

1 ARTICLE 10

2 **EMPLOYEE PERFORMANCE EVALUATIONS**

3
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
7 providing written constructive feedback that will assist in improving the employee's
8 performance and expertise. Evaluations may be considered in employment related
9 decisions such as salary, retention, assignments, awards, tenure, and promotion. Each
10 employee's performance shall be evaluated in writing at least once annually. Employees
11 shall be evaluated according to the University Criteria for Annual Performance
12 Evaluations (Section 10.1(d) below).

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

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

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

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

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

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

48 c. The evaluator shall take into account any relevant materials submitted

49 by the employee such as class notes, syllabi, student exams and assignments, an
50 employee's teaching portfolio, results of peer evaluations of teaching, and any other
51 materials relevant to the employee's instructional assignment.

52 d. The evaluator shall consider all information available informing an
53 assessment of teaching effectiveness.

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

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

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

66 (3) Performance of assigned professional duties.

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

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

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

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

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

86 (1) take into consideration the University's mission, the college's or
87 division's mission the department's mission, and the expectations for the different
88 ranks;

89 (2) be adaptable to various assigned duties;

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

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

98 performance characteristics that would earn each performance evaluation rating, consistent
99 with an employee's assigned duties.

100 Examples shall be included for typical assignments within the department or unit (e.g.,
101 for 2-2 and 3-2 teaching assignments with correspondingly larger and smaller research
102 assignments, if typically assigned), and must demonstrate the equitable opportunity
103 required by (2) above.

104 (f) Process for developing AESPs.

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

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

115 (3) The proposed AESP or revisions thereto shall be reviewed by the dean or
116 vice president for consistency with the missions and goals of the college or division. If
117 the dean/vice president determines the proposed AESP do not meet the mission and
118 goals of the college/division, their expectations, the dean/vice president may refer them
119 back to the department or unit for revision with a written statement of the reasons for
120 non-acceptance.

121 (4) Once the dean or vice president determines the proposed AESP or
122 revisions for consistency with the missions and goals of the college or division are
123 acceptable, they shall be forwarded to the university's representative for review to
124 ensure they are consistent with the mission and goals of the University and comply with
125 this Agreement. If the university's representative determines that the proposed AESP
126 or revisions thereto are acceptable, they shall be approved. If not, they shall be referred
127 back to the college or division for revision by the department or unit with a written
128 statement of reasons for non-approval.

129 ~~(5) If, one year after the initiation of the process described in this subsection,~~
130 ~~AESP acceptable to the dean/vice president and university's representative have not~~
131 ~~been approved by the department or unit, draft AESP, committee and department votes,~~
132 ~~and comments from employees, committee, and the dean/vice president shall be forwarded to~~
133 ~~the university's representative for consideration. The university's representative shall, in~~
134 ~~conjunction with the dean/vice president and department head, and in consideration of the~~
135 ~~opinions of the employees and of approved AESP for other departments and units, develop~~
136 ~~and institute new department or unit AESP. These AESP shall remain in place until such~~
137 ~~time as new AESP are developed and approved according to the procedure outlined in this~~
138 ~~subsection.~~

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

142 (7) Review of AESP must occur on a regular basis and must begin no later than
143 five (5) years after the adoption or most recent review of those AESP. The university's
144 representative, the dean, or a majority of employees in the department or unit may initiate
145 the review of AESP at any time once between the five year review. The process for
146 reviewing a department or unit's AESP shall be the same as the process for developing

147 them, as described in this article. The effective date for AESPs or revisions thereto shall
148 be the start of the annual evaluation period that begins after the date the AESPs or
149 revisions are approved by the university's representative and the employees of the
150 department or unit are so informed in writing. If a department or unit is in the process of
151 developing or revising its AESPs when this article is ratified, the department or unit shall
152 begin that process anew, following the procedures required by this article.

153 (g) Process for and Sources of Evaluation.

154 (1) Employee Annual Report. Every year, each employee shall submit to the
155 department chair or unit head (hereafter, "evaluator") a report of the employee's
156 performance in each area of assignment. This report shall be due to the evaluator on
157 May 7 of each year. The supervisor, may, at the written request from the employee,
158 provide an extension of up to twenty-one days to submit the annual report. The employee
159 annual report may include any interpretive comments and supporting data that the
160 employee deems appropriate for evaluating the employee's performance and shall also
161 include an up-to-date and accurate CV. The employee shall submit the report in the
162 format determined by the college.

163 (2) The evaluator shall also consider, where appropriate and available, information
164 from the following sources: immediate supervisor, peers, students, employee, other
165 university officials who have responsibility for supervision of the employee, and
166 individuals to whom the employee may be responsible in the course of a service
167 assignment, including public school officials when the employee has a service assignment to
168 the public schools. Copies of materials to be used in the evaluation process submitted by
169 persons other than the employee shall be provided to the employee, who may attach a written
170 response within thirty days of receiving that document.

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

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

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

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

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

190 d. A written report of the observation/visitation shall be submitted to the
191 employee, if the employee requests a report, within two weeks of the
192 observation/visitation. If the observation/visitation involves a course that was assigned to
193 the employee with less than six weeks' notice, such change shall be noted in the report.
194 The employee shall be offered the opportunity to discuss the evaluation with the evaluator
195 prior to its being finalized and placed in the employee's evaluation file and may submit a

196 written reply within thirty days of receipt, which shall be attached to the report.

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

203 (5) Written Evaluation.

204 a. The proposed written annual evaluation shall be provided to the
205 employee at the start of the fall semester. Annual evaluations are not required for
206 employees who have been non-reappointed or whose employment ends before
207 December 31 of the new academic year.

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

213 c. Upon written request from the employee, the evaluator shall endeavor to
214 assist the employee in addressing any performance deficiencies.

215
216 **10.2 Cumulative Progress Evaluations.**

217 (a) Policy. Tenure earning or tenured employees eligible for consideration for
218 promotion to the rank of associate professor and/or tenure shall be informed annually of
219 their progress toward promotion and/or tenure. Each year's cumulative progress
220 evaluation shall build upon prior cumulative progress evaluations so an employee's
221 progress toward tenure and/or promotion in a given year will be viewed in the context of
222 attainments over the entire tenure and/or promotion earning period. Employees eligible
223 for promotion to professor ~~shall~~ may be similarly apprised of their progress toward
224 promotion ~~at least once~~ prior to submitting their promotion dossier. The cumulative
225 progress evaluations are intended to provide an accurate assessment of cumulative
226 performance as leading to attainment of promotion and/or tenure, and to provide
227 assistance and counseling to candidates to help them qualify themselves for tenure and/or
228 promotion.

229 (b) Process. All cumulative progress evaluations shall be completed during the spring
230 semester. Beginning with the second year of employment (or the first year, if tenure credit
231 was given) and continuing annually, an employee who is eligible for tenure and/or
232 promotion to the rank of associate professor shall receive a cumulative progress
233 evaluation. Separate cumulative progress evaluations shall be provided by the tenured
234 members of the department or unit (excluding the chair/head and dean), the chair/head, and
235 dean. For cumulative evaluations of progress towards promotion to professor, only tenured
236 professors participate in the employee's evaluation. If the department or unit has fewer than
237 three tenured members or tenured professors, as appropriate, the dean may increase the
238 committee membership to three using tenured members of appropriate rank from other
239 departments or units. If the chair/head of the department or unit does not hold the rank of
240 professor or is not a tenured member of the department/unit, the dean may appoint a tenured
241 faculty member of an appropriate rank from another department/unit to serve in this role for
242 the purpose of completing the cumulative progress evaluations. The employee may request,
243 in writing, a meeting with the chair/head and/or dean to discuss concerns regarding the
244 cumulative progress evaluation.

245 (c) Criteria.

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

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

252 (3) Progress toward tenure for tenure-earning professors will be assessed based
253 on the professional performance of teaching, research, and service, the achievement of
254 national and/or international prominence, evidence of advancing their field of study, and
255 the likelihood of future contributions at or exceeding current levels of performance.

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

261
262 **10.3 Sustained Performance Evaluations.**

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

267 (b) Process.

268 (1) At the end of ~~three~~-seven years of tenured or post-promotion service, and each
269 subsequent ~~three~~-seven year period, or at any time the employee has not maintained
270 productivity expectations, an employee's sustained performance will be evaluated. This
271 evaluation will consist of a review of the overall annual evaluation ratings and productivity
272 during that period of interest. If the employee's overall performance is deemed to be
273 below satisfactory, then the employee shall be issued a performance improvement plan.
274 The average shall be determined by assigning a value of 4 for Outstanding, 3 for Above
275 Satisfactory, 2 for Satisfactory, 1 for Conditional, and 0 for Unsatisfactory to each of the
276 employee's annual evaluation ratings over the appropriate period. If the average value is
277 less than 2.0, the employee's performance shall be deemed below satisfactory.

278 (2) A performance improvement plan shall be developed by the department chair
279 or unit head and shall include specific measurable performance targets with target dates
280 that must be completed in a period of two years. The performance improvement plan
281 requires the approval of the dean and the university's representative.

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

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

292

293 **10.4 — Proficiency in Spoken English.**

294 ~~(a) Requirement. Employees must, to be involved in classroom instruction beyond~~
295 ~~one (1) semester, establish proficiency in the oral use of English, as set forth in Section~~
296 ~~1012.93, Florida Statutes, and any applicable Board of Education or Board of Governors~~
297 ~~rule or resolution.~~

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

299

300 **10.510.4 Employee Assistance Programs.** Neither the fact of an employee's
301 participation in an employee assistance program nor information generated by
302 participation in the program shall be used as evidence of a performance deficiency within
303 the evaluation processes described in this Article, except for information relating to an
304 employee's failure to participate in an employee assistance program consistent with the
305 terms to which the employee and the university's representative have agreed.