the employee.

200 c. Upon written request from the employee, the evaluator shall endeavor to
201 assist the employee in addressing any performance deficiencies.
202

203 **10.2 Cumulative Progress Evaluations.**

204 (a) Policy. Tenure earning or tenured employees eligible for consideration for promotion
205 to the rank of associate professor and/or tenure shall be informed annually of their progress
206 toward promotion and/or tenure. Each year's cumulative progress evaluation shall build
207 upon prior cumulative progress evaluations so an employee's progress toward tenure
208 and/or promotion in a given year will be viewed in the context of attainments over the entire
209 tenure and/or promotion earning period. Employees eligible for promotion to professor shall
210 be similarly apprised of their progress toward promotion at least once prior to submitting
211 their promotion dossier. The cumulative progress evaluations are intended to provide an
212 accurate assessment of cumulative performance as leading to attainment of promotion
213 and/or tenure, and to provide assistance and counseling to candidates to help them qualify
214 themselves for tenure and/or promotion.

215 (b) Process. All cumulative progress evaluations shall be completed during the spring
216 semester. Beginning with the second year of employment (or the first year, if tenure credit
217 was given) and continuing annually, an employee who is eligible for tenure and/or
218 promotion to the rank of associate professor shall receive a cumulative progress evaluation.
219 Separate cumulative progress evaluations shall be provided by the tenured members of the
220 department or unit (excluding the chair/head and dean), the chair/head, and dean. For
221 cumulative evaluations of progress towards promotion to professor, only tenured professors
222 participate in the employee's evaluation. If the department or unit has fewer than three
223 tenured members or tenured professors, as appropriate, the dean may increase the
224 committee membership to three using tenured members of appropriate rank from other
225 departments or units. If the chair/head of the department or unit does not hold the rank of
226 professor or is not a tenured member of the department/unit, the dean may appoint a
227 tenured faculty member of an appropriate rank from another department/unit to serve in this
228 role for the purpose of completing the cumulative progress evaluations. The employee may
229 request, in writing, a meeting with the chair/head and/or dean to discuss concerns regarding
230 the cumulative progress evaluation.

231 (c) Criteria.

232 (1) Progress toward the promotion to the rank of associate professor with tenure will
233 be assessed based on professional performance of teaching, research, and service, and
234 the likelihood of future contributions at or exceeding current levels of performance.

235 (2) Progress toward tenure for tenure-earning associate professors will be assessed
236 based on the professional performance of teaching, research, and service, and the
237 likelihood of future contributions at or exceeding current levels of performance.

238 (3) Progress toward tenure for tenure-earning professors will be assessed based on
239 the professional performance of teaching, research, and service, the achievement of

240 national and/or international prominence, evidence of advancing their field of study, and the
241 likelihood of future contributions at or exceeding current levels of performance.

242 (4) When requested by the employee, progress toward the rank of professor will be
243 assessed based on the professional performance of teaching, research, and service, the
244 achievement of national and/or international prominence, evidence of advancing their field
245 of study, and the likelihood of future contributions at or exceeding current levels of
246 performance.

247

248 **10.3 Sustained Performance Evaluations.**

249 (a) Policy. Tenured employees shall receive a sustained performance evaluation at least
250 once every three years following the award of tenure or their most recent promotion. The
251 purpose of this evaluation is to document sustained performance during the previous three
252 years of assigned duties to evaluate continued professional growth and development.

253 (b) Process.

254 (1) At the end of three years of tenured or post-promotion service, and each
255 subsequent three year period, or at any time the employee has not maintained productivity
256 expectations, an employee's sustained performance will be evaluated. This evaluation will
257 consist of a review of the overall annual evaluation ratings and productivity during that
258 period of interest. If the employee's overall performance is deemed to be below satisfactory,
259 then the employee shall be issued a performance improvement plan. The average shall be
260 determined by assigning a value of 4 for Outstanding, 3 for Above Satisfactory, 2 for
261 Satisfactory, 1 for Conditional, and 0 for Unsatisfactory to each of the employee's annual
262 evaluation ratings over the appropriate period. If the average value is less than 2.0, the
263 employee's performance shall be deemed below satisfactory.

264 (2) A performance improvement plan shall be developed by the department chair or
265 unit head in consultation with the employee and aligned with the unit's AESP and shall
266 include specific measurable performance targets with target dates that must be completed
267 in a period of two years. The performance improvement plan requires the approval of the
268 dean and the university's representative.

269 (3) When an employee has a performance improvement plan, the department chair
270 or unit head shall provide an annual evaluation of the employee's performance on the plan.
271 Adherence to the performance improvement plan, including its targets and target deadlines,
272 shall be the governing criteria for performance improvement plan evaluations.

273 (4) It is the responsibility of the employee to attain the performance targets specified
274 in the performance improvement plan. Lack of success may result in dismissal. The
275 employee may attach a concise response to the sustained performance evaluation, the
276 performance improvement plan, and annual evaluations of performance on the sustained
277 performance plan. Any such responses shall be included in the evaluation file.

278

279 **10.4 Proficiency in Spoken English.**

280 (a) Requirement. Employees must, to be involved in classroom instruction beyond one
281 (1) semester, establish proficiency in the oral use of English, as set forth in Section
282 1012.93, Florida Statutes, and any applicable Board of Education or Board of Governors
283 rule or resolution.

284 (b) Deficiency. Failure to correct the deficiencies may result in termination.

285

286 **10.5 Employee Assistance Programs.** Neither the fact of an employee's participation
287 in an employee assistance program nor information generated by participation in the

288 program shall be used as evidence of a performance deficiency within the evaluation
289 processes described in this Article, except for information relating to an employee's failure
290 to participate in an employee assistance program consistent with the terms to which the
291 employee and the university's representative have agreed.

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