

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 or develop written
55 criteria, based on a four-point scale. Prior to adoption of revised bylaws that use a four point scale,
56 the criteria for “Exceeds FSU’s High Expectations” and the criteria for “Substantially Exceeds
57 FSU’s High Expectations” shall apply to the category of “Exceeds Expectations.”

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

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

64 (h) Approval Process.

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

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

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

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

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

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

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

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

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

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

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

117 (4) Observation/Visitation.

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

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

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

129 i. The report must suggest corrective actions for any shortcoming that is
130 identified.

131 ii. No corrective actions that impinge upon academic freedom may be suggested.

132 d. A faculty member who challenges an observation report may choose a colleague to
133 observe his or her class and submit a report. The colleague may be from the same department/unit,
134 from a department/unit with a compatible discipline, a retired colleague, or a colleague in the
135 discipline from another university. Such a report shall be given equal consideration with other
136 reports of classroom visitation.

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

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

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

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

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

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

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

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

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

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

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169 (f) Methods for Annual Performance Evaluations

170 (1) Evaluator. The evaluator will normally be the administrator of the department/ unit in
 171 which the faculty member holds an appointment at the time the evaluation is performed. Faculty
 172 members holding concurrent appointments in more than one department/unit shall be evaluated by
 173 the administrators of each unit in which they hold an appointment. Faculty members earning or
 174 holding tenure in a unit in which they do not hold an appointment shall also be evaluated by the
 175 administrator of the unit in which they are earning or hold tenure.

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

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

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

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

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

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

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

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

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

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

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

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

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

208
 209 (5) The Annual Performance Evaluation shall provide for an assessment of performance
 210 for each faculty member using the following ratings:

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

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

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

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214 cd. Official Concern
215 de. Does Not Meet ~~FSU's High~~ Expectations

216 10.4 Merit Evaluations.

217 (a) The determination of meritorious performance for the distribution of funds allocated for
218 merit-based salary increases pursuant to Article 23 shall be according to each department/unit's
219 faculty evaluation criteria and procedures developed pursuant to this section, which must be
220 consistent with the criteria for faculty evaluation specified elsewhere in this Article. All faculty
221 members will be reviewed for merit.

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

226 (c) Merit distribution criteria:

- 227 (1) Must define meritorious performance as "performance that meets or exceeds the
- 228 expectations for the position classification and department/unit."
- 229 (2) May permit, but not mandate, a merit pay award for all members of the department/unit.
- 230 (3) Must establish distinctive levels of merit reflecting the differences in performance.

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

239 10.5 Annual Evaluation Reporting Procedures

240 (a) Evaluation Summary Form. The evaluator shall annually prepare the faculty member's
241 written annual performance evaluation on the Annual Evaluation Summary Form provided in
242 Appendix "F." The completed form and its attachments comprise the annual evaluation report.

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

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

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

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256 accompanying the annual evaluation, or as a separate narrative, as outlined in Article 10.5(a)(4).

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

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

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

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

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

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

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

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

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

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

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

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

303 (c) Review. The Annual Evaluation Summary Form and attachments shall be reviewed by the
 304 appropriate administrative officer. The reviewer will normally be the dean of the college in which
 305 the faculty member holds the faculty position. When the dean of a college is the evaluator, the
 306 Annual Evaluation Summary shall be reviewed by the Vice President for Faculty Development
 307 and Advancement.

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

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

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

317 10.6 Disposition of the Evaluation Summary Form and attachments.

318 (a) After the Evaluation Summary Form and attachments have been reviewed and signed by
 319 the appropriate reviewer, they shall be forwarded to the Vice President for Faculty Development
 320 and Advancement and retained in filed in the faculty member's official evaluation file. The
 321 contents of the faculty evaluation file shall be confidential and shall not be disclosed except to the
 322 faculty member evaluated and those whose duties require access.

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

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

329 10.7 Provision for Appeal

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

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

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342 (c) If the faculty member is not satisfied with the reviewer's decision, the faculty member may
 343 request in writing a review from the ~~Provost- or designee~~ and Vice President for Academic Affairs
 344 ~~(or designee) Vice President for Faculty Development and Advancement~~ within fifteen (15) days
 345 after the reviewer's decision. Within fifteen (15) days of receipt of the written request, the Provost
 346 or designee ~~or designee~~ Vice President for Faculty Development and Advancement shall meet with
 347 the faculty member to discuss the request. Within fifteen (15) days of receipt of the written request,
 348 the Vice President for Faculty Development and Advancement shall reach a decision and report it
 349 to the faculty member.

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

356 10.9 Proficiency in Spoken English. No faculty member shall be evaluated as deficient in oral
 357 English language skills unless proved deficient in accordance with the appropriate procedures and
 358 examinations for testing such deficiency.

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

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

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

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383 (d) It is the responsibility of each faculty member who is found, as part of the annual
384 evaluation, to be deficient in oral English language skills by virtue of scoring below the satisfactory
385 score on an examination established herein to take appropriate actions to correct these deficiencies.
386 To assist the faculty member in this endeavor, the Board shall provide appropriate oral English
387 language instruction without cost to such faculty members for a period consistent with their length
388 of appointment and not to exceed two (2) consecutive semesters. The time the faculty member
389 spends in such instruction shall not be considered part of the individual assignment or time worked,
390 nor shall the faculty member be disadvantaged by the fact of participation in such instruction.

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

395 10.10 Post-Tenure Review

396 (a) For 2024-2025, the university will proceed with Post-Tenure Review in compliance with
397 applicable laws and regulations, including the Board of Governors Regulation 10.003 (4)(f) and
398 (i).

399 10.10 Post Tenure Review

400
401 ~~(a) (a) Faculty members in the ranks of Associate Professor, Professor, Eminent~~
402 ~~Scholar, who have at least five (5) years of continuous University Service after their promotion to~~
403 ~~top two ranks or after their previous Post Tenure Review shall receive a Post Tenure Review~~
404 ~~rating.~~

405 ~~(b) Faculty who have been rated “Official Concern” or “Does Not Meet Expectations” in three~~
406 ~~or more of the previous five (5) years’ or two (2) of the previous three (3) years’ annual overall~~
407 ~~performance evaluation in accordance with Article 10.3 shall be given a Post Tenure Review~~
408 ~~Rating of “Does Not Meet Expectations”.~~

409 ~~(c) All other faculty members completing Post Tenure Review shall be rated as “Meets~~
410 ~~Expectations”.~~

411 ~~(d) Faculty with a Post Tenure Review Rating of “Does Not Meet Expectations” shall receive~~
412 ~~a PIP as outlined in Articles 10.5 and 8.6(d)(1).~~

414 ~~(e) Faculty with a Post Tenure Review Rating of “Meets Expectations” shall receive a raise as~~
415 ~~outlined in Article 23.4(b)(1).~~

416 Selection of Faculty Members for Post Tenure Review

417
418 ~~(a).. All tenured faculty members will receive a Post Tenure Review every five years following~~
419 ~~the effective date of their tenure and, for those hired with tenure on appointment, five years after~~
420 ~~their date of hire. Tenured faculty at the rank of Full Professor will be reviewed every five years~~
421 ~~from the effective date of their promotion.~~

422 ~~(1) In addition to inclusion of tenured faculty in their 5th year following the award of tenure~~
423 ~~or their promotion to Full Professor, each Spring Semester in 2025, 2026, 2027 and 2028~~
424 ~~approximately 20% of the tenured faculty of the University who were tenured prior to 2019 and~~

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425 ~~who have not yet been subject to Post-Tenure Review will be randomly selected for Post-Tenure~~
 426 ~~Review, subject to college proportionality.~~

427 ~~(2) The process for random selection and any algorithm used will be disclosed to the UFF~~
 428 ~~before faculty are selected to be reviewed.~~

429
 430 ~~(3) Beginning in Spring Semester 2029, each tenured faculty member will be subject to~~
 431 ~~Post-Tenure Review in the fifth year following their tenure award, lastest promotion, hire date (if~~
 432 ~~hired with tenure) or lastest Post-Tenure Review, whichever is more recent.~~

434 (b) Postponement of Post-Tenure Review

435 :

436 ~~Reviews may be postponed, upon approval by the provost or designee, for extenuating~~
 437 ~~circumstances, including but not limited to being on approved extended leave (e.g., FMLA,~~
 438 ~~parental leave, or leave of absence), being on a sabbatical, or having served in an Administrative~~
 439 ~~Role or as chair or equivalent during the Review Period).~~

441 ~~(1) To request a year-long postponement, faculty members must submit a Postponement~~
 442 ~~Request Form to the Vice President of Faculty Development or Advancement by the specified~~
 443 ~~deadline. All requests shall be reviewed by the Provost or designee. The same standards for~~
 444 ~~granting postponement requests shall apply to all faculty members.~~

445 (c) Methods for Post-Tenure Reviews

446
 447 ~~(1) Faculty Members shall prepare and submit the following materials to the department~~
 448 ~~chair/school director (or to the dean, for colleges without departments or schools) using use the~~
 449 ~~university's report form that includes, for the 5-year review period:~~

450 ~~a. Curriculum Vita~~

451 ~~b. Assignments of Responsibility~~

452 ~~c. Student Perception of Courses and Instruction, grade distribution, evaluations of~~
 453 ~~teaching along with other evidence of teaching performance excellence~~

454 ~~ed. A summary of their accomplishments (1-page limit; required) for the Review~~
 455 ~~Period. They may also provide additional evidence or explanation of their teaching, research and~~
 456 ~~service accomplishments and performance (3-page limit; optional). Additional information~~
 457 ~~highlighting the faculty member's accomplishments~~

458
 459 ~~(2) Department chairs/school directors shall prepare and submit to deans a report for each~~
 460 ~~faculty member, including the following:~~

461 ~~a. Annual Evaluations for the Review Period.~~

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

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467 ~~Cb. — A letter assessing their performance for the Review Period that includes~~
468 ~~input from a faculty committee. This letter shall include reference to the relevant evidence in~~
469 ~~Article 10.10(d) “Criteria for Determining the Performance Rating.”~~

470 ~~d.(3) — Participating faculty members may review their Materials, including additions by~~
471 ~~their chair/director, and shall have up to five days to provide a response that will be included in~~
472 ~~the participating faculty member’s Materials.~~

473
474 ~~(34) — Deans shall submit to the provost a report for each faculty member under review~~
475 ~~that includes the following information:~~

476
477 ~~— a. — A letter assessing the performance of each faculty member (which may~~
478 ~~include input from a college committee, if requested by the dean):~~

479 ~~— b. — A rating of each faculty member using the university’s Performance Rating~~
480 ~~Scale for Post Tenure Review.~~

481 ~~c.(5) — Faculty members may review their Materials, including additions by their dean, and~~
482 ~~shall have up to five days to provide a response.~~

483
484 ~~— (46) The Provost shall review in consultation with the president the supplemented~~
485 ~~Materials received from the college deans including the dean’s letter and rating. If requested by~~
486 ~~the Provost, a University advisory committee shall provide input. The Provost will accept or~~
487 ~~modify the dean’s rating and assign to each faculty member a rating using the Performance Rating~~
488 ~~Scale for Post Tenure Review (in consultation with the president, and if requested by the provost,~~
489 ~~with input from a University advisory committee). The Provost shall notify in writing all faculty~~
490 ~~members under review of their ratings and outcomes.~~

491 ~~(7) The dean or Provost shall not assign the faculty member a rating of “Does Not Meet~~
492 ~~Expectations” unless two or more of the three most recent annual overall evaluations are below~~
493 ~~“Meets FSU’s Expectations”.~~

494 ~~(d) —~~

495 ~~Criteria for Performance Rating Scale for Post Tenure Review Ratings.~~

496 ~~(1) Because of the variety of academic disciplines in the university and the differences in~~
497 ~~the nature of the work tenured faculty do across disciplines, the relevant examples of evidence in~~
498 ~~support of PTR ratings will vary across academic disciplines. Deans and the Provost must take~~
499 ~~into consideration the criteria used by academic units to evaluate the performance of faculty for~~
500 ~~promotion, tenure, merit, and annual evaluations.~~

501 ~~(2) In conducting Post Tenure Review, the University shall not consider or otherwise~~
502 ~~discriminate based on a faculty member’s political, or ideological view, or properly disclosed and~~
503 ~~approved outside activities or field of study. The Post Tenure Review shall abide by the Academic~~
504 ~~Freedom and Responsibility Article 5 and Nondiscrimination Article 6.2 of the Collective~~
505 ~~Bargaining Agreement.~~

506 ~~(3) The list of examples criteria below for each rating is not intended to be exhaustive, nor~~
507 ~~must faculty have evidence of all criteria examples on the list to receive the rating.~~

508 ~~—~~
509 ~~—~~
510 ~~—~~

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511 ~~— Meets or Exceeds expectations: Faculty who receive this rating must generally~~
 512 ~~show evidence of significant achievement perform over the review period significantly above~~
 513 ~~the average performance of according to the faculty in the academic unit criteria specified in~~
 514 ~~the unit's bylaws and Article 10.3 for a rating of "Exceeds Expectations" in the annual~~
 515 ~~evaluation and in the academic discipline at peer institutions. Faculty members who receive~~
 516 ~~this rating must be found to have followed university policies, BOG regulations, and applicable~~
 517 ~~state laws during the review period.~~

518 ~~b.—~~

519 ~~Below are examples/criteria of the types of evidence in addition to those specified in~~
 520 ~~the bylaws of the department/unit used to support a rating of "Meets" or "Exceeds" Expectations"~~
 521 ~~in the areas of Research/Creative Works, Teaching, and Service.~~

522 ~~c.—~~

523 ~~Research/Creative Works:~~

524 ~~Publications in top-tier journals that are comparable in number and impact to the top~~
 525 ~~20% of faculty members in their discipline at peer institutions~~

526 ~~Books/monographs published by prestigious publishing houses that are commensurate~~
 527 ~~in number and impact with the accomplishments of the top 20% of faculty members in their~~
 528 ~~discipline at peer institutions~~

529 ~~Performances and exhibitions at prestigious national and international venues~~
 530 ~~comparable to the top 20% of faculty members in their discipline at peer institutions~~

531 ~~Invited presentations and keynote addresses at major national and international~~
 532 ~~conferences~~

533 ~~Received one or more major honorific awards for excellence and impact of~~
 534 ~~research/creative works~~

535 ~~Significant and sustained external research support from federal, state, and other~~
 536 ~~funding agencies, where appropriate~~

537 ~~Teaching:~~

538 ~~Student evaluations of teaching are within the top 20% for faculty in the academic unit.~~

539 ~~Received awards for teaching, advising, and/or mentoring~~

540 ~~Served as Chair for a higher than average number of dissertation, master's, or~~
 541 ~~undergraduate thesis committees in the academic unit~~

542 ~~Awarded grants or contracts to fund educational programs and curricular innovations.~~

543 ~~Presentations at national and international teaching/pedagogical conferences~~

544 ~~Leading workshops on teaching at the university or at national conferences~~

545 ~~Leadership roles in organizations focused on teaching excellence and pedagogy~~

546 ~~Development of new courses and curricular revisions~~

547 ~~Obtained advanced credentials or certification in course or curriculum development~~

548 ~~Service:~~

549 ~~Chairing university, college, and department committees~~

550 ~~Serving on grant review panels for federal, state, or private funding agencies~~

551 ~~Serving as editor or associate editor of one or more scholarly journals~~

552 ~~Leadership roles in national/international academic societies~~

553 ~~Appointments to professional boards~~

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555 Providing formal mentorship to an above average number of junior faculty in the
 556 academic unit

557
 558 Meets Expectations: Faculty who receive this rating must generally perform over the
 559 review period according to the criteria specified in the unit's bylaws and Article 10.3 for a rating
 560 of "Meets Expectations" in the annual evaluation. must perform within the average range of faculty
 561 members in their academic unit and accomplishments are commensurate with average productivity
 562 of faculty in their academic discipline at peer institutions. Faculty members who receive this rating
 563 must be found to have followed university policies, BOG regulations, and applicable state laws
 564 during the review period.

565
 566 Below are examples of the types of evidence used to support a rating of "Meets
 567 Expectations" in the areas of Research/Creative Works, Teaching, and Service.

568
 569 Area: Research/Creative Works

- 570 — Quantity and quality of published works in the average range relative to faculty
- 571 productivity in the academic unit and commensurate with faculty in their
- 572 academic discipline at peer institutions
- 573 — Quantity and quality of presentations at conferences, national and international
- 574 meetings in the average range of faculty in the academic unit and
- 575 commensurate with faculty in their academic discipline at peer institutions
- 576 — Has or is actively seeking external funding for research during the review
- 577 period, where appropriate
- 578 — Has received external or internal funding for research/creative activities.
- 579 — Performances or exhibits at local, national or international venues
- 580 commensurate with the average number and quality of
- 581 performance/exhibits of faculty in the academic unit and commensurate
- 582 with faculty in their academic discipline at peer institutions

583 d. Area: Teaching

584 i. Student evaluations of teaching are within the normal range for faculty in the
 585 academic unit

586 Serves as Chair for an average number of dissertation, master's, or undergraduate
 587 thesis committees. in the academic unit

588 ii. Effective mentorship of students (e.g., meets regularly, completes evaluations
 589 on time, provides opportunities for students to present and publish research)

590 iv. Attends workshops and other professional development opportunities to
 591 improve and enhance their teaching effectiveness

592 v. Accepts teaching assignments to meet the needs of the academic unit

593 e. Area: Service

594 i. Serves on university, college, and department committees

595 ii. Reviews manuscripts for scholarly publications

596 iii. Positively contributes to student recruitment activities

597 iv. Positively contributes to faculty recruitment activities

598 Provides formal mentorship to an average number of junior faculty within the
 599 academic unit

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600
 601 ~~f. Does Not Meet Expectations: Faculty who receive this rating must generally~~
 602 ~~perform over the review period according to the criteria specified in the unit's bylaws and Article~~
 603 ~~10.3 for a rating of "Does Not Meet Expectations" in the annual evaluation perform performance~~
 604 ~~falls must perform below the normal range of variation in performance compared to faculty in the~~
 605 ~~academic unit and below the average productivity of faculty in their academic disciplines at peer~~
 606 ~~institutions but the faculty member is thought to be capable of improvement. Faculty members~~
 607 ~~with evidence of noncompliance with university policies, BOG regulations, or applicable state~~
 608 ~~laws during the review period may receive this rating.~~

609 ~~g.—~~
 610 ~~Evidence to support the rating of "Does Not Meet Expectations" shall include previous~~
 611 ~~annual evaluation ratings of "Official Concern" and "Does Not Meet FSU's High Expectations"~~
 612 ~~and include criteria and standards for meeting expectations in the unit's bylaws and relative to the~~
 613 ~~faculty member's AOR.~~

614 ~~Below are examples of the types of evidence used to support a rating of "Does Not Meet~~
 615 ~~Expectations" in the areas of Research/Creative Works, Teaching, and Service.~~

616
 617 Area: Research/Creative Works

618 Quantity and/or quality of research publications and presentations are below the average range of
 619 productivity of faculty in the academic unit and in their academic discipline at peer institutions

620 Quantity and/or quality of performances/exhibitions are below the average range of productivity
 621 of faculty in the academic unit and faculty in the academic discipline at peer institutions

622 Unsuccessful in obtaining external support for research or failure to apply for research grants,
 623 where appropriate

624 Area: Teaching

625 Student evaluations of teaching are below the average range for faculty in the academic unit

626 Serves as Chair of fewer dissertation, master's, or undergraduate thesis committees than faculty
 627 in the academic unit

628 No evidence that efforts are being made to improve teaching

629 Area: Service

630 Serves on few or no University, College, or Department committees

631 Makes limited positive contributions as a committee member

632 Little to no participation in service to the academic discipline

633 No formal mentorship of junior faculty in the academic unit

634
 635 Unsatisfactory: failure to meet expectations that reflect disregard or failure to follow previous
 636 advice or other efforts to provide correction or assistance, or performance that involves
 637 incompetence or misconduct as defined in applicable university regulations and policies. A
 638 faculty member who has received one or more overall annual evaluations of "Does Not Meet
 639 Expectations" or three or more annual evaluations of "Does Not Meet Expectations" in
 640 Research/Creative Works, Teaching, or Service during the review period may receive a rating of
 641 unsatisfactory. Faculty members with evidence of noncompliance with university policies,
 642 Board of Governors regulations, or applicable state laws during the review period may receive
 643 this rating..

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644
645 Below are examples of the types of evidence used to support a rating of “Unsatisfactory” in the
646 areas of Research/Creative Works, Teaching, and Service.

647
648 Area: Research/Creative Works

649 Quantity and quality of publications substantially below typical productivity of faculty at peer
650 institutions and the academic unit

651 Quantity and/or quality of performances or exhibitions substantially below typical productivity
652 of faculty at peer institutions and the academic unit

653 Minimal or no documented efforts to improve research productivity

654 Little to no positive impact on the academic discipline or profession

655 Area: Teaching

656 Student evaluations substantially below the typical range of the academic unit

657 Sustained pattern of missing classes, late submission of grades, or failure to provide constructive
658 feedback to students in a timely manner

659 Consistently high DFW rates relative to faculty in the academic unit

660 Area: Service

661 Serves on few or no University, College, or Department committees

662 Fails to attend meetings or make positive contributions as a committee member

663 Little or no evidence of positive contributions in service to the university or discipline
664

665 (e) Outcomes from Post Tenure Review

666 (1) Faculty members with ratings of “Exceeds Expectations” or “Meets Expectations” will
667 receive a monetary reward that may consist of a salary increase, one-time bonus, or both.

668
669 (2) Faculty members who receive a rating of “Does Not Meet Expectations” shall be placed
670 on a Performance Improvement Plan (PIP). The PIP shall follow Article 10 of the CBA and
671 procedures similar to those of Article 8.6(d). The PIP shall consider changes to the faculty
672 member’s AOR to better suit the strengths of the faculty member and the needs of the University.
673 The faculty member shall have a period of at least 12 months to achieve the requirements of the
674 PIP. If any faculty member placed on a PIP does not meet the requirements of the PIP by the stated
675 deadline, the provost shall propose termination of employment of such faculty member, pursuant
676 to applicable University processes.

677
678 (3) For any faculty member who receives a rating of “Unsatisfactory,” the provost shall
679 propose termination of such faculty member, pursuant to applicable University processes.

680 (3) Any proposed termination will be in accordance with Article 16 of the Collective
681 Bargaining Agreement.

682 (4) OutcomesFinal decisions from the Post Tenure Review process may be appealed
683 pursuant to Article 20, including the Mediation Pilot Program or to the Faculty Senate Grievance
684 Committee. In-unit faculty members may file a grievance pursuant to the CBA. Florida Statute
685 Sec. 1001.741(2) prohibits arbitration on decisions relating to Post Tenure Review. Should this
686 legal prohibition become invalidated, arbitration will be governed pursuant to the CBA. This
687 article is not a waiver of an appeal of the PERC Decision (2024) regarding Post Tenure Review.
688

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689 10.1~~10~~¹⁰ Employee Assistance Programs. Neither the fact of a faculty member's
 690 participation in an employee assistance program nor information generated by participation in the
 691 program shall be used as evidence of a performance deficiency within the evaluation process
 692 described in this Article, except for information relating to a faculty member's failure to participate
 693 in an employee assistance program consistent with the terms to which the faculty member and the
 694 Board have agreed.

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