

1 ARTICLE 10

2 EMPLOYEE PERFORMANCE EVALUATIONS

3 10.1 Annual Evaluations.

4 ~~(a) — Policy.~~ Performance evaluations are primarily intended to communicate to  
 5 an employee an assessment of that employee’s performance of assigned duties  
 6 by providing ~~written~~ constructive written feedback ~~that will assist in improving~~  
 7 ~~the employee’s.~~ The annual performance evaluation shall be based upon the  
 8 performance of professional assigned duties and expertise and shall consider the  
 9 nature of the assignments and quality of the performance. ~~In cases of atypical~~  
 10 ~~assignments (such as a sabbatical), the supervisor may adapt the assessment of~~  
 11 ~~an employee’s performance to reflect that assignment.~~ Evaluations may be  
 12 considered in employment-related decisions such as salary, retention,  
 13 assignments, awards, tenure, and promotion. ~~Each employee’s performance shall~~  
 14 ~~be evaluated in writing at least once annually. Employees shall be evaluated~~  
 15 ~~according to the University Criteria for Annual Performance Evaluations (Section~~  
 16 ~~10.1(d) below).~~

17 ~~(ba)~~ **Annual Evaluation Period.** The annual evaluation period shall ~~be the~~  
 18 ~~begin~~ May 8 of academic year, beginning August 8th, and shall include the  
 19 ~~preceding summer, as and~~ end at the close of the following Spring semester, on  
 20 May 7 of the following year. ~~Each employee’s performance shall be evaluated in~~  
 21 ~~writing by an~~ appropriate administrator at least once annually.

22 ~~(b)~~ **Employee Annual Report.** Every year, each employee shall submit to the  
 23 department chair or unit head ~~(or “evaluator”)~~ a report of the employee’s  
 24 performance in each area of assignment. This report shall be due to the evaluator  
 25 by May 7 of each year. The evaluator, may, at the written request from the  
 26 employee, provide an extension of up to twenty-one days to submit the annual  
 27 ~~report.~~ ~~The evaluation period~~ The employee’s annual report may include any  
 28 interpretive comments and supporting data that the employee deems  
 29 appropriate for evaluating the employee’s performance and shall also include an  
 30 up-to-date and accurate CV. The employee shall submit the report in the format  
 31 determined by the college. ~~research may be longer.~~ Failure to provide the  
 32 complete annual report by these deadlines may result in the evaluator finalizing  
 33 the than one year if specified in the approved Annual Evaluation Standards and

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Commented [CP1]: Language retained from 10.1(a) and some language moved to 10.1(a) from old 10.1(d); slight alteration in sentence.

Commented [CP2]: New language needed to provide flexibility for varied circumstances. (codifies practice)

Commented [CP3]: Same language as 10.1(a); no change.

Commented [CP4]: Less clear old 10.1(b) included "shall include the preceding summer" language.

Commented [CP5]: Moved from 10.1(a) to more appropriate section.

Commented [CP6]: Moved from old 10.1(g)(1).

~~Procedures. The annual evaluation based only on the information available to the evaluator period used to distinguish between ratings of Conditional and Unsatisfactory in any area of assignment may be longer than one year.~~

**Commented [CP7]:** Old 10.1(b) updated and moved to new 10.9

**Commented [CP8]:** New: Codifies existing practice of performing the eval when annual report not provided.

(c) **Evaluation Ratings.** Evaluations shall use the rating categories of ~~o~~ Outstanding, ~~a~~ Above ~~s~~ Satisfactory, ~~s~~ Satisfactory, ~~e~~ Conditional, and ~~u~~ Unsatisfactory in each area of assignment and for the overall evaluation.

(d) **Overall evaluation.** The overall evaluation shall be consistent with the employee’s annual assignment, the evaluations in each assignment area, and the department or unit’s Annual Evaluation Standards and Procedures. An employee shall not be evaluated in, and the overall evaluation shall not be affected by, an area in which the employee had no assignment. ~~A department or unit’s Annual Evaluation Standards and Procedures may require an~~ An employee ~~to~~ must receive a minimum rating of Satisfactory in each area of assignment with an assignment assigned effort of five percent (5%) or more in order to receive an overall rating of Satisfactory or above.

**Commented [CP9]:** From old 10.1(c) which addresses differences in calculating the overall evaluation from individual categories. Notifies the employee up front the consequences of not achieving S in all areas of assignment. Substantive change to make 5% rule mandatory.

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

**Commented [CP10]:** Moved from old 10.1(g) (5) where it was difficult to find.

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~~The employee shall be offered the opportunity to discuss the evaluation with the evaluator prior to its being finalized and placed in the employee’s evaluation file. The evaluation shall be signed and dated by the evaluator, and by the employee, to must acknowledge receipt of it. The employee may attach a concise comment to the evaluation within thirty days of receipt.~~ (d) — University Criteria

**Commented [CP11]:** Codifies our current practice. New language.

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~~for Annual Performance Evaluations. The annual performance-A copy of the complete, finalized evaluation shall be based upon the professional performance of assigned duties and shall carefully consider the nature of provided to the employee. Upon written request from the employee, the evaluator shall endeavor to assist the employee in addressing any performance deficiencies. Evaluations not acknowledged by the employee shall be finalized 30 days after issuance.~~

**Commented [CP12]:** Aligns with Interfolio process

**Commented [CP13]:** Old 10.1(g)(5). Very slight change for electronic processing (must acknowledge receipt)

**Commented [CP14]:** Codifies our current practice. New language.

69 **10.2 Sources of Annual Evaluation.** All assigned activities for which an employee  
 70 receives compensation from the university, including summer assignments, shall  
 71 be reported upon and evaluated. An employee may report activities related to the  
 72 areas of assignments that are performed when the employee is not compensated  
 73 by the university; if reported upon, these activities shall be evaluated.

**Commented [CP15]:** Old 10.1(g)(3), moved; very slight alteration.

74 The evaluator considers information from various sources: immediate  
 75 supervisor (if different from the evaluator); peers; students; employees; other  
 76 university officials who have responsibility for supervision of, or business-related  
 77 interaction with, the employee; and individuals to whom the employee may be  
 78 responsible in the course of a service assignment, including public school officials  
 79 when the employee has a service assignment to the public schools. The  
 80 information provided by these other sources is not based upon a review of the  
 81 employee’s annual report, but is regarded as feedback on the employee’s  
 82 performance and is not based on a review of the employee’s annual report.

**Commented [CP16]:** Old 10.1(g)(2); language changed "evaluator shall also ... appropriate and available" for simplicity. +"business-related"

83 Copies of materials to be used in the evaluation process submitted by persons  
 84 other than the employee shall be provided to the employee, who may attach a  
 85 written response within thirty days of receiving that document.

**Commented [CP17]:** New language - info is not from annual rept.

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86 The evaluator shall consider the quality and productivity of the an employee’s  
 87 professional performance in terms, where applicable, of: the following categories:

**Commented [TR18]:** Retained from Old 10.1 (g) (2)

**Commented [CP19]:** Taken from 10.1(d), condensed.

88 (1a) **Teaching effectiveness, including (Instruction & Advisement).** Teaching  
 89 effectiveness includes effectiveness in imparting knowledge, information, and  
 90 ideas by means or methods such as lecture, discussion, assignment and recitation,  
 91 demonstration, laboratory exercise, workshop, and practical experience, student  
 92 perceptions of instruction, assessment of and engagement with student work,  
 93 and direct consultation with students. Student Perceptions of Instruction may not  
 94 be the sole method of gauging employee teaching effectiveness. The evaluator  
 95 shall consider all available information in forming an assessment of teaching  
 96 effectiveness. Examples of this information includes:

**Commented [CP20]:** Term used on the evaluation document.

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97 a. The evaluation shall include consideration of effectiveness in imparting  
 98 knowledge and skills, and 1. Consideration of effectiveness in stimulating  
 99 students’ critical thinking and/or creative abilities, the development or revision of  
 100 curriculum and course structure, effective assessment of student performance  
 101 evaluation procedures, and adherence to accepted standards of professional  
 102 behavior in meeting responsibilities to students. The learning objectives of each

**Commented [CP21]:** New language. Codifies practice.

**Commented [CP22]:** Old 10.1(d)(1)(d).

**Commented [CP23]:** Removes repetition, not changing meaning

**Commented [CP24]:** Eliminates confusion with SPoIs

103 course, the means of assessing learning objectives, and the outcomes of the  
104 assessment should be ~~assessed~~ considered as part of the teaching performance.

105 ~~b. The evaluation shall include consideration~~ 2. Consideration of other  
106 assigned university teaching duties, such as advising, counseling, supervision, or  
107 duties of the position held by the employee.

108 ~~c. The department chair or unit head (or "evaluator") shall take into~~  
109 ~~account any~~ 3. Any relevant materials submitted by the employee such as  
110 class notes, syllabi, student exams and assignments, an employee's teaching  
111 portfolio, results of peer evaluations of teaching, and any other materials relevant  
112 to the employee's instructional assignment.

113 ~~d. The evaluator shall consider all information available in forming an~~  
114 ~~assessment of teaching effectiveness.~~

115 ~~(2)(b) Research/Creative Activity.~~ Contribution to the discovery of new  
116 knowledge, development of new educational techniques, and other forms of  
117 research/scholarship/creative activity. Examples of this information includes:

118 ~~a.1.~~ Evidence of research/scholarship/creative activity, either print or  
119 electronic, shall include, but not be limited to, as appropriate, published books;  
120 chapters in books; articles and papers in professional journals; musical  
121 compositions, paintings, sculpture; works of performing art; papers presented at  
122 meetings of professional societies; funded grant activities; reviews; and research  
123 and creative activity that has not yet resulted in publication, funding, display, or  
124 performance.

125 ~~b.2. The evaluation shall include c~~ Consideration of the quality and  
126 ~~quantity~~ productivity of the employee's research/scholarship and other creative  
127 programs and contributions during the evaluation period, and recognition by the  
128 academic or professional community of what has been accomplished.

129 ~~(3) Performance of assigned professional duties.~~ (c) Service and Performance  
130 of assigned professional duties. Service and/or professional development work may  
131 be assigned to employees. Examples of this information includes:

132 ~~(41).~~ Public service that extends professional or discipline-related  
133 contributions to the community; the state, including public schools; and the  
134 national and international community. Such service includes contributions to  
135 scholarly and professional conferences and organizations, governmental boards,  
136 agencies, and commissions that are beneficial to such groups and individuals.

**Commented [CP25]:** Just to have a different word than assessment.

**Commented [CP26]:** Not just submissions - productive contributions (addition of "productivity", deletion "quantity")

**Commented [CP27]:** Since this is on the AA-17 as a header, combined the service concepts and the performance of assigned prof duties together as they are in that document. No change to substance.

137 ~~(5)~~2. University Service. Service within the university and participation in  
138 the governance processes of the institution through significant service on  
139 committees, councils, and senates, attendance at commencement, and the  
140 employee’s contributions to the governance of the institution through active  
141 participation in regular departmental and/or college meetings.

142 ~~(6)~~3. Professional Development as assigned, including goals for the annual  
143 evaluation period, if agreed upon.

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

145 (e) Service for UFF activities is not considered university service and shall not  
146 be evaluated.

147 10.2 Process for collecting evaluative information through observation or peer  
148 assessment.

149 (a) Planned Classroom Observation/Visitation. The evaluator or the evaluator’s  
150 representative may conduct classroom observations/visitations in connection  
151 with the employee’s evaluation. If such classroom observations/visitations are to  
152 be used in the annual evaluation conducted, no fewer than two  
153 observations/visitations shall be completed during the evaluation period.

154 1. Absent immediate concerns described below, the evaluator shall notify  
155 the employee at least two days in advance of the date and time of any direct  
156 classroom observation or visitation. If the employee determines this date is not  
157 appropriate because of the nature of the scheduled class activities, the employee  
158 may suggest a more appropriate date.

159 If the evaluator has received a complaint or other information that gives  
160 rise to immediate concerns about the conduct of the class, the evaluator or the  
161 evaluator’s representative may observe or visit the class at any time without  
162 notice to the employee.

163 2. Observation/visitation of online classroom settings is permitted at any  
164 time.

165 3. A written report summary of the observation/visitation shall be  
166 submitted to the employee, if the employee requests a report, within two weeks  
167 of the observation/visitation. If the observation/visitation involves a course that  
168 was assigned to the employee with less than six weeks’ notice, the date of  
169 notice such change shall be included noted in the report. The employee shall be  
170 offered the opportunity to discuss the evaluation summary with the evaluator or

**Commented [CP28]:** New language for setting goals, credit.

**Commented [CP29]:** Provides example.

**Commented [CP30]:** Moved to the end, since this activity is not evaluated. Language unchanged.

**Commented [CP31]:** It made sense to provide this information separately, rather than subsuming it in the area focused on teaching effectiveness. Entire section moved from old 10.1(g)(4) without changes.

**Commented [CP32]:** Must have 2 to include observations in the annual evaluation

**Commented [CP33]:** A few changes for clarity; nothing substantive.

**Commented [CP34]:** Updated language for clarity.

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171 evaluator's representative prior to its being finalized and placed in the employee's  
172 evaluation file; and the employee may submit a written reply within thirty days of  
173 receipt, which shall be attached to the report summary.

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

181 10.3 Required Proficiency in Spoken English. Employees must, to be involved in  
182 classroom instruction beyond one (1) semester, employees must establish  
183 proficiency in the oral use of English, as set forth in Section 1012.93, Florida  
184 Statutes, and any applicable Board of Education or Board of Governors rule or  
185 resolution. Uncorrected deficiencies may result in termination.

186 10.4 Employee Assistance Programs. An employee's participation in an employee  
187 assistance program or information generated by participation in the program shall  
188 not be used as evidence of a performance deficiency within the evaluation  
189 processes described in this Article. However, if an employee fails to participate in  
190 an employee assistance program consistent with a prior agreement between the  
191 employee and the supervisor, that information may be included in the evaluation.

192 10.5 Cumulative Progress Evaluations (CPE). Cumulative progress evaluations  
193 are intended to provide an accurate consideration of cumulative performance  
194 leading to attainment of tenure and/or promotion, and to provide assistance and  
195 counseling to candidates to help them qualify themselves for tenure and/or  
196 promotion. For those seeking tenure, CPEs focus only on the tenure-earning  
197 period. For consideration of promotion only, the quality and productivity of an  
198 employee's body of work is assessed, including recognition by the academic or  
199 professional community of what the employee has accomplished.

200 (a) Assessment of progress towards tenure/promotion.

201 1. Cumulative progress toward promotion to the rank of associate  
202 professor will be assessed annually based on professional performance of  
203 teaching, research, and service, and the likelihood of future contributions at or

**Commented [CP35]:** Information is not in a subsection, sentence not needed.

**Commented [CP36]:** Combined 10.4 (a) and (b) for this section, non-substantive language change.

**Commented [CP37]:** Language from 10.4 - moved. Last sentence condensed from 10.4(b).

**Commented [CP38]:** Moved from old 10.5, sentence broken up for readability. Same idea, different phrasing.

**Commented [CP39]:** Slightly updated.

**Commented [CP40]:** This section promoted from old 10.2 (a).

**Commented [CP41]:** Replaces "was" - non-substantive.

**Commented [CP42]:** New language to assist in understanding how the process is for both T & TE and those only seeking promotion.

**Commented [CP43R42]:** This part is essentially copied (restated) from the explanation of research/creative evaluation consideration (10.1(d)(2)b.):  
*"...consideration of the quality and quantity of the employee's research/scholarship and other creative programs and contributions during the evaluation period, and recognition by the academic or professional community of what has been accomplished."*

204 exceeding current levels of performance. Associate professors who request a CPE  
205 for promotion will also be assessed on the achievement of national and/or  
206 international prominence and evidence of advancing their field of study.

**Commented [CP44]:** This language is a result of condensing (2) and (3) of old 10.2(c)(2). Substance is unchanged.

207 2. Cumulative progress toward tenure for tenure-eligible employees will  
208 be assessed annually. These CPEs will be based on the cumulative impact of the  
209 professional performance of teaching, research, and service, and the likelihood of  
210 future contributions at or exceeding current levels of performance. Tenure  
211 eligible employees seeking tenure will also be assessed on the achievement of  
212 national and/or international prominence and evidence of advancing their field of  
213 study.

**Commented [CP45]:** This is a result of condensing (2) and (3) of old 10.2(c)(2). Substance is unchanged.

214 (b) CPE Eligibility. Tenure-eligible employees shall be informed annually of their  
215 progress toward promotion and/or tenure. Each year's cumulative progress  
216 evaluation shall build upon prior cumulative progress evaluations, so an  
217 employee's progress toward tenure and/or promotion in a given year will be  
218 viewed in the context of attainments over the entire tenure and/or promotion  
219 earning period. Tenured employees eligible for promotion to professor may, at  
220 their option and upon written request, be apprised of their progress toward  
221 promotion through the CPE process.

**Commented [CP46]:** Header changed from "Policy" in old 10.2(a) to "Eligibility" information, which is what this section is actually talking about. Minor language updates.

222 (c) CPE Progression. Beginning with the second year of employment (or the first  
223 year, if tenure credit was given) and continuing annually, an employee who is  
224 eligible for tenure shall receive a cumulative progress evaluation. Separate  
225 cumulative progress evaluations shall be provided by the tenured members of the  
226 department or unit (excluding the chair/head and dean), the chair/head, and  
227 dean. All cumulative progress evaluations shall be completed during the spring  
228 semester. An employee may request, in writing within 30 days of its receipt, a  
229 meeting with the chair/head and/or dean to discuss concerns regarding the  
230 cumulative progress evaluation.

**Commented [CP47]:** Potential conflict for COBA with 2-2 to 3-3 load if no CPE

**Commented [CP48]:** New header for clarity. Language from old 10.2(b). ("Process" to "CPE Progression")

**Commented [CP49]:** Sets time in the process for research/clinical promotions to be started (old 10.2(b))

231 (d) CPE Process. Barring a conflict of interest leading to recusal, all tenured  
232 faculty in the unit are expected to participate in the evaluation of an employee's  
233 CPE materials. However, associate professors shall not participate in cumulative  
234 evaluations of progress for an individual being considered for promotion to  
235 professor. If the department or unit has fewer than three tenured members or  
236 tenured professors, as appropriate, to evaluate the tenure/promotion of an

**Commented [CP50]:** New language to codify practice.

**Commented [CP51]:** Old 10.2(b) broken up into previous section (b) above and this section (c). No new language

**Commented [CP52]:** There is only one tenured assistant professor left at UCF, so this language might be ready for a refresh to ignore that possibility.

**Commented [CP53]:** This is new language for the same concept as old 10.2(b): codifies practice.

237 individual in the unit, the dean may increase the committee membership to three  
 238 using tenured members of appropriate rank from other departments or units. If  
 239 the chair/head of the department or unit does not hold the rank of professor, or  
 240 is not a tenured member of the department/unit, the dean may appoint a  
 241 tenured faculty member of an appropriate rank from another department/unit to  
 242 serve in this role for the purpose of completing the cumulative progress  
 243 evaluations.

Commented [CP54]: Same language as 10.2(b) (no changes)

244 10.6 Post Tenure Review (PTR) Procedures. The Board of Governors of the State  
 245 of Florida enacted a post-tenure review requirement effective March 29, 2023.  
 246 Should any of these regulations or statutes be found to be invalid or  
 247 unenforceable by the final decision of a tribunal of competent jurisdiction or are  
 248 rendered invalid by reason of subsequently enacted legislation or regulation, the  
 249 University agrees to return to the Sustained Performance Evaluation procedures  
 250 described in the 2021-2024 Collective Bargaining Agreement.

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251 (a) **Timing.** Each tenured faculty member will have a comprehensive post-  
 252 tenure review of five years of performance in the fifth year following the last  
 253 promotion or the last comprehensive post-tenure review, whichever is later. For  
 254 faculty hired with tenure, the hire date will constitute the date of the last  
 255 promotion. Necessarily, there is a five-year period of phasing-in the post-tenure  
 256 review process.

257 1. The process for random selection and any algorithm used will be disclosed  
 258 to the UFF before faculty are selected to be reviewed.

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259 2. A faculty member's Post-Tenure Review may be postponed, upon approval  
 260 by the Provost or designee, for extenuating circumstances, including but not  
 261 limited to being on approved extended leave (e.g., FMLA, parental leave, or leave  
 262 of absence), being on a sabbatical, or having served in an Administrative Role or  
 263 as chair or equivalent during the Review Period. To request a year-long  
 264 postponement, faculty members must submit a Postponement Request Form by  
 265 the specified deadline. All requests shall be reviewed by the Provost or designee.  
 266 The same standards for granting postponement requests shall apply to all faculty  
 267 members.

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269 **(b) Eligibility/Participation.** All tenured faculty members are required to  
 270 participate every five years, except those that are already participating in the  
 271 transition-to-retirement program (T2RP), and faculty with an irrevocable  
 272 resignation date within the same academic year as the review. Another exception  
 273 includes faculty approved for more than 160 hours of authorized leave during one  
 274 semester within the five-year period of review. ~~Employees who were serving~~  
 275 ~~more than 50% of their assigned FTE in a non-unit administrative role will~~  
 276 ~~undergo post-tenure review in the fifth year following a return to a~~  
 277 ~~predominantly non-administrative faculty appointment.~~

**Commented [CP55]:** Replaces the proposed word "eligible" in this first line of (b)

**Commented [CP56]:** Aligns with 4-410 to be a "semester"

278 **Review Requirements.** The PTR will assess the faculty member's performance in  
 279 assigned teaching, research/creative work, service, and other responsibilities for  
 280 sustained contributions in the previous five years.

**Commented [CP57]:** If employee's research is interrupted by a lengthy approved leave, this could change the 5yr clock.

**Commented [CP58R57]:** Handled in (b) above.

281 (c) Utilizing the criteria relevant to the faculty member, the PTR is expected to  
 282 rate the:

283 1. Level of accomplishment and productivity relative to assigned duties in  
 284 research and creative activities, teaching, and service, and other assigned  
 285 responsibilities, including clinical and administrative assignments. If the Dean is  
 286 unsure of the efficacy of research contributions, the Dean will assemble a  
 287 committee of tenured faculty members from the candidate's home department  
 288 to summarize the research contributions of the candidate with respect to others  
 289 at the same career stage in the field.

290 2. History of professional conduct (positive and negative) (inclusive of the  
 291 review requirements in BOG Regulation 10.003) and performance of academic  
 292 responsibilities to the university and its students. No part of an employee's  
 293 successful grievance shall be in consideration in Post Tenure Review.

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294 (d) **Performance Rating Categories.** The rating categories shall be: Exceeds  
 295 expectations, Meets expectations, Does not meet expectations, and  
 296 Unsatisfactory.

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297 (e) **Criteria for determining performance rating**  
 298 1. In conducting Post-Tenure Review, the University shall not consider or  
 299 otherwise discriminate based on a faculty member's political, or ideological  
 300 view, or properly disclosed, and approved outside activities or field of study.

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301 The Post-Tenure Review shall abide by the Article 5 Academic Freedom and  
 302 Article 6 Nondiscrimination of the CBA.

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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.

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

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Commented [CP59]: This section is quite reduced, since post-tenure review takes over all the routine examinations. \*\*\*\*\*Maybe we need a new title for this????\*\*\*\*\* "Outcome of Annual Evaluation?????" \*\*\*\*\*

(g) **Outcomes.** Employees will receive a communication and written rationale regarding their final performance rating.

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- 1. Exceeds expectations
- 2. Meets expectations
- 3. Does not meet expectations: The employee must be issued a Performance Improvement Plan.
- 4. Unsatisfactory: Employee will receive notice of intent that the university will proceed with termination pursuant to terms in this agreement.

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

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 [CP60]: Old section 10.3: (b)2.

337 (a) **PIP Creation.** In accordance with BOG Regulation 10.003 (5)(c), the  
 338 appropriate college dean, in consultation with the faculty member’s unit head,  
 339 and with any information provided by the faculty member, will propose a  
 340 performance improvement plan to the provost or designee. The provost or  
 341 designee will make final decisions regarding the requirements of each  
 342 performance improvement plan.

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343 (b) **PIP Composition.** The PIP document shall include specific measurable  
 344 performance goals with achievable target dates for the faculty member to fulfill  
 345 the requirements of the PIP. The final deadline may not extend more than 12  
 346 months past the date the faculty member receives the PIP. The plan must list  
 347 specific deficiencies and outline the activities to be undertaken to achieve the  
 348 necessary outcomes, set timelines for achieving goals and outcomes, and indicate  
 349 the criteria for assessment. At the end of the 12 months, the faculty member will  
 350 provide a written assessment of their meeting of the goals and outcomes from  
 351 the PIP.

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

Commented [CP61]: It is better to be broader here. Changed from "incompetence"

356 10.97) — Other assigned university duties such as academic  
 357 administration.

358 (e) **Annual Evaluation Standards and Procedures (AESPs).** Each University  
 359 department or unit shall maintain written AESPs by which to evaluate each  
 360 employee according to the University Criteria for Annual Performance Evaluations  
 361 specified in this article to serve as guidelines on how to evaluate the quality of  
 362 each employee’s performance. AESPs shall be provide clarifications of the  
 363 University criteria in terms tailored to the department or unit’s discipline -(s),  
 364 employee positions (e.g., tenured or tenure earning, non-tenure-earning, library  
 365 faculty), and assigned duties. The AESP must be rigorous enough to allow for  
 366 stratification of merit within the department. These discipline-specific  
 367 clarifications shall. The evaluation period for research may be longer than one  
 368 year, if specified, to distinguish between ratings of Conditional and Unsatisfactory  
 369 in any area of assignment.

Commented [CP62]: Addition (new language) - intended to make the AESPs less prone to checklists without interpretation.

Commented [CP63]: Redundant language in old 10.1(e) deleted.

Commented [CP64]: From old 10.1(e), language clarifies purpose of AESP

Commented [CP65]: New language suggestion for purpose of AESP to provide guidelines for evaluator.

Commented [CP66]: Current language appears to lock in research as only category that can use 1+years, and also cannot be used to distinguish between O and AS, for example.

Commented [CP67]: Taken from ann eval section. Also, language changed from "may be" to "shall be" from old 10.1(b)

370 ~~(1) These discipline-specific clarifications shall:~~  
 371 (a) take into consideration the University’s mission, the college’s or division’s  
 372 mission, the department’s mission, and the expectations for the different ranks;  
 373 ~~(2) be adaptable to various assigned duties;~~  
 374 ~~(3)(b) be adaptable to various assignments, given that the supervisor has the~~  
 375 ability to utilize discretion when the assigned duties for the employee are atypical  
 376 for the evaluation period (e.g. the employee has a sabbatical, has a course  
 377 release, or has been on sick or military leave for an extended period of time). A  
 378 supervisor is not limited by the AESP when making an assignment, but has  
 379 flexibility to adapt the evaluation to the effort and quality of the resulting  
 380 product.  
 381 (c) account for differences in assigned duties between tenured/tenure-earning  
 382 employees and non-tenure-earning employees such as instructors/lecturers.  
 383 (d) address, as appropriate, how various research/scholarship/creative  
 384 activities are valued and the outlets in which employees might be expected to  
 385 publish, exhibit, or perform.  
 386 (4e) be rigorous and detailed enough that a reasonable employee should not  
 387 be uncertain or confused about what performance or accomplishment is  
 388 sufficient in teaching, research/scholarship/creative activity, professional duties  
 389 commonly assigned in the department or unit, and quality of service output  
 390 needed to earn each performance evaluation rating.  
 391 The clarifications shall identify for each assignment area some representative  
 392 examples of the achievements or performance characteristics that would earn  
 393 each performance evaluation rating, consistent with an employee’s assigned  
 394 duties. Examples shall be included for typical assignments within the department  
 395 or unit (e.g., for 2-2 and 3-2 teaching assignments with correspondingly larger and  
 396 smaller research assignments, if typically assigned), and must demonstrate ~~the~~  
 397 equitable opportunity ~~required by (2) above.~~  
 398 ~~(f) — 10.10 AESP Development Process for developing AESPs.~~  
 399 (1a) A committee of six members, including four in-unit members of the  
 400 department/unit elected by a majority vote of employees of the dept/unit in a  
 401 secret ballot, the department chair or unit head, and one representative  
 402 appointed by the dean will develop or revise AESPs. If the dept/unit has four or  
 403 more tenured employees, then 2 of the elected members must have tenure. In  
 404 tenure-granting departments or units, a committee of six members including four

Commented [CP68]: No change from 10.1(e)(1)

Commented [CP69]: From 10.1(e)(2).

Commented [CP70]: New language. Codifies practice.

Commented [CP71]: New language to consider to give guidance to the supervisor to be able to effectively evaluate different ranks. CHR said MH-T suggested.

Commented [CP72]: Additional language intended to clarify this section, found in old 10.1(e)(4).

Commented [CP73]: From old 10.1(f), promoted and made into a header, no substantive change.

Commented [CP74]: Does this area need more refinement?

405 ~~unit employees (at least two must have tenure) elected by the employees in the~~  
 406 ~~unit, the department chair or unit head, and one representative appointed by the~~  
 407 ~~dean will develop or revise AESPs. If a department or unit has fewer than two~~  
 408 ~~tenured employees, the entire department or unit shall vote to elect up to four~~  
 409 ~~employees to serve on the committee, along with the department chair or unit~~  
 410 ~~head and one member appointed by the dean.~~

**Commented [CP75]:** This section used to cause a lot of angst because of the bifurcation; rewording is more straightforward.

411 (2b) Employees in the department or unit shall propose AESPs or changes  
 412 thereto as developed by the committee by a majority vote in a secret ballot. If a  
 413 majority exists, the proposed AESPs shall be forwarded to the dean or the  
 414 appropriate vice president. ~~If there is an even split vote, the dean shall act as the~~  
 415 ~~tie-breaker.~~

**Commented [CP76]:** There is no time frame here. From old 10.1(f)(1)

**Commented [CP77]:** New language for no majority situation

416 (3c) The proposed AESPs or revisions thereto shall be reviewed by the dean  
 417 or vice president. If the dean/vice president determines the proposed AESPs do  
 418 not meet their expectations, the dean/vice president ~~will~~may refer them back to  
 419 the department or unit for revision with a written statement of the reasons for  
 420 non-acceptance.

**Commented [CP78]:** Must either go back or forward.

421 (4d) Once the dean/~~or~~vice president determines the proposed AESPs or  
 422 revisions are acceptable, they shall be forwarded to the university's  
 423 representative for review to ensure they are consistent with the mission and  
 424 goals of the University and comply with this Agreement. If the university's  
 425 representative determines that the proposed AESPs or revisions thereto are  
 426 acceptable, they shall be approved. If not, they shall be referred back to the  
 427 college or division for revision by the department or unit with a written statement  
 428 of reasons for non-approval.

**Commented [CP79]:** Same language as old 10.1(f)(4).

429 ~~(5) If, one year (e) The process is considered initiated after the first~~  
 430 ~~meeting of the AESP committee. If, at least two complete semesters not including~~  
 431 ~~the summer semester six months~~ after the initiation of the process described in  
 432 this subsection, AESPs acceptable to the dean/vice president and university's  
 433 representative have not been approved by the department or unit, draft AESPs,  
 434 committee and department votes, and comments from employees, committee,  
 435 and the dean/vice president shall be forwarded to the university's representative  
 436 for consideration. The university's representative shall, in conjunction with the  
 437 dean/vice president and department/~~unit~~ head, and in consideration of the  
 438 opinions of the employees and of approved AESPs for other departments and  
 439 units, develop and institute new department or unit AESPs. These AESPs shall

**Commented [CP80]:** Change language from "first meeting" to "formation of committee"???

**Commented [CP81]:** New language for when process starts. Old language in 10.1(f)(5) was unclear.

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**Commented [CP82]:** Substantive change: AESPs are generally finished for all areas and now require tweaking. If they are not ready after 6 months, the Dean needs to act to get them set for the upcoming annual review period. One year is too long.

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**Commented [CP83]:** Benign clarification from old 10.1(f)(5)

440 remain in place until such time as new AESPs are developed and approved  
441 according to the procedure outlined in this subsection.

442 (6f) Approved AESPs and revisions thereto shall be kept on file in the  
443 department or unit office. Upon written request, employees in each department  
444 or unit shall be provided an electronic copy of that department or unit’s current  
445 AESPs.

446 (7g) Review of AESPs must occur on a regular basis and must begin no later  
447 than five (5) years after the adoption or most recent review of those AESPs. The  
448 university’s representative, the dean, or a majority of employees in the  
449 department or unit may initiate the review of AESPs at any time. The process for  
450 reviewing a department or unit’s AESPs shall be the same as the process for  
451 developing them (including the committee composition, timeline, and approval  
452 process), as described in this article.

453 (h) The effective date for AESPs or revisions thereto shall be the start of the  
454 annual evaluation period that begins after the date the AESPs or revisions are  
455 approved by the university’s representative and the employees of the department  
456 or unit are so informed in writing.

457 (g) Process for and Sources of Evaluation.

458 (1) Therefore, an employee will be evaluated on the AESP that was  
459 approved and in effect beginning on May 8. If an AESP is approved on or after  
460 May 9, the employee would not be subject to or evaluated using the terms of the  
461 new AESP until the following May 8. ~~Employee Annual Report. Every year, each  
462 employee shall submit to the department chair or unit head (or “evaluator”) a  
463 report of the employee’s performance in each area of assignment. This report  
464 shall be due to the evaluator on May 7 of each year. The evaluator, may, at the  
465 written request from the employee, provide an extension of up to twenty one  
466 days to submit the annual report. The employee annual report may include any  
467 interpretive comments and supporting data that the employee deems  
468 appropriate for evaluating the employee’s performance and shall also include an  
469 up to date and accurate CV. The employee shall submit the report in the format  
470 determined by the college.~~

471 (2) The evaluator shall also consider, where appropriate and available,  
472 information from the following sources: immediate supervisor (if different from  
473 the evaluator), peers, students, employee, other university officials who have

Commented [CP84]: From old 10.1(f)(7).

Commented [CP85]: From old 10.1(f)(7)

Commented [CP86]: For clarity.

Commented [CP87]: From old 10.1(f)(7)

Commented [CP88]: New language; codifies practice.

474 ~~responsibility for supervision of the employee, and individuals to whom the~~  
 475 ~~employee may be responsible in the course of a service assignment, including~~  
 476 ~~public school officials when the employee has a service assignment to the public~~  
 477 ~~schools. Copies of materials to be used in the evaluation process submitted by~~  
 478 ~~persons other than the employee shall be provided to the employee, who may~~  
 479 ~~attach a written response within thirty days of receiving that document.~~

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

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

490 ~~a. Absent immediate concerns described below, the evaluator shall notify~~  
 491 ~~the employee at least two days in advance of the date and time of any direct~~  
 492 ~~classroom observation or visitation. If the employee determines this date is not~~  
 493 ~~appropriate because of the nature of the scheduled class activities, the employee~~  
 494 ~~may suggest a more appropriate date.~~

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

499 ~~c. Observation/visitation of online classroom settings is permitted at~~  
 500 ~~any time.~~

501 ~~d. A written report of the observation/visitation shall be submitted to the~~  
 502 ~~employee, if the employee requests a report, within two weeks of the~~  
 503 ~~observation/visitation. If the observation/visitation involves a course that was~~  
 504 ~~assigned to the employee with less than six weeks' notice, such change shall be~~  
 505 ~~noted in the report. The employee shall be offered the opportunity to discuss the~~  
 506 ~~evaluation with the evaluator prior to its being finalized and placed in the~~  
 507 ~~employee's evaluation file and may submit a written reply within thirty days of~~  
 508 ~~receipt, which shall be attached to the report.~~

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

516 (5) Written Evaluation.

517 a. ~~The proposed written annual evaluation shall be provided to the~~  
 518 ~~employee by the start of the fall semester. Annual evaluations are not required~~  
 519 ~~for employees who have been non-reappointed or whose employment ends~~  
 520 ~~before December 31 of the new academic year.~~

521 b. ~~The employee shall be offered the opportunity to discuss the~~  
 522 ~~evaluation with the evaluator prior to its being finalized and placed in the~~  
 523 ~~employee's evaluation file. The evaluation shall be signed and dated by the~~  
 524 ~~evaluator and by the employee, to acknowledge receipt of it. The employee may~~  
 525 ~~attach a concise comment to the evaluation within thirty days of receipt. A copy~~  
 526 ~~of the evaluation shall be provided to the employee.~~

527 c. ~~Upon written request from the employee, the evaluator shall~~  
 528 ~~endeavor to assist the employee in addressing any performance deficiencies.~~

529 10.2 Cumulative Progress Evaluations.

530 (a) Policy. ~~Tenure-earning or tenured employees eligible for consideration for~~  
 531 ~~promotion to the rank of associate professor and/or tenure shall be informed~~  
 532 ~~annually of their progress toward promotion and/or tenure. Each year's~~  
 533 ~~cumulative progress evaluation shall build upon prior cumulative progress~~  
 534 ~~evaluations so an employee's progress toward tenure and/or promotion in a~~  
 535 ~~given year will be viewed in the context of attainments over the entire tenure~~  
 536 ~~and/or promotion-earning period. Employees eligible for promotion to professor~~  
 537 ~~shall be similarly apprised of their progress toward promotion at least once prior~~  
 538 ~~to submitting their promotion dossier. The cumulative progress evaluations are~~  
 539 ~~intended to provide an accurate assessment of cumulative performance as~~  
 540 ~~leading to attainment of promotion and/or tenure, and to provide assistance and~~  
 541 ~~counseling to candidates to help them qualify themselves for tenure and/or~~  
 542 ~~promotion.~~



543 ~~(b) Process. All cumulative progress evaluations shall be completed during the~~  
544 ~~spring semester. Beginning with the second year of employment (or the first year,~~  
545 ~~if tenure credit was given) and continuing annually, an employee who is eligible~~  
546 ~~for tenure and/or promotion to the rank of associate professor shall receive a~~  
547 ~~cumulative progress evaluation. Separate cumulative progress evaluations shall~~  
548 ~~be provided by the tenured members of the department or unit (excluding the~~  
549 ~~chair/head and dean), the chair/head, and dean. For cumulative evaluations of~~  
550 ~~progress towards promotion to professor, only tenured professors participate in~~  
551 ~~the employee's evaluation. If the department or unit has fewer than three~~  
552 ~~tenured members or tenured professors, as appropriate, the dean may increase~~  
553 ~~the committee membership to three using tenured members of appropriate rank~~  
554 ~~from other departments or units. If the chair/head of the department or unit does~~  
555 ~~not hold the rank of professor or is not a tenured member of the~~  
556 ~~department/unit, the dean may appoint a tenured faculty member of an~~  
557 ~~appropriate rank from another department/unit to serve in this role for the~~  
558 ~~purpose of completing the cumulative progress evaluations. The employee may~~  
559 ~~request, in writing, a meeting with the chair/head and/or dean to discuss~~  
560 ~~concerns regarding the cumulative progress evaluation.~~

561 ~~(c) Criteria.~~

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

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

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

575 ~~(4) When requested by the employee, progress toward the rank of~~  
576 ~~professor will be assessed based on the professional performance of teaching,~~

577 ~~research, and service, the achievement of national and/or international~~  
578 ~~prominence, evidence of advancing their field of study, and the likelihood of~~  
579 ~~future contributions at or exceeding current levels of performance.~~

580 ~~10.3— Sustained Performance Evaluations.~~

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

586 ~~(b) Process.~~

587 ~~(1) At the end of three years of tenured or post-promotion service, and~~  
588 ~~each subsequent three year period, or at any time the employee has not~~  
589 ~~maintained productivity expectations, an employee’s sustained performance will~~  
590 ~~be evaluated. This evaluation will consist of a review of the overall annual~~  
591 ~~evaluation ratings and productivity during that period of interest. If the~~  
592 ~~employee’s overall performance is deemed to be below satisfactory, then the~~  
593 ~~employee shall be issued a performance improvement plan. The average shall be~~  
594 ~~determined by assigning a value of 4 for Outstanding, 3 for Above Satisfactory, 2~~  
595 ~~for Satisfactory, 1 for Conditional, and 0 for Unsatisfactory to each of the~~  
596 ~~employee’s annual evaluation ratings over the appropriate period. If the average~~  
597 ~~value is less than 2.0, the employee’s performance shall be deemed below~~  
598 ~~satisfactory.~~

599 ~~(2) A performance improvement plan shall be developed by the department~~  
600 ~~chair or unit head in consultation with the employee and aligned with the unit’s~~  
601 ~~AESP and shall include specific measurable performance targets with target dates~~  
602 ~~that must be completed in a period of two years. The performance improvement~~  
603 ~~plan requires the approval of the dean and the university’s representative.~~

604 ~~(3) When an employee has a performance improvement plan, the~~  
605 ~~department chair or unit head shall provide an annual evaluation of the~~  
606 ~~employee’s performance on the plan. Adherence to the performance~~  
607 ~~improvement plan, including its targets and target deadlines, shall be the~~  
608 ~~governing criteria for performance improvement plan evaluations.~~

609 ~~(4) It is the responsibility of the employee to attain the performance targets~~  
610 ~~specified in the performance improvement plan. Lack of success may result in~~

611 ~~dismissal. The employee may attach a concise response to the sustained~~  
612 ~~performance evaluation, the performance improvement plan, and annual~~  
613 ~~evaluations of performance on the sustained performance plan. Any such~~  
614 ~~responses shall be included in the evaluation file.~~

615 ~~10.4—Proficiency in Spoken English.~~

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

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

621 ~~10.5—Employee Assistance Programs. Neither the fact of an employee's~~  
622 ~~participation in an employee assistance program nor information generated by~~  
623 ~~participation in the program shall be used as evidence of a performance~~  
624 ~~deficiency within the evaluation processes described in this Article, except for~~  
625 ~~information relating to an employee's failure to participate in an employee~~  
626 ~~assistance program consistent with the terms to which the employee and the~~  
627 ~~university's representative have agreed.~~