

*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

Renisha Gibbs  
Co-Chief Negotiator  
FSU - BOT

Michael Mattimore  
Co-Chief Negotiator  
FSU - BOT

Scott Hannahs  
Co-Chief Negotiator  
UFF – FSU Chapter

Jennifer Proffitt  
Co-Chief Negotiator  
UFF – FSU Chapter

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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.

Renisha Gibbs  
Co-Chief Negotiator  
FSU - BOT

Michael Mattimore  
Co-Chief Negotiator  
FSU - BOT

Scott Hannahs  
Co-Chief Negotiator  
UFF – FSU Chapter

Jennifer Proffitt  
Co-Chief Negotiator  
UFF – FSU Chapter

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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.

Renisha Gibbs  
 Co-Chief Negotiator  
 FSU - BOT

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 FSU - BOT

Scott Hannahs  
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 UFF – FSU Chapter

Jennifer Proffitt  
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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.

Renisha Gibbs  
 Co-Chief Negotiator  
 FSU - BOT

Michael Mattimore  
 Co-Chief Negotiator  
 FSU - BOT

Scott Hannahs  
 Co-Chief Negotiator  
 UFF – FSU Chapter

Jennifer Proffitt  
 Co-Chief Negotiator  
 UFF – FSU Chapter

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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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Michael Mattimore  
 Co-Chief Negotiator  
 FSU - BOT

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 Co-Chief Negotiator  
 UFF – FSU Chapter

Jennifer Proffitt  
 Co-Chief Negotiator  
 UFF – FSU Chapter

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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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|---------------------|---------------------|---------------------|---------------------|
| Renisha Gibbs       | Michael Mattimore   | Scott Hannahs       | Jennifer Proffitt   |
| Co-Chief Negotiator | Co-Chief Negotiator | Co-Chief Negotiator | Co-Chief Negotiator |
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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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| Renisha Gibbs       | Michael Mattimore   | Scott Hannahs       | Jennifer Proffitt   |
| Co-Chief Negotiator | Co-Chief Negotiator | Co-Chief Negotiator | Co-Chief Negotiator |
| FSU - BOT           | FSU - BOT           | UFF – FSU Chapter   | UFF – FSU Chapter   |
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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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 FSU - BOT

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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.

Renisha Gibbs  
 Co-Chief Negotiator  
 FSU - BOT

Michael Mattimore  
 Co-Chief Negotiator  
 FSU - BOT

Scott Hannahs  
 Co-Chief Negotiator  
 UFF – FSU Chapter

Jennifer Proffitt  
 Co-Chief Negotiator  
 UFF – FSU Chapter

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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  
 396 10.10 Post--Tenure Review

397  
 398 (a) Faculty members in the ranks of Associate Professor, Professor, Eminent Scholar, who  
 399 have at least five (5) years of continuous University Service after their promotion to top two ranks  
 400 or after their previous Post Tenure Review shall receive a Post Tenure Review rating.

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

405 (c) All other faculty members completing Post Tenure Review shall be rated as "Meets  
 406 Expectations".

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

409  
 410 (e) Faculty with a Post Tenure Review Rating of "Meets Expectations" shall receive a raise as  
 411 outlined in Article 23.4(b)(1).

412 Selection of Faculty Members for Post-Tenure Review

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

418 1) In addition to inclusion of tenured faculty in their 5th year following the award of tenure or  
 419 their promotion to Full Professor, each Spring Semester in 2025, 2026, 2027 and 2028  
 420 approximately 20% of the tenured faculty of the University who were tenured prior to 2019  
 421 and who have not yet been subject to Post-Tenure Review will be randomly selected for Post-  
 422 Tenure Review, subject to college proportionality.

Renisha Gibbs  
 Co-Chief Negotiator  
 FSU - BOT

Michael Mattimore  
 Co-Chief Negotiator  
 FSU - BOT

Scott Hannahs  
 Co-Chief Negotiator  
 UFF – FSU Chapter

Jennifer Proffitt  
 Co-Chief Negotiator  
 UFF – FSU Chapter

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

427  
428 (b) Postponement of Post-Tenure Review

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

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

439 (c-) Methods for Post-Tenure Reviews

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

444 a. Curriculum Vita

445 b. Assignments of Responsibility

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

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

452  
453 (2) Department chairs/school directors shall prepare and submit to deans a report for each  
454 faculty member, including the following:

455  
456 a. Annual Evaluations for the Review Period.

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

461 c. A letter assessing their performance for the Review Period that includes input from a faculty  
462 committee. This letter shall include reference to the relevant evidence in Article 10.10(d)  
463 "Criteria for Determining the Performance Rating."

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

Renisha Gibbs  
Co-Chief Negotiator  
FSU - BOT

Michael Mattimore  
Co-Chief Negotiator  
FSU - BOT

Scott Hannahs  
Co-Chief Negotiator  
UFF – FSU Chapter

Jennifer Proffitt  
Co-Chief Negotiator  
UFF – FSU Chapter

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466  
467 (3) Deans shall submit to the provost a report for each faculty member under review that  
468 includes the following information:

469  
470 a. A letter assessing the performance of each faculty member (which may include input  
471 from a college committee, if requested by the dean).

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

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

476  
477 (4) The Provost shall review in consultation with the president the supplemented Materials  
478 received from the college deans- including the dean's letter and rating. If requested by the Provost,  
479 a University advisory committee shall provide input. The Provost will accept or modify the dean's  
480 rating and assign to each faculty member a rating using the Performance Rating Scale for Post-  
481 Tenure Review (in consultation with the president, and if requested by the provost, with input from  
482 a University advisory committee). The Provost shall notify all faculty members under review of  
483 their ratings and outcomes.

484  
485 (d) Criteria for Performance Rating Scale for Post-Tenure Review Ratings. Because of the  
486 variety of academic disciplines in the university and the differences in the nature of the  
487 work tenured faculty do across disciplines, the relevant examples of evidence in support  
488 of PTR ratings will vary across academic disciplines. Deans and the Provost must take  
489 into consideration the criteria used by academic units to evaluate the performance of  
490 faculty for promotion, tenure, merit, and annual evaluations. The list of examples below  
491 for each rating is not intended to be exhaustive, nor must faculty have evidence of all  
492 examples on the list to receive the rating.

493  
494  
495  
496 1. Exceeds expectations: Faculty who receive this rating must generally perform over the  
497 review period significantly above the average performance of according to the faculty in  
498 the academic unit criteria specified in the unit's bylaws and Article 10.3 for a rating of  
499 "Exceeds Expectations" in the annual evaluation and in the academic discipline at peer  
500 institutions. Faculty members who receive this rating must be found to have followed  
501 university policies, BOG regulations, and applicable state laws during the review period.

502  
503 Below are examples of the types of evidence used to support a rating of "Exceeds  
504 Expectations" in the areas of Research/Creative Works, Teaching, and Service.

505  
506 Research/Creative Works:

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

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FSU - BOT

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FSU - BOT

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Co-Chief Negotiator  
UFF – FSU Chapter

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UFF – FSU Chapter

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509 Books/monographs published by prestigious publishing houses that are commensurate in number  
 510 and impact with the accomplishments of the top 20% of faculty members in their discipline at  
 511 peer institutions  
 512 Performances and exhibitions at prestigious national and international venues comparable to the  
 513 top 20% of faculty members in their discipline at peer institutions  
 514 Invited presentations and keynote addresses at major national and international conferences  
 515 Received one or more major honorific awards for excellence and impact of research/creative  
 516 works  
 517 Significant and sustained external research support from federal, state, and other funding  
 518 agencies, where appropriate  
 519 Teaching:  
 520 Student evaluations of teaching are within the top 20% for faculty in the academic unit.  
 521 Received awards for teaching, advising, and/or mentoring  
 522 Served as Chair for a higher-than-average number of dissertation, master's, or undergraduate  
 523 thesis committees in the academic unit  
 524 Awarded grants or contracts to fund educational programs and curricular innovations.  
 525 Presentations at national and international teaching/pedagogical conferences  
 526 Leading workshops on teaching at the university or at national conferences  
 527 Leadership roles in organizations focused on teaching excellence and pedagogy  
 528 Development of new courses and curricular revisions  
 529 Obtained advanced credentials or certification in course or curriculum development

530  
 531 Service:  
 532 Chairing university, college, and department committees  
 533 Serving on grant review panels for federal, state, or private funding agencies  
 534 Serving as editor or associate editor of one or more scholarly journals  
 535 Leadership roles in national/international academic societies  
 536 Appointments to professional boards  
 537 Providing formal mentorship to an above-average number of junior faculty in the  
 538 academic unit

539  
 540 2. Meets Expectations: Faculty who receive this rating must generally perform over the  
 541 review period according to the criteria specified in the unit's bylaws and Article 10.3 for  
 542 a rating of "Meets Expectations" in the annual evaluation must perform within the  
 543 average range of faculty members in their academic unit and accomplishments are  
 544 commensurate with average productivity of faculty in their academic discipline at peer  
 545 institutions. Faculty members who receive this rating must be found to have followed  
 546 university policies, BOG regulations, and applicable state laws during the review period.

547  
 548 Below are examples of the types of evidence used to support a rating of "Meets  
 549 Expectations" in the areas of Research/Creative Works, Teaching, and Service.

550  
 551 Area: Research/Creative Works

- 552 • Quantity and quality of published works in the average range relative to faculty  
 553 productivity in the academic unit and commensurate with faculty in their academic  
 554 discipline at peer institutions

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 Co-Chief Negotiator  
 FSU - BOT

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 Co-Chief Negotiator  
 FSU - BOT

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

Area: Service

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

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

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

Area: Research/Creative Works

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

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 Co-Chief Negotiator  
 FSU - BOT

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 Co-Chief Negotiator  
 FSU - BOT

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 Co-Chief Negotiator  
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599 Unsuccessful in obtaining external support for research or failure to apply for research grants,  
 600 where appropriate

601 Area: Teaching

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

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

605 No evidence that efforts are being made to improve teaching

606 Area: Service

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

608 Makes limited positive contributions as a committee member

609 Little to no participation in service to the academic discipline

610 No formal mentorship of junior faculty in the academic unit

611  
 612 Unsatisfactory: failure to meet expectations that reflect disregard or failure to follow previous  
 613 advice or other efforts to provide correction or assistance, or performance that involves  
 614 incompetence or misconduct as defined in applicable university regulations and policies. A  
 615 faculty member who has received one or more overall annual evaluations of "Does Not Meet  
 616 Expectations" or three or more annual evaluations of "Does Not Meet Expectations" in  
 617 Research/Creative Works, Teaching, or Service during the review period may receive a rating of  
 618 unsatisfactory. Faculty members with evidence of noncompliance with university policies,  
 619 Board of Governors regulations, or applicable state laws during the review period may receive  
 620 this rating-.

621  
 622 Below are examples of the types of evidence used to support a rating of "Unsatisfactory" in the  
 623 areas of Research/Creative Works, Teaching, and Service.

624

625 Area: Research/Creative Works

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

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

630 Minimal or no documented efforts to improve research productivity

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

632 Area: Teaching

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

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

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

637 Area: Service

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

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

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

641

642 (e) Outcomes from Post-Tenure Review

Renisha Gibbs  
 Co-Chief Negotiator  
 FSU - BOT

Michael Mattimore  
 Co-Chief Negotiator  
 FSU - BOT

Scott Hannahs  
 Co-Chief Negotiator  
 UFF – FSU Chapter

Jennifer Proffitt  
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 UFF – FSU Chapter

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

645  
 646 (2) Faculty members who receive a rating of “Does Not Meet Expectations” shall be placed on a  
 647 Performance Improvement Plan (PIP). The faculty member shall have a period of 12 months to  
 648 achieve the requirements of the PIP. If any faculty member placed on a PIP does not meet the  
 649 requirements of the PIP by the stated deadline, the provost shall propose termination of  
 650 employment of such faculty member, pursuant to applicable University processes.

651  
 652 (3) For any faculty member who receives a rating of “Unsatisfactory,” the provost shall propose  
 653 termination of such faculty member, pursuant to applicable University processes.

654  
 655 Outcomes from the Post-Tenure Review process may be appealed pursuant to Article 20, including  
 656 the Mediation Pilot Program. This article is not a waiver of an appeal of the PERC Decision (2024)  
 657 regarding Post-Tenure Review.

658  
 659 10.1~~10~~10 Employee Assistance Programs. Neither the fact of a faculty member’s  
 660 participation in an employee assistance program nor information generated by participation in the  
 661 program shall be used as evidence of a performance deficiency within the evaluation process  
 662 described in this Article, except for information relating to a faculty member’s failure to participate  
 663 in an employee assistance program consistent with the terms to which the faculty member and the  
 664 Board have agreed.

665

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 Co-Chief Negotiator  
 FSU - BOT

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\_\_\_\_\_  
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