

1 **ARTICLE 10**

2 *EMPLOYEE PERFORMANCE EVALUATIONS*

3 **10.1 Annual Evaluations.** Performance evaluations are primarily intended to
4 communicate to an employee an assessment of that employee’s performance of
5 assigned duties by providing constructive written feedback. The annual evaluation
6 shall be based upon the performance of professional assigned duties and
7 expertise and shall consider the nature of the assignments and quality of the
8 performance. In cases of atypical assignments (such as a sabbatical), the
9 supervisor may adapt the assessment of an employee’s performance to reflect
10 that assignment. Evaluations may be considered in employment-related decisions
11 such as salary, retention, assignments, awards, tenure, and promotion.

12 **(a) Annual Evaluation Period.** The annual evaluation period shall begin May 8
13 and end at the close of the following Spring semester, on May 7 of the following
14 year. Each employee’s performance shall be evaluated in writing by an
15 appropriate administrator at least once annually.

16 **(b) Employee Annual Report.** Every year, each employee shall submit to the
17 department chair or unit head (or “evaluator”) a report of the employee’s
18 performance in each area of assignment. This report shall be due to the evaluator
19 by May 7 of each year. The evaluator, may, at the written request from the
20 employee, provide an extension of up to twenty-one days to submit the annual
21 report. The employee’s annual report may include any interpretive comments and
22 supporting data that the employee deems appropriate for evaluating the
23 employee’s performance and shall also include an up-to-date and accurate CV.
24 The employee shall submit the report in the format determined by the college.
25 Failure to provide the complete annual report by these deadlines may result in
26 the evaluator finalizing the annual evaluation based only on the information
27 available to the evaluator.

28 **(c) Evaluation Ratings.** Evaluations shall use the rating categories of
29 Outstanding, Above Satisfactory, Satisfactory, Conditional, and Unsatisfactory in
30 each area of assignment and for the overall evaluation.

31 **(d) Overall evaluation.** The overall evaluation shall be consistent with the
32 employee’s annual assignment, the evaluations in each assignment area, and the
33 department or unit’s Annual Evaluation Standards and Procedures. An employee

Commented [CP1]: 10/2: BOT accepted changes that were not disputed so the teams may focus on the remaining 4 items.

34 shall not be evaluated in, and the overall evaluation shall not be affected by, an
35 area in which the employee had no assignment. An employee must receive a
36 minimum rating of Satisfactory in each area with assigned effort of five percent
37 (5%) or more in order to receive an overall rating of Satisfactory or above.

38 **(e) Issuance of Annual Evaluation.** The proposed written annual evaluation shall
39 be provided to the employee by August 8 of each year. Annual evaluations are not
40 required for employees who have been non-reappointed or whose employment
41 will end before December 31 of the new academic year. An employee who was
42 not assigned to work for the university during the evaluation period shall receive
43 a default overall evaluation of Satisfactory. (For example, a 9-month employee
44 who was not provided an assignment during the summer, followed by a paid or
45 unpaid leave for the academic year would receive a default evaluation of
46 Satisfactory.)

47 The employee shall be offered the opportunity to discuss the evaluation with
48 the evaluator prior to its being finalized and placed in the employee's evaluation
49 file. The evaluation shall be signed and dated by the evaluator, and the employee
50 must acknowledge receipt of it. The employee may attach a concise comment to
51 the evaluation within thirty days of receipt. A copy of the complete, finalized
52 evaluation shall be provided to the employee. Upon written request from the
53 employee, the evaluator shall endeavor to assist the employee in addressing any
54 performance deficiencies. Evaluations not acknowledged by the employee shall
55 be finalized 30 days after issuance.

56 **10.2 Sources of Annual Evaluation.** All assigned activities for which an employee
57 receives compensation from the university, including summer assignments, shall
58 be reported upon and evaluated. An employee may report activities related to the
59 areas of assignment that are performed when the employee is not compensated
60 by the university; if reported upon, these activities shall be evaluated.

61 The evaluator considers information from various sources: immediate
62 supervisor (if different from the evaluator); peers; students; employees; other
63 university officials who have responsibility for supervision of, or business-related
64 interaction with, the employee; and individuals to whom the employee may be
65 responsible in the course of a service assignment, including public school officials
66 when the employee has a service assignment to the public schools. The
67 information provided by these other sources is not based upon a review of the

68 employee's annual report, but is regarded as feedback on the employee's
69 performance. Copies of materials to be used in the evaluation process submitted
70 by persons other than the employee shall be provided to the employee, who may
71 attach a written response within thirty days of receiving that document.

72 The evaluator shall consider the quality and productivity of an employee's
73 professional performance in the following categories:

74 **(a) Teaching effectiveness (Instruction & Advisement).** Teaching effectiveness
75 includes success in imparting knowledge, information, and ideas by means or
76 methods such as lecture, discussion, assignment and recitation, demonstration,
77 laboratory exercise, workshop and practical experience, assessment of and
78 engagement with student work, and direct consultation with students. Student
79 Perceptions of Instruction may not be the sole method of gauging employee
80 teaching effectiveness. The evaluator shall consider all available information in
81 forming an assessment of teaching effectiveness. Examples of this information
82 includes:

- 83 1. Consideration of effectiveness in stimulating students' critical thinking
84 and/or creative abilities, the development or revision of curriculum and course
85 structure, effective assessment of student performance, and adherence to
86 accepted standards of professional behavior in meeting responsibilities to
87 students. The learning objectives of each course, the means of assessing learning
88 objectives, and the outcomes of the assessment should be considered as part of
89 the teaching performance.
- 90 2. Consideration of other assigned university teaching duties, such as
91 advising, counseling, supervision, or duties of the position held by the employee.
- 92 3. Any relevant materials submitted by the employee such as class notes,
93 syllabi, student exams and assignments, an employee's teaching portfolio, results
94 of peer evaluations of teaching, and any other materials relevant to the
95 employee's instructional assignment.

96 **(b) Research/Creative Activity.** Contribution to the discovery of new knowledge,
97 development of new educational techniques, and other forms of
98 research/scholarship/creative activity. Examples of this information includes:

- 99 1. Evidence of research/scholarship/creative activity, either print or
100 electronic, shall include, but not be limited to, as appropriate, published books;
101 chapters in books; articles and papers in professional journals; musical

102 compositions, paintings, sculpture; works of performing art; papers presented at
103 meetings of professional societies; funded grant activities; reviews; and research
104 and creative activity that has not yet resulted in publication, funding, display, or
105 performance.

106 2. Consideration of the quality and productivity of the employee's
107 research/scholarship and other creative programs and contributions during the
108 evaluation period, and recognition by the academic or professional community of
109 what has been accomplished.

110 **(c) Service and Performance of assigned professional duties.** Service and/or
111 professional development work may be assigned to employees. Examples of this
112 information includes:

113 1. Public service that extends professional or discipline-related
114 contributions to the community; the state, including public schools; and the
115 national and international community. Such service includes contributions to
116 scholarly and professional conferences and organizations, governmental boards,
117 agencies, and commissions that are beneficial to such groups and individuals.

118 2. University Service. Service within the university and participation in the
119 governance processes of the institution through significant service on
120 committees, councils, and senates, attendance at commencement, and the
121 employee's contributions to the governance of the institution through active
122 participation in regular departmental and/or college meetings.

123 3. Professional Development as assigned, including goals for the annual
124 evaluation period, if agreed upon.

125 **(d) Other assigned university duties,** such as academic administration.

126 **(e)** Service for UFF activities is not considered university service and shall not
127 be evaluated.

128 10.2 Process for collecting evaluative information through observation or peer 129 assessment.

130 **(a) Planned Classroom Observation/Visitation.** The evaluator or the evaluator's
131 representative may conduct classroom observations/visitations in connection
132 with the employee's evaluation. If such classroom observations/visitations are to
133 be used in the annual evaluation, no fewer than two observations/visitations shall
134 be completed during the evaluation period.

135 1. Absent immediate concerns, the evaluator shall notify the employee at
136 least two days in advance of the date and time of any direct classroom
137 observation or visitation. If the employee determines this date is not appropriate
138 because of the nature of the scheduled class activities, the employee may suggest
139 a more appropriate date. If the evaluator has received a complaint or other
140 information that gives rise to immediate concerns about the conduct of the class,
141 the evaluator or the evaluator's representative may observe or visit the class at
142 any time without notice to the employee.

143 2. Observation/visitation of online classroom settings is permitted at any
144 time.

145 3. A written summary of the observation/visitation shall be submitted to
146 the employee within two weeks of the observation/visitation. If the
147 observation/visitation involves a course that was assigned to the employee with
148 less than six weeks' notice, the date of notice shall be included. The employee
149 shall be offered the opportunity to discuss the summary with the evaluator prior
150 to its being finalized and placed in the employee's evaluation file; the employee
151 may submit a written reply within thirty days of receipt, which shall be attached
152 to the summary.

153 4. Peer Assessment. An employee has the right to have the evaluator
154 assign a peer to observe/visit the employee's teaching and to have an assessment
155 of that observation/visitation included as part of the employee's annual report. A
156 department or unit may require peer observation/visitation. In these cases, the
157 peer may be a colleague within the University, a retired colleague, or a colleague
158 in the same discipline from another university.

159 **10.3 Required Proficiency in Spoken English.** To be involved in classroom
160 instruction beyond one (1) semester, employees must establish proficiency in the
161 oral use of English, as set forth in Section 1012.93, Florida Statutes, and any
162 applicable Board of Education or Board of Governors rule or resolution.
163 Uncorrected deficiencies may result in termination.

164 **10.4 Employee Assistance Programs.** An employee's participation in an employee
165 assistance program or information generated by participation in the program shall
166 not be used as evidence of a performance deficiency within the evaluation
167 processes described in this Article. However, if an employee fails to participate in

168 an employee assistance program consistent with a prior agreement between the
169 employee and the supervisor, that information may be included in the evaluation.

170 **10.5 Cumulative Progress Evaluations (CPE).** Cumulative progress evaluations
171 are intended to provide an accurate consideration of cumulative performance
172 leading to attainment of tenure and/or promotion, and to provide assistance and
173 counseling to candidates to help them qualify themselves for tenure and/or
174 promotion. For those seeking tenure, CPEs focus only on the tenure-earning
175 period. For consideration of promotion only, the quality and productivity of an
176 employee’s body of work is assessed, including recognition by the academic or
177 professional community of what the employee has accomplished.

178 **(a) Assessment of progress towards tenure/promotion.**

179 1. Cumulative progress toward **promotion to the rank of associate**
180 **professor** will be assessed annually based on professional performance of
181 teaching, research, and service, and the likelihood of future contributions at or
182 exceeding current levels of performance. **Associate professors** who request a CPE
183 **for promotion** will also be assessed on the achievement of national and/or
184 international prominence and evidence of advancing their field of study.

185 2. Cumulative progress toward **tenure for tenure-eligible employees** will
186 be assessed annually. These CPEs will be based on the cumulative impact of the
187 professional performance of teaching, research, and service, and the likelihood of
188 future contributions at or exceeding current levels of performance. **Tenure**
189 **eligible employees seeking tenure** will also be assessed on the achievement of
190 national and/or international prominence and evidence of advancing their field of
191 study.

192 **(b) CPE Eligibility. Tenure-eligible employees** shall be informed annually of their
193 progress toward promotion and/or tenure. Each year’s cumulative progress
194 evaluation shall build upon prior cumulative progress evaluations, so an
195 employee’s progress toward tenure and/or promotion in a given year will be
196 viewed in the context of attainments over the entire tenure and/or promotion
197 earning period. Tenured employees eligible for **promotion to professor** may, at
198 their option and upon written request, be apprised of their progress toward
199 promotion through the CPE process.

200 (c) **CPE Progression.** Beginning with the second year of employment (or the first
 201 year, if tenure credit was given) and continuing annually, an employee who is
 202 eligible for **tenure** shall receive a cumulative progress evaluation. Separate
 203 cumulative progress evaluations shall be provided by the tenured members of the
 204 department or unit (excluding the chair/head and dean), the chair/head, and
 205 dean. All cumulative progress evaluations shall be completed during the spring
 206 semester. An employee may request, in writing within 30 days of its receipt, a
 207 meeting with the chair/head and/or dean to discuss concerns regarding the
 208 cumulative progress evaluation.

209 (d) **CPE Process.** Barring a conflict of interest leading to recusal, all tenured
 210 faculty in the unit are expected to participate in the evaluation of an employee’s
 211 CPE materials. However, associate professors shall not participate in cumulative
 212 evaluations of progress for an individual being considered for **promotion to**
 213 **professor**. If the department or unit has fewer than three tenured members or
 214 tenured professors, as appropriate, to evaluate the tenure/promotion of an
 215 individual in the unit, the dean may increase the committee membership to three
 216 using tenured members of appropriate rank from other departments or units. If
 217 the chair/head of the department or unit does not hold the rank of professor, or
 218 is not a tenured member of the department/unit, the dean may appoint a
 219 tenured faculty member of an appropriate rank from another department/unit to
 220 serve in this role for the purpose of completing the cumulative progress
 221 evaluations.

222 **10.6 Post Tenure Review (PTR) Procedures.** Florida Board of Governors (FLBOG)
 223 Regulation 10.003 and Section 1001.706 (6)(b), Florida Statutes, together, require
 224 that each tenured faculty member at a state university undergo a comprehensive
 225 post tenure review every five years, and further provide certain content that is
 226 required to be included in the post tenure review process. This Article 10.6 sets
 227 forth a post tenure review process in accordance with the current requirements
 228 of FLBOG Regulation 10.003 and Section 100.706(6)(b). If either FLBOG Regulation
 229 10.003 or Section 1001.706 (6)(b), Florida Statutes, is amended or overturned so
 230 that the requirements for post tenure review process for tenured faculty
 231 members at a state university are modified, upon notification by either Party, the
 232 Parties to this Agreement shall open negotiations on all articles in this agreement
 233 that pertain to post tenure review.

Commented [CP2]: UFF proposes language addition here: Should any of these regulations or statutes be found to be invalid or unenforceable by the final decision of a tribunal of competent jurisdiction or are rendered invalid by reason of subsequently enacted legislation or regulation, the University agrees to return to the Sustained Performance Evaluation procedures described in the 2021-2024 Collective Bargaining Agreement. The BOT recognizes Article 29. Language not needed.

Commented [CR3R2]: If any of this language becomes invalid or unenforceable, both sides should return to the table. There is no certainty that 2021-2024 language will still be usable, especially if there is subsequent legislation or regulation to consider.

234 **(a) Timing.** Each tenured faculty member will have a comprehensive post-
 235 tenure review of five years of performance in the fifth year following the last
 236 promotion or the last comprehensive post-tenure review, whichever is later. For
 237 faculty hired with tenure, the hire date will constitute the date of the last
 238 promotion. Necessarily, there is a five-year period of phasing-in the post-tenure
 239 review process.

240 **(b) Participation.** All tenured faculty members are required to participate every
 241 five years, except those that are already participating in the transition-to-
 242 retirement program (T2RP), and faculty with an irrevocable resignation date
 243 within the same academic year as the review. Another exception includes faculty
 244 approved for more than 160 hours of authorized leave during one semester
 245 within the five-year period of review.

246
 247 **(c) Review Requirements.** The PTR will assess the faculty member’s
 248 performance in assigned teaching, research/creative work, service, and other
 249 responsibilities for sustained contributions in the previous five years. Utilizing the
 250 criteria relevant to the faculty member, the PTR is expected to rate the:

251 1. Level of accomplishment and productivity relative to assigned duties in
 252 research and creative activities, teaching, and service, and other assigned
 253 responsibilities, including clinical and administrative assignments.

254 2. Documentation of discipline Complete, up-to-date documented
 255 regarding History of professional conduct (positive and negative) (inclusive of the
 256 review requirements in BOG Regulation 10.003) and performance of academic
 257 responsibilities to the university and its students. Disciplinary letters/actions
 258 issued during the period under review and completely overturned through the
 259 grievance process shall not be included in the employee’s Post Tenure Review
 260 packet. However, for example, a disciplinary letter/action issued during the
 261 period under review and lessened in some way, but not rescinded in full, through
 262 the grievance process shall be included in the employee’s Post Tenure Review
 263 packet.

264 **(d) Performance Rating Categories.** The rating categories shall be: Exceeds
 265 expectations, Meets expectations, Does not meet expectations, and
 266 Unsatisfactory.

267 **(e) Considerations for Determining Performance Rating.**

Commented [CP4]: UFF proposed “No part of an employee’s successful grievance shall be in consideration in Post Tenure Review.” This proposed language is unclear, BOT understands concern and addresses with proposed language.

Commented [CR5R4]: Suggestion: Complete, up-to-date documentation of disciplinary matters is to be included.

Commented [CP6]: UFF Proposed language to be entered here: (e) **Criteria for determining performance rating**
 1. In conducting Post-Tenure Review, the University shall not consider or otherwise discriminate based on a faculty member’s political, or ideological view, or properly disclosed, and approved outside activities or field of study. The Post-Tenure Review shall abide by Article 5 Academic Freedom and Article 6 Nondiscrimination of the CBA.

2. **Criteria for Post-Tenure Review Ratings.** Because of the variety of academic disciplines in the university and the differences in the nature of the work tenured faculty do across disciplines, the relevant evidence in support of PTR ratings will vary across academic disciplines. The criteria shall consider research, teaching and service. Deans and the Provost must take into consideration the criteria used by academic units to evaluate the performance of faculty for annual evaluations.

Commented [CP7R6]: Point 1 is covered by the CBA already, no addition needed. Point 2, Deans and Provost routinely make decisions in disciplines that vary. BOT declines to add proposed language.

268 1. In conducting Post Tenure Review, the university shall not consider or
269 otherwise discriminate based on faculty members’ political or ideological
270 viewpoints.

271 1.2. Because of the variety of academic disciplines in the university and
272 the differences in the nature of the work tenured faculty do across disciplines, the
273 relevant evidence in support of Post Tenure Review ratings will vary across
274 academic disciplines. Considerations by Deans and the Provost shall include
275 documented performance in the areas of research (including creative activities,
276 where appropriate), teaching, service, and other assigned duties; the criteria used
277 by academic units, the college, and the university to evaluate the performance of
278 faculty for promotion and tenure; and the criteria used by academic units for
279 annual evaluations of faculty.

280 ~~(e)~~(f) **Process Requirements.** Materials will include complete, current, and
281 accurate materials that highlight accomplishments and demonstrates
282 performance relative to assigned duties over the evaluation period. Dossiers must
283 be submitted in an approved format by the employee in time to meet published
284 deadlines. If, by the expiration of the submission deadline, a section is not
285 provided, the evaluator may make a decision based on the available information,
286 which may result in a final performance rating of “Unsatisfactory.”

287 ~~(f)~~(g) **Outcomes.** Employees will receive a communication regarding their
288 final performance rating.

- 289 1. Exceeds expectations
- 290 2. Meets expectations
- 291 3. Does not meet expectations: The employee must be issued a

292 Performance Improvement Plan.

293 4. Unsatisfactory: Employee will receive notice of intent that the university
294 will proceed with termination pursuant to terms in this agreement.

295 10.7 Sustained Performance Evaluations (SPE). If a supervisor determines that a
296 tenured employee has not maintained productivity expectations over the most
297 recent two terms, an employee’s sustained performance may be evaluated. This
298 evaluation will consist of a review of relevant materials, including their
299 assignments, annual evaluation ratings, and productivity and professionalism
300 during that period of interest. If the employee’s overall performance is deemed to
301 be below satisfactory, then the employee may shall be issued a performance

improvement plan if the employee's next Post Tenure Review is not due for more than one year.

Commented [CR8]: Timely remediation is possible.

10.8 Performance Improvement Plan (PIP). An employee whose PTR or SPE evaluation fails to meet performance expectations will be issued a performance improvement plan.

Commented [CP9]: UFF Proposed deleting. BOT proposal retains language to provide a vehicle to assist underperforming faculty.

Commented [CP10]: UFF objects to retaining SPE in section 10.7 above. BOT wishes to retain to continue to provide PIPs for struggling tenured faculty.

(a) PIP Creation. The appropriate college dean, in consultation with the faculty member's unit head, and with any information provided by the faculty member, will propose a performance improvement plan to the provost or designee. The provost or designee will make final decisions regarding the requirements of each performance improvement plan.

(b) PIP Composition. The PIP document shall include specific measurable performance goals with target dates for the faculty member to achieve the requirements of the PIP. The final deadline may not extend more than 12 months past the date the faculty member receives the PIP. The plan must list specific deficiencies and outline the activities to be undertaken to achieve the necessary outcomes, set timelines for achieving goals and outcomes, and indicate the criteria for assessment.

Commented [CP11]: UFF proposes adding the word "achievable" which would move it from in front of "the requirements of the PIP" and place it in front of target dates. BOT declines to make this change.

Commented [CR12R11]: Requirements that include goals and target dates are what are to be achieved.

(c) Termination of PIP. Each tenured faculty member who fails to meet the requirements of a PIP by the established deadline(s) will be notified by the Provost of their pending termination for just cause. Successful completion of the PIP results in continued employment as a tenured employee.

Commented [CP13]: UFF Proposes adding after assessment: "At the end of the 12 months, the faculty member will provide a written assessment of their meeting of the goals and outcomes from the PIP." This is an additional burden on the in-unit faculty member. What value will the written assessment provide?

Commented [CR14R13]: "May" provide instead? I think it is ok for the employee to provide a brief narrative on what was accomplished during PIP without imposing an obligation on the employee.

10.9 Annual Evaluation Standards and Procedures (AESPs). Each University department or unit shall maintain written AESPs to serve as guidelines on how to evaluate the quality of each employee's performance. AESPs provide clarifications of the University criteria in terms tailored to the department or unit's discipline(s), employee positions (e.g., tenured or tenure earning, non-tenure-earning, library faculty), and assigned duties. The AESP must be rigorous enough to allow for stratification of merit within the department. The evaluation period for research may be longer than one year, if specified, to distinguish between ratings of Conditional and Unsatisfactory in any area of assignment.

Commented [CP15R14]: If the UFF wants to ensure that faculty have the option to provide a written assessment if they complete the 12-month PIP, the BOT can agree to "The faculty member may provide a written assessment of PIP goals and outcomes upon completion of the PIP."

These discipline-specific clarifications shall:

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

335 (b) be adaptable to various assignments, given that the supervisor has the
336 ability to utilize discretion when the assigned duties for the employee are atypical
337 for the evaluation period (e.g. the employee has a sabbatical, has a course
338 release, or has been on sick or military leave for an extended period of time). A
339 supervisor is not limited by the AESP when making an assignment, but has
340 flexibility to adapt the evaluation to the effort and quality of the resulting
341 product.

342 (c) account for differences in assigned duties between tenured/tenure-earning
343 employees and non-tenure-earning employees such as instructors/lecturers.

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

347 (e) be rigorous and detailed enough that a reasonable employee should not be
348 uncertain or confused about what performance or accomplishment is sufficient in
349 teaching, research/scholarship/creative activity, professional duties commonly
350 assigned in the department or unit, and quality of service output needed to earn
351 each performance evaluation rating.

352 The clarifications shall identify for each assignment area some representative
353 examples of the achievements or performance characteristics that would earn
354 each performance evaluation rating, consistent with an employee's assigned
355 duties. Examples shall be included for typical assignments within the department
356 or unit (e.g., for 2-2 and 3-2 teaching assignments with correspondingly larger and
357 smaller research assignments, if typically assigned), and must demonstrate
358 equitable opportunity.

359

360 10.10 AESP Development Process.

361 (a) A committee of six members, including four in-unit members of the
362 department/unit elected by a majority vote of employees of the dept/unit in a
363 secret ballot, the department chair or unit head, and one representative
364 appointed by the dean will develop or revise AESPs. If the dept/unit has four or
365 more tenured employees, then 2 of the elected members must have tenure.

366 (b) Employees in the department or unit shall propose AESPs or changes
367 thereto as developed by the committee by a majority vote in a secret ballot. If a
368 majority exists, the proposed AESPs shall be forwarded to the dean or the

369 appropriate vice president. If there is an even split vote, the dean shall act as the
370 tie-breaker.

371 (c) The proposed AESPs or revisions thereto shall be reviewed by the dean or
372 vice president. If the dean/vice president determines the proposed AESPs do not
373 meet their expectations, the dean/vice president will refer them back to the
374 department or unit for revision with a written statement of the reasons for non-
375 acceptance.

376 (d) Once the dean/vice president determines the proposed AESPs or revisions
377 are acceptable, they shall be forwarded to the university's representative for
378 review to ensure they are consistent with the mission and goals of the University
379 and comply with this Agreement. If the university's representative determines
380 that the proposed AESPs or revisions thereto are acceptable, they shall be
381 approved. If not, they shall be referred back to the college or division for revision
382 by the department or unit with a written statement of reasons for non-approval.

383 (e) The process is considered initiated after the AESP committee is formed.. If,
384 at least one year after the initiation of the process described in this subsection,
385 AESPs acceptable to the dean/vice president and university's representative have
386 not been approved by the department or unit, draft AESPs, committee and
387 department votes, and comments from employees, committee, and the dean/vice
388 president shall be forwarded to the university's representative for consideration.
389 The university's representative shall, in conjunction with the dean/vice president
390 and department/unit head, and in consideration of the opinions of the employees
391 and of approved AESPs for other departments and units, develop and institute
392 new department or unit AESPs. These AESPs shall remain in place until such time
393 as new AESPs are developed and approved according to the procedure outlined in
394 this subsection.

395 (f) Approved AESPs and revisions thereto shall be kept on file in the
396 department or unit office. Upon written request, employees in each department
397 or unit shall be provided an electronic copy of that department or unit's current
398 AESPs.

399 (g) Review of AESPs must occur on a regular basis and must begin no later than
400 five (5) years after the adoption or most recent review of those AESPs. The
401 university's representative, the dean, or a majority of employees in the
402 department or unit may initiate the review of AESPs at any time. The process for
403 reviewing a department or unit's AESPs shall be the same as the process for

404 developing them (including the committee composition, timeline, and approval
405 process), as described in this article.

406 (h)The effective date for AESPs or revisions thereto shall be the start of the
407 annual evaluation period that begins after the date the AESPs or revisions are
408 approved by the university’s representative and the employees of the department
409 or unit are so informed in writing. Therefore, an employee will be evaluated on
410 the AESP that was approved and in effect beginning on May 8. If an AESP is
411 approved on or after May 9, the employee would not be subject to or evaluated
412 using the terms of the new AESP until the following May 8.