

Article 10
PERFORMANCE EVALUATIONS

10.1 Purpose and Scope of Evaluation. The basic purpose of faculty evaluation is to recognize, reward, and improve faculty performance in the functions of teaching, research, service, and administrative and related duties that may be assigned.

10.2 Sources and Methods for Evaluation. Evaluations shall be based only upon assigned duties and shall carefully consider the nature of the assignments and quality of the performance. Evaluations shall be based upon the assignments of responsibility, as described in Article 9, and any dual compensation appointments, if applicable, for the period under evaluation, and shall take into account the proportions, duties and nature of the assignments.

(a) All evaluations shall be performed during the spring semester and shall take into account performance of assigned duties over a period consistent with approved department criteria and may include multiple years. For faculty members who have been employed at the University less than that period, the annual evaluation shall take into account their performance since the start of employment at the University.

(b) An evaluation may only be changed through the appeal process as outlined in the provisions of this article or through other provisions of the Agreement.

(c) The faculty of each department/unit shall develop and maintain specific written criteria and procedures by which to evaluate faculty members consistent with the criteria specified in this Article and subject to the approval of the unit’s dean. These criteria and procedures shall be the sole basis upon which faculty performance is measured.

(d) Development Process for Criteria and Procedures. If criteria and procedures for evaluating faculty performance are not on file, they shall be developed. If such criteria and procedures are already on file, the faculty of the department/unit shall review and revise them after ratification of this Agreement.

(1) The department/unit administrator shall discuss with the department/unit faculty members who are to participate in the development or revision process the existing criteria and procedures of the department/unit, the mission and goals of the department/unit and the University, the provisions of the BOT-UFF Collective Bargaining Agreement, and relevant state law. A copy of the BOT-UFF Collective Bargaining Agreement and the relevant portions of state law shall be provided to each department/unit at the outset of the process.

(2) These criteria and procedures, and any revisions thereof, shall be recommended by a secret ballot vote of a majority of the faculty members in the department/unit.

(e) These criteria and procedures shall

(1) Be consistent with the criteria and procedures specified in this Article and with all the other provisions of this Agreement.

(2) Satisfy all provisions of Article 23 with regard to department/unit criteria and evaluative procedures for the distribution of merit-based salary increases.

(3) Be adaptable to various assigned duties, so that all faculty have an equal opportunity to earn favorable performance evaluations. The criteria must provide that the FTE allocated to each part of the faculty member’s annual assignment shall be used to weight the performance of each

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42 part for determination of the overall assessment of performance/merit.

43 (4) Take into consideration the department’s mission and reasonable expectations for
44 different classifications/ranks, experience, and stages of career.

45 (5) Provide for a peer review component in the annual evaluation.

46 (6) Specify a new effective date.

47 (7) Be detailed enough that any reasonable faculty member can understand what
48 performance is required to earn each performance evaluation rating.

49 (8) Ensure that faculty members on approved leave are not penalized in the evaluation
50 process.

51 (9) Faculty members in Departments/Unit — Legacy bylaws that used a five point scale for
52 criteria for evaluations prior to Fall 2024 shall combine the top two rating categories (“Exceeds
53 FSU’s High Expectations” and “Substantially Exceeds FSU’s High Expectations”) to conform to
54 the four point scale in this article review the criteria and update their bylaws, if appropriate, to
55 define criteria based on a four-point scale.

56 (f) The criteria and procedures shall be periodically reviewed by the faculty for consistency,
57 revised as appropriate, and subjected to a reaffirmation ballot whenever a change is made to this
58 Article. Subsequent revisions may be initiated by a majority vote of at least a quorum of the faculty
59 members subject to evaluation or upon the initiative of the department/unit administrator.

60 (g) Departments/units are encouraged to exchange and discuss drafts of their faculty evaluation
61 criteria and procedures during the formulation and revision processes.

62 (h) Approval Process.

63 (1) The University President or representative shall review the proposed criteria and
64 procedures or revisions thereof to ensure that they comply with the provisions of this Article. The
65 President or representative shall notify the department/unit of his or her approval or non-approval
66 within sixty (60) days of receipt, if practicable. However, final notification shall occur no later
67 than ninety (90) days after receipt. In the case of a non-approval, the notification will provide a
68 written statement of reasons.

69 (2) In the case of non-approval, the department/unit has ninety (90) days after notification
70 to revise and resubmit the proposal, and the President or representative shall review it within sixty
71 (60) days of receipt and notify the department of approval or non-approval, and in the case of non-
72 approval, provide a written statement of reasons. In the event that the next version is also not
73 approved, the criteria shall be forwarded to the Vice President for Faculty Development and
74 Advancement who will resolve any discrepancies and the criteria and procedures shall be imposed.

75 (i) Approved or imposed faculty evaluation criteria and procedures, and revisions thereof, and
76 any related recommendations shall be kept on file in the department/unit and college offices, in
77 the Office of Faculty Development and Advancement, and posted on the department/unit and
78 college/unit websites. Faculty members in each department/unit shall be provided a copy of that
79 department’s/unit’s current faculty evaluation criteria and procedures at the start of the spring
80 semester.

81 (j) No faculty member shall be evaluated according to new criteria and procedures prior to the
82 President or representative's final approval of these criteria and procedures or until they are
83 imposed by the Vice President for Faculty Development and Advancement.

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84 (k) No evaluations shall require a forced or pre-specified distribution of ratings.

85 10.3 Annual Evaluations. Annual performance evaluations shall be based upon the assignments
86 of responsibility, as described in Article 9, for the period under evaluation, and shall take into
87 account the proportions, duties and nature of the assignments. The faculty member's history of
88 annual evaluation summary forms, narratives, optional responses, and letters of progress towards
89 promotion shall be considered in recommendations and final decisions on promotions and
90 appointment and non-reappointment.

91 (a) Sources for Annual Evaluations. In preparing the annual evaluation, the person(s)
92 responsible for evaluating the faculty member may consider, in light of the department/unit's
93 faculty evaluation criteria, pertinent information from the following sources: immediate
94 supervisor, peers, students, faculty member/self, other University officials who have responsibility
95 for supervision of the faculty member, and individuals to whom the faculty member may be
96 responsible in the course of a service assignment, including public school officials when a faculty
97 member has a service assignment to the public schools.

98 (b) Teaching effectiveness. Includes effectiveness in presenting knowledge, information, and
99 ideas by means or methods such as lecture, discussion, assignment and recitation, demonstration,
100 laboratory exercise, practical experience, and direct consultation with students.

101 (1) The evaluation shall include consideration of effectiveness in imparting knowledge and
102 skills, and effectiveness in stimulating students' critical thinking and/or creative abilities, the
103 development or revision of curriculum and course structure, and adherence to accepted standards
104 of professional behavior in meeting responsibilities to students.

105 (2) The evaluation shall include consideration of class size format, preparation time,
106 whether the course is required or elective, availability of assistance, and other University teaching
107 duties, such as advising, counseling, supervision of interns, or duties described in a Position
108 Description, if any, of the position held by the faculty member.

109 (3) The teaching evaluation must take into account any relevant materials submitted by the
110 faculty member. Examples of such materials include class notes, syllabi, student exams and
111 assignments, supplementary material and peer evaluations of teaching. The teaching evaluation
112 may not be based primarily on student perceptions when additional information has been made
113 available to the evaluator.

114 (4) Observation/Visitation.

115 a. The faculty member, if assigned teaching duties, shall be notified at least two (2)
116 weeks in advance of the date, time, and place of any direct classroom observation or visitation
117 (including visitation or monitoring of a course website) made in connection with the faculty
118 member's annual evaluation. If the faculty member determines that this date is not appropriate,
119 because of the scheduled class activities, the faculty member and the person(s) responsible for
120 performing the observation or visitation will mutually agree upon an alternate date.

121 b. Upon request, a faculty member is entitled to an evaluation of teaching based on
122 direct observation or visitation by one or more peers.

123 c. Whenever a person conducts a classroom visit for the purpose of evaluation, a
124 report of his/her observations must be submitted to the faculty member within ten (10) working
125 days of the observation. Otherwise, nothing from the visit may be used in the evaluation process.

126 i. The report must suggest corrective actions for any shortcoming that is
127 identified.

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128 ii. No corrective actions that impinge upon academic freedom may be suggested.
129 d. A faculty member who challenges an observation report may choose a colleague to
130 observe his or her class and submit a report. The colleague may be from the same department/unit,
131 from a department/unit with a compatible discipline, a retired colleague, or a colleague in the
132 discipline from another university. Such a report shall be given equal consideration with other
133 reports of classroom visitation.

134 (c) Contribution to the discovery of new knowledge. Includes development of new educational
135 techniques, and other forms of creative activity.

136 (1) Evidence of research and other creative activity shall include, but not be limited to,
137 published books, chapters in books, articles in refereed and un-refereed professional journals,
138 musical compositions, exhibits of paintings and sculpture, works of performance art, papers
139 presented at meetings of professional societies, reviews, and research and creative activity that has
140 not yet resulted in publication, display, or performance.

141 (2) The evaluation shall include consideration of the faculty member’s productivity,
142 including the quality and quantity of the faculty member’s research and other creative programs
143 and contributions during the period under evaluation. The evaluation of quality shall include
144 consideration of recognitions by the academic or professional community.

145 (d) Service. Evaluation of service shall include consideration of contributions to:

146 (1) the orderly and effective functioning of the faculty member’s academic unit (program,
147 department, school, college) and/or the total University, including participation in regular
148 departmental or college meetings;

149 (2) the University community, including participation in the governance processes of the
150 institution through significant service on University committees and councils, in UFF activities,
151 and in Faculty Senate activities;

152 (3) the local, state, regional and national communities, and scholarly and professional
153 associations, including participation in professional meetings, symposia, conferences, workshops,
154 service on local, state, and national governmental boards, agencies and commissions; and service
155 to public or private schools;

156 (4) other assigned University duties, such as academic administration, of the position held
157 by the faculty member. Evaluations for department chairs should consider responsibilities of the
158 chair such as departmental planning and goal setting, assignment of work responsibilities and
159 resources, fiscal responsibilities, recruitment and hiring, mentoring, evaluation of faculty, handling
160 of personnel issues involving faculty and staff, academic program responsibilities, implementation
161 of University policy, and communication both within the department and with administrators
162 regarding the department;

163 (5) such other responsibilities as may be appropriate to the assignment.

164 (e) These criteria may be elaborated, augmented, and refined by recommendation of the
165 faculty of the department/unit, as provided in this Article.

166 (f) Methods for Annual Performance Evaluations

167 (1) Evaluator. The evaluator will normally be the administrator of the department/ unit in
168 which the faculty member holds an appointment at the time the evaluation is performed. Faculty
169 members holding concurrent appointments in more than one department/unit shall be evaluated by
170 the administrators of each unit in which they hold an appointment. Faculty members earning or

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171 holding tenure in a unit in which they do not hold an appointment shall also be evaluated by the
172 administrator of the unit in which they are earning or hold tenure.

173 a. Department/unit administrators who are faculty members shall be evaluated by
174 their respective deans.

175 b. Each evaluator shall be familiar with the provisions of this Agreement, any
176 applicable Florida Statutes and Board policies, and the department/unit criteria and procedures
177 specified by this Article for the annual evaluation of the faculty.

178 (2) The performance of faculty members, other than those who have received notice of
179 non-reappointment under Article 12 or are not entitled to receive notice of non-reappointment
180 under Article 12, shall be evaluated. The evaluation shall be consistent with the criteria specified
181 in Section 10.2.

182 (3) Evidence of Performance Report. The administrator responsible for the annual
183 evaluation shall request each member of the faculty to submit to him or her, annually, a report of
184 Evidence of Performance in teaching, research or creative activities, service, and other University
185 duties where appropriate.

186 a. The Evidence of Performance report (EOP) shall be submitted after the end of each
187 calendar year, and shall cover the preceding calendar year.

188 b. Each department/unit shall specify in detail the required format and minimal
189 content of the EOP, pursuant to this section.

190 c. The EOP shall also include any interpretive comments or supporting data that the
191 faculty member deems appropriate in evaluating his or her performance.

192 d. Any materials required for the EOP that depend on the University administration
193 shall be provided to the faculty member no less than fourteen (14) days prior to the date upon
194 which the Evidence of Performance report is due.

195 e. If a faculty member fails to submit an EOP report (after notification of such failure),
196 this may result in an overall evaluation of "Does Not Meets FSU's High Expectations."

197 (4) Those persons responsible for supervising and evaluating shall endeavor to assist the
198 person being evaluated in correcting any performance deficiencies reflected in the evaluation.

199 a. The supervisor may informally coach or counsel faculty with the goal of improving
200 performance. Such advice is not disciplinary, nor may it be part of the evaluation file.

201 b. The supervisor may offer advice for improvement in the annual Progress towards
202 Promotion letter and/or the annual Narrative Report.

203 c. The supervisor may create a structured improvement plan via a Performance
204 Improvement Plan (PIP) as outlined in Section 10.5 (3).

205
206 (5) The Annual Performance Evaluation shall provide for an assessment of performance
207 for each faculty member using the following ratings:

208 a. ~~Substantially Exceeds~~ ~~FSU's High~~ Expectations

209 b. ~~Meets Exceeds~~ ~~FSU's High~~ Expectations

210 ~~c. Meets FSU's High Expectations~~

211 ~~cd.~~ Official Concern

212 ~~de.~~ Does Not Meet ~~FSU's High~~ Expectations

213 10.4 Merit Evaluations.

214 (a) The determination of meritorious performance for the distribution of funds allocated for
215 merit-based salary increases pursuant to Article 23 shall be according to each department/unit's

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216 faculty evaluation criteria and procedures developed pursuant to this section, which must be
 217 consistent with the criteria for faculty evaluation specified elsewhere in this Article. All faculty
 218 members will be reviewed for merit.

219 (b) These criteria and procedures may include any refinements of the methods for the
 220 distribution of salary increase funds that are permitted by Article 23 and are based on a period of
 221 time consistent with approved department criteria, which may include multiple years of
 222 performance.

223 (c) Merit distribution criteria:

224 (1) Must define meritorious performance as “performance that meets or exceeds the
 225 expectations for the position classification and department/unit.”

226 (2) May permit, but not mandate, a merit pay award for all members of the department/unit.

227 (3) Must establish distinctive levels of merit reflecting the differences in performance.

228 (d) Merit distribution plans are subject to the approval of the department chair (or in non-
 229 departmentalized units, the dean). If the chair makes any changes to the merit distribution plan
 230 proposed by a faculty evaluation committee, she/he shall report such changes to the faculty
 231 evaluation committee, if there is such a body. The original merit distribution plan along with any
 232 recommendations by the chair shall be submitted to the dean and the provost or designee. The dean
 233 and the provost or designee provide final approval of merit distribution plans. Any changes at this
 234 level to the merit distribution plan shall be reported to the chair by the dean's office, and the chair
 235 will inform the faculty evaluation committee, if there is such a body.

236 10.5 Annual Evaluation Reporting Procedures

237 (a) Evaluation Summary Form. The evaluator shall annually prepare the faculty member’s
 238 written annual performance evaluation on the Annual Evaluation Summary Form provided in
 239 Appendix “F.” The completed form and its attachments comprise the annual evaluation report.

240 (1) This Evaluation Summary Form and its attachments shall be distributed to the faculty
 241 member no later than June 15.

242 (2) Faculty members holding joint appointments in other areas, departments or divisions
 243 shall be evaluated concurrently using the same criteria and procedures as other faculty in the
 244 department/unit. Each evaluator shall evaluate the faculty member only with respect to principal
 245 duties within that department/unit. Such concurrent summaries shall be forwarded to the
 246 administrator responsible for review of evaluations for the department/unit as specified in (c)
 247 below.

248 (3) Faculty members eligible for promotion or for tenure (except for Assistant Professors
 249 in the years in which they receive their Tenure Review Report, as outlined in Section 15.3 (e)(2))
 250 shall be apprised annually in writing of progress towards promotion or tenure in order to provide
 251 assistance and counseling in working toward that goal. This appraisal shall be included as a
 252 separate section—Progress toward promotion or tenure may be included in the narrative
 253 accompanying the annual evaluation, or as a separate narrative, as outlined in Article (10.5(a)(4).

254 (4) All faculty members, including those ineligible for promotion, shall receive a narrative
 255 evaluation appended to the Evaluation Summary Form.

256 (5) The provision on the Annual Evaluation Summary Form under the heading
 257 “TEACHING” for certification of Spoken English Competency shall be utilized only:

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258 a. to certify competency following completion of options for remediation specified
259 following an “Official Concern” evaluation in this area given either in the previous annual
260 evaluation or with an original appointment, or

261 b. to call into question a previous certification of competency.

262 (6) If “Official Concern” is noted in the Spoken English Competency category, options for
263 remediation shall be in writing with a copy attached to the Annual Evaluation Summary Form.

264 (7) The evaluation report shall be signed and dated by the person performing the
265 evaluation.

266 (b) Discussion. After completion of the Annual Evaluation Summary Form, the evaluator ~~shall~~
267 ~~discuss~~shall discuss the Summary with the faculty member concerned.

268 (1) The faculty member may attach to the Summary any statement he or she desires.

269 (2) The persons responsible for supervising and evaluating shall endeavor to assist the
270 person being evaluated in correcting any performance deficiencies reflected in the evaluation.

271 (3) ~~For non-tenured faculty members, I~~in the case of an evaluation rating of “Does Not
272 Meet FSU’s High Expectations,” the evaluator shall fully document the rating prior to discussion
273 with the faculty member. ~~Non-tenured F~~faculty members whose overall performance ~~is rated~~
274 ~~“Does Not Meet FSU’s High Expectations”~~in any given year or whose performance in any single
275 domain (i.e. research, teaching or service) in three (3) or more of the previous six (6) evaluations
276 is rated below “Does Not Meets FSU’s High Expectations”, may be placed on a Performance
277 Improvement Plan (PIP). ~~A tenured faculty member whose overall performance in any~~
278 ~~performance domain (i.e., research, teaching or service) is rated “Does Not Meet FSU’s High~~
279 ~~Expectations” in three (3) or more of the previous six (6) evaluations may be placed on a PIP.~~ A
280 PIP shall be developed in one or more areas of assigned duties. The PIP shall be developed by the
281 faculty member’s supervisor in concert with the faculty member, and shall be written. It shall
282 include specific performance goals and timetables to assist the faculty member in achieving at least
283 a “Meets FSU’s High Expectations” rating. Specific resources identified in an approved PIP, shall
284 be provided by the department/unit. Examples of recommendations/resources include, but are not
285 limited to: audit a course; participate in a webinar or webcast; work with or observe the work of
286 an outstanding professor; etc. If the faculty member and the supervisor are unable to agree on the
287 elements of the PIP, the dean shall make the final determination on the elements of the PIP. The
288 PIP shall be approved by the President or representative and attached to the Annual Evaluation
289 Summary Form. The supervisor shall meet periodically with the faculty member to review
290 progress toward meeting the performance goals. It is the responsibility of the faculty member to
291 successfully complete the PIP.

292 (4) After discussion is ~~completed and~~completed and attachments made, the faculty
293 member will indicate that the evaluation has been reviewed by signing the Annual Evaluation
294 Summary Form and indicating the number of pages attached to it. The required signature of the
295 person being evaluated certifies that the required discussion of the rating has taken place. It does
296 not imply that the person being evaluated has agreed with the rating. Those not agreeing should be
297 referred to the procedure for appealing an Annual Evaluation Summary, in Section 10.7.

298 (5) A copy of the Annual Evaluation Summary Form and attachments shall be made
299 available to the person being evaluated.

300 (c) Review. The Annual Evaluation Summary Form and attachments shall be reviewed by the
301 appropriate administrative officer. The reviewer will normally be the dean of the college in which

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302 the faculty member holds the faculty position. When the dean of a college is the evaluator, the
 303 Annual Evaluation Summary shall be reviewed by the Vice President for Faculty Development
 304 and Advancement.

305 (1) Upon the completion of the discussion with the faculty member, the Annual Evaluation
 306 Summary Form and attachments shall be forwarded to the appropriate reviewer.

307 (2) The reviewer shall sign the Annual Evaluation Summary Form and attachments if he
 308 or she agrees with it.

309 (3) If the reviewer disagrees, he or she may discuss the area of disagreement with the
 310 evaluator, at which time two courses of action are available to the reviewer: The reviewer may
 311 submit his or her own Evaluation Summary Form and attachments or may revise the original.
 312 When the reviewer prepares his or her own Faculty Evaluation Summary, the original Evaluation
 313 Summary Form and attachments must be appended to the reviewer's summary.

314 10.6 Disposition of the Evaluation Summary Form and attachments.

315 (a) After the Evaluation Summary Form and attachments have been reviewed by the
 316 appropriate reviewer, they shall be filed in the faculty member's official evaluation file. The
 317 contents of the faculty evaluation file shall be confidential and shall not be disclosed except to the
 318 faculty member evaluated and those whose duties require access.

319 (b) For faculty holding joint appointments copies of all evaluations shall be filed in the official
 320 evaluation file.

321 (c) When the overall performance is rated "Does Not Meet ~~FSU's High~~ Expectations," a copy
 322 of the Evaluation Summary Form and attachments must be forwarded to the Provost and Vice
 323 President for Academic Affairs and the President of the University through the Vice President for
 324 Faculty Development and Advancement.

325 10.7 Provision for Appeal

326 (a) If a faculty member is not satisfied with the Evaluation Summary prepared by the evaluator
 327 (department chair or equivalent), including the determination of failure to successfully complete a
 328 PIP, the faculty member may register his or her disagreement in writing and attach it to the
 329 Evaluation Summary to be placed in the evaluation file.

330 (b) In addition, the faculty member may submit a written request for review of the evaluation
 331 by appropriate higher level reviewer (dean or equivalent) within thirty (30) days after being
 332 informed of the evaluation. The reviewer, like the evaluator, shall have complete freedom of
 333 action, consistent with this Agreement, in seeking to settle or resolve differences concerning
 334 evaluations and presumably his or her efforts will be largely conciliatory. The reviewer shall meet
 335 with the faculty member to discuss the request within fifteen (15) days of receipt of the written
 336 request for review. Within fifteen (15) days of receipt of the written request, the reviewer shall
 337 reach a decision and report it to the faculty member.

338 (c) If the faculty member is not satisfied with the reviewer's decision, the faculty member may
 339 request in writing a review from the ~~Provost- or designee and Vice President for Academic Affairs~~
 340 ~~(or designee) Vice President for Faculty Development and Advancement~~ within fifteen (15) days
 341 after the reviewer's decision. Within fifteen (15) days of receipt of the written request, the ~~Provost~~
 342 ~~or designee or designee Vice President for Faculty Development and Advancement shall meet with~~

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343 ~~the faculty member to discuss the request. Within fifteen (15) days of receipt of the written request,~~
 344 ~~the Vice President for Faculty Development and Advancement shall reach a decision and report it~~
 345 ~~to the faculty member.~~

346 ~~(d) An appeal of the decision of the Vice President for Faculty Development and Advancement~~
 347 ~~may be made to the Provost and Vice President for Academic Affairs. Such a request for review~~
 348 ~~shall be made in writing within fifteen (15) days after the Vice President for Faculty Development~~
 349 ~~and Advancement' decision. Within fifteen (15) days of the receipt of the written request, the~~
 350 ~~Provost and Vice President for Academic Affairs shall reach a decision and report it to the faculty~~
 351 ~~member.~~

352 10.9 Proficiency in Spoken English. No faculty member shall be evaluated as deficient in oral
 353 English language skills unless proved deficient in accordance with the appropriate procedures and
 354 examinations for testing such deficiency.

355 (a) Faculty members involved in classroom instruction, other than in courses conducted
 356 primarily in a foreign language or courses not requiring facility in spoken English, who are found
 357 by their supervisor, as part of the annual evaluation, to be potentially deficient in English oral
 358 language skills, shall be tested in accordance with appropriate procedures and examinations
 359 established herein for testing such skills. No reference to an alleged deficiency shall appear in the
 360 annual evaluation or in the personnel file of a faculty member who achieves a satisfactory
 361 examination score determining proficiency in oral English as specified in the rule (currently "50"
 362 or above on the Test of Spoken English).

363 (b) Faculty members who score at a specified level on an examination established herein for
 364 testing oral English language skills ("45" on the Test of Spoken English), may continue to be
 365 involved in classroom instruction up to one (1) semester while enrolled in appropriate English
 366 language instruction, as described in paragraph (d) below, provided the appropriate administrator
 367 determines that the quality of instruction will not suffer. Only such faculty members who
 368 demonstrate, on the basis of examinations established by statute and rule, that they are no longer
 369 deficient in oral English language skills may be involved in classroom instruction beyond one (1)
 370 semester.

371 (c) Faculty members who score below a minimum score on an examination established herein
 372 for determining proficiency in oral English (currently "45" on the Test of Spoken English) shall
 373 be assigned appropriate non-classroom duties for the period of oral English language instruction
 374 provided by the Board under paragraph (d) below, unless during the period of instruction the
 375 faculty member is found, on the basis of an examination specified above, to be no longer deficient
 376 in oral English language skills. In that instance, the faculty member will again be eligible for
 377 assignment to classroom instructional duties and shall not be disadvantaged by the fact of having
 378 been determined to be deficient in oral English language skills.

379 (d) It is the responsibility of each faculty member who is found, as part of the annual
 380 evaluation, to be deficient in oral English language skills by virtue of scoring below the satisfactory
 381 score on an examination established herein to take appropriate actions to correct these deficiencies.
 382 To assist the faculty member in this endeavor, the Board shall provide appropriate oral English
 383 language instruction without cost to such faculty members for a period consistent with their length
 384 of appointment and not to exceed two (2) consecutive semesters. The time the faculty member

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385 spends in such instruction shall not be considered part of the individual assignment or time worked,
 386 nor shall the faculty member be disadvantaged by the fact of participation in such instruction.

387 (e) If the Board determines, as part of the annual evaluation, that one (1) or more
 388 administrations of a test to determine proficiency in oral English language skills is necessary, in
 389 accordance with this section, the Board shall pay the expenses for up to two (2) administrations of
 390 the test. The faculty member shall pay for additional testing that may be necessary.

391
 392 10.10 Post-Tenure Review

393
 394 (a) Faculty members in the ranks of Associate Professor, Professor, Eminent Scholar, who
 395 have at least five (5) years of continuous University Service after their promotion to top two ranks
 396 or after their previous Post-Tenure Review shall receive a Post-Tenure Review rating.

397 (b) Faculty who have been rated "Official Concern" or "Does Not Meet Expectations" in three
 398 or more of the previous five (5) years' or two (2) of the previous three (3) years' annual overall
 399 performance evaluation in accordance with Article 10.3 shall be given a Post-Tenure Review
 400 Rating of "Does Not Meet Expectations".

401 (c) All other faculty members completing Post-Tenure Review shall be rated as "Meets
 402 Expectations".

403 (d) Faculty with a Post-Tenure Review Rating of "Does Not Meet Expectations" shall receive
 404 a PIP as outlined in Articles 10.5 and 8.6(d)(1).

405
 406 (e) Faculty with a Post-Tenure Review Rating of "Meets Expectations" shall receive a raise as
 407 outlined in Article 23.4(b)(1).

408 Selection of Faculty Members for Post-Tenure Review

409
 410 (a). All tenured faculty members will receive a Post-Tenure Review every five years following
 411 the effective date of their tenure and, for those hired with tenure on appointment, five years after
 412 their date of hire. Tenured faculty at the rank of Full Professor will be reviewed every five years
 413 from the effective date of their promotion.

414
 415 1) In addition to inclusion of tenured faculty in their 5th year following the award of tenure or
 416 their promotion to Full Professor, each Spring Semester in 2025, 2026, 2027 and 2028
 417 approximately 25% of the tenured faculty of the University who were tenured prior to 2019
 418 and who have not yet been subject to Post-Tenure Review will be randomly selected from the
 419 pool of all remaining eligible faculty members to reach 25% subject to college proportionality.

420
 421 (2) Beginning in Spring Semester 2029, each tenured faculty member will be subject to Post-
 422 Tenure Review in the fifth year following their tenure award, last promotion, hire date (if
 423 hired with tenure) or last Post-Tenure Review.

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424
425 (b) Postponement of Post-Tenure Review
426

427 (1) Reviews may be postponed, upon approval by the provost or designee, for extenuating
428 circumstances, including but not limited to being on approved extended leave (e.g., FMLA,
429 parental leave, or leave of absence), being on a sabbatical, or having served in an
430 Administrative Role during the Review Period).

431
432 (2) To request a year-long postponement, faculty members must submit a Postponement
433 Request Form by the specified deadline. All requests shall be reviewed by the Provost or
434 designee. The same standards for granting postponement requests shall apply to all faculty
435 members.

436 (c) Methods for Post-Tenure Reviews
437

438 (1) Faculty Members shall prepare and submit the following materials to the department
439 chair/school director (or to the dean, for colleges without departments or schools) using
440 the university's report form that includes, for the 5-year review period:

441 a. Curriculum Vita

442 b. Assignments of Responsibility

443 c. Student evaluations of teaching along with other evidence of teaching excellence

444 d. Additional information highlighting the faculty member's accomplishments
445

446 (2) Department chairs/school directors shall prepare and submit to deans a report for each
447 faculty member, including the following:

448 a. Annual Evaluations for the Review Period.

449 b. Any substantiated findings of any investigation of noncompliance with university policies,
450 or applicable laws or regulations within the scope of their university employment during the
451 review period and that resulted in disciplinary action due to misconduct or incompetence. This
452 information will be provided by the Office of Faculty Development and Advancement.

453 c. A letter assessing their performance for the Review Period that includes input from a faculty
454 committee.

455 d. Faculty members may review their Materials, including additions by their chair/director and
456 shall have up to five days to provide a response.
457

458
459 (3) Deans shall submit to the provost a report for each faculty member under review that
460 includes the following information:

461 a. A letter assessing the performance of each faculty member (which may include input
462 from a college committee, if requested by the dean).

463 b. A rating of each faculty member using the university's Performance Rating Scale for
464 Post-Tenure Review.

465 c. Faculty members may review their Materials, including additions by their dean, and shall
466 have up to five days to provide a response.
467

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468
469 (4) The provost shall review supplemented Materials received from deans and assign to each
470 faculty member a rating using the Performance Rating Scale for Post-Tenure Review (in
471 consultation with the president, and if requested by the provost, with input from a University
472 advisory committee). The provost shall notify all faculty members under review of their ratings
473 and outcomes.

474
475 Criteria for ~~P~~Performance Rating Scale for Post-Tenure Review Ratings. Because of the variety
476 of academic disciplines in the university and the differences in the nature of the work tenured
477 faculty do across disciplines, the examples of evidence in support of PTR ratings will vary across
478 academic disciplines. Deans and the Provost must take into consideration the criteria used by
479 academic units to evaluate the performance of faculty for promotion, tenure, merit, and annual
480 evaluations. The list of examples for each rating is not intended to be exhaustive, nor must
481 faculty have evidence of all examples on the list to receive the rating.

- 482
483
484
485 1. Exceeds expectations: Faculty who receive this rating must perform significantly above
486 the average performance of faculty in the academic unit and in the academic discipline
487 at peer institutions. Faculty members who receive this rating must be found to have
488 followed university policies, BOG regulations, and applicable state laws during the
489 review period.

490
491 Below are examples of the types of evidence used to support a rating of "Exceeds Expectations"
492 in the areas of Research/Creative Works, Teaching, and Service.

493
494 Research/Creative Works:

- 495 • Publications in top-tier journals that are comparable in number and impact to the top
496 20% of faculty members in their discipline at peer institutions
497 • Books/monographs published by prestigious publishing houses that are commensurate
498 in number and impact with the accomplishments of the top 20% of faculty members in
499 their discipline at peer institutions
500 • Performances and exhibitions at prestigious national and international venues
501 comparable to the top 20% of faculty members in their discipline at peer institutions
502 • Invited presentations and keynote addresses at major national and international
503 conferences
504 • Received one or more major honorific awards for excellence and impact of
505 research/creative works
506 • Significant and sustained external research support from federal, state, and other
507 funding agencies, where appropriate

508 Teaching:

- 509 • Student evaluations of teaching are within the top 20% for faculty in the academic unit.
510 • Received awards for teaching, advising, and/or mentoring

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- Served as Chair for a higher-than-average number of dissertation, master’s, or undergraduate thesis committees in the academic unit
- Awarded grants or contracts to fund educational programs and curricular innovations.
- Presentations at national and international teaching/pedagogical conferences
- Leading workshops on teaching at the university or at national conferences
- Leadership roles in organizations focused on teaching excellence and pedagogy
- Development of new courses and curricular revisions
- Obtained advanced credentials or certification in course or curriculum development

Service:

- Chairing university, college, and department committees
- Serving on grant review panels for federal, state, or private funding agencies
- Serving as editor or associate editor of one or more scholarly journals
- Leadership roles in national/international academic societies
- Appointments to professional boards
- Providing formal mentorship to an above-average number of junior faculty in the academic unit

2. Meets Expectations: Performs within the average range of faculty members in their academic unit and accomplishments are commensurate with average productivity of faculty in their academic discipline at peer institutions. Faculty members who receive this rating must be found to have followed university policies, BOG regulations, and applicable state laws during the review period.

Below are examples of the types of evidence used to support a rating of “Meets Expectations” in the areas of Research/Creative Works, Teaching, and Service.

Area: Research/Creative Works

- Quantity and quality of published works in the average range relative to faculty productivity in the academic unit and commensurate with faculty in their academic discipline at peer institutions
- Quantity and quality of presentations at conferences and national meetings in the average range of faculty in the academic unit and commensurate with faculty in their academic discipline at peer institutions
- Has or is actively seeking external funding for research during the review period, where appropriate
- Performances or exhibits at venues commensurate with the average number and quality of performance/exhibits of faculty in the academic unit and commensurate with faculty in their academic discipline at peer institutions

Area: Teaching

- Student evaluations of teaching are within the normal range for faculty in the academic unit

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- 553 • Serves as Chair for an average number of dissertation, master’s, or undergraduate thesis
 554 committees in the academic unit
- 555 • Effective mentorship of students (e.g., meets regularly, completes evaluations on time,
 556 provides opportunities for students to present and publish research)
- 557 • Attends workshops and other professional development opportunities to improve and
 558 enhance their teaching effectiveness
- 559 • Accepts teaching assignments to meet the needs of the academic unit

560 Area: Service

- 561 • Serves on university, college, and department committees
- 562 • Reviews manuscripts for scholarly publications
- 563 • Positively contributes to student recruitment activities
- 564 • Positively contributes to faculty recruitment activities
- 565 • Provides formal mentorship to an average number of junior faculty within the academic
 566 unit

567

568 3. Does Not Meet Expectations: performance falls below the normal range of variation in
 569 performance compared to faculty in the academic unit and below the average
 570 productivity of faculty in their academic disciplines at peer institutions but the faculty
 571 member is thought to be capable of improvement. Faculty members with evidence of
 572 noncompliance with university policies, BOG regulations, or applicable state laws during
 573 the review period may receive this rating.

574

575 Below are examples of the types of evidence used to support a rating of “Does Not Meet
 576 Expectations” in the areas of Research/Creative Works, Teaching, and Service.

577

578 Area: Research/Creative Works

- 579 • Quantity and/or quality of research publications and presentations are below the
 580 average range of productivity of faculty in the academic unit and in their academic
 581 discipline at peer institutions
- 582 • Quantity and/or quality of performances/exhibitions are below the average range of
 583 productivity of faculty in the academic unit and faculty in the academic discipline at peer
 584 institutions
- 585 • Unsuccessful in obtaining external support for research or failure to apply for research
 586 grants, where appropriate

587 Area: Teaching

- 588 • Student evaluations of teaching are below the average range for faculty in the academic
 589 unit
- 590 • Serves as Chair of fewer dissertation, master’s, or undergraduate thesis committees
 591 than faculty in the academic unit
- 592 • No evidence that efforts are being made to improve teaching

593 Area: Service

- 594 • Serves on few or no University, College, or Department committees

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- 595 • Makes limited positive contributions as a committee member
- 596 • Little to no participation in service to the academic discipline
- 597 • No formal mentorship of junior faculty in the academic unit

598

599 4. Unsatisfactory: failure to meet expectations that reflect disregard or failure to follow

600 previous advice or other efforts to provide correction or assistance, or performance that

601 involves incompetence or misconduct as defined in applicable university regulations and

602 policies. A faculty member who has received one or more overall annual evaluations of

603 “Does Not Meet Expectations” or three or more annual evaluations of “Does Not Meet

604 Expectations” in Research/Creative Works, Teaching, or Service during the review period

605 may be receive a rating of unsatisfactory. Faculty members with evidence of

606 noncompliance with university policies, Board of Governors regulations, or applicable

607 state laws during the review period may receive this rating.

608

609 Below are examples of the types of evidence used to support a rating of “Unsatisfactory” in

610 the areas of Research/Creative Works, Teaching, and Service.

611

612 Area: Research/Creative Works

- 613 • Quantity and quality of publications substantially below typical productivity of faculty at
- 614 peer institutions and the academic unit
- 615 • Minimal or no documented efforts to improve research productivity
- 616 • Little to no positive impact on the academic discipline or profession

617 Area: Teaching

- 618 • Student evaluations substantially below the typical range of the academic unit
- 619 • Sustained pattern of missing classes, late submission of grades, or failure to provide
- 620 constructive feedback to students in a timely manner
- 621 • Consistently high DFW rates relative to faculty in the academic unit

622 Area: Service

- 623 • Serves on few or no University, College, or Department committees
- 624 • Fails to attend meetings or make positive contributions as a committee member
- 625 • Little or no evidence of positive contributions in service to the academic discipline
- 626

627 10.11010 Employee Assistance Programs. Neither the fact of a faculty member’s

628 participation in an employee assistance program nor information generated by participation in the

629 program shall be used as evidence of a performance deficiency within the evaluation process

630 described in this Article, except for information relating to a faculty member’s failure to participate

631 in an employee assistance program consistent with the terms to which the faculty member and the

632 Board have agreed.

633

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