

## ARTICLE 8 PERFORMANCE EVALUATIONS

~~8.1 General Principles. Performance evaluations are used to assess, recognize, and facilitate improvement in Employees' performance. This strengthens the University's workforce by providing a periodic and formal exchange of information between supervisors and employees regarding progress, accomplishments, and when applicable, areas needing improvement. Performance evaluations also provide an opportunity to clarify work standards, discuss training and development needs, set goals for the next year, and identify the support needed to reach such goals.~~

### 8.28.1 Purpose and Scope of Evaluation.

- (a) Purpose. An annual evaluation is a subjective assessment of an individual's performance based on objective criteria.
  - (1) Annual evaluations for faculty members focus on performance in functions such as teaching, research, service, and other duties that may be assigned.
  - (2) Annual evaluations for academic professionals focus on the performance of all assigned duties.
  - (3) In addition, all Employees are evaluated based on the terms of their individual contract, duties under the Collective Bargaining Agreement, and on their contributions to the orderly and effective functioning of the University and their academic department/unit.
- (b) Scope.
  - (1) Evaluators should state goals for the upcoming year and should endeavor to assist the Employee in correcting any performance deficiencies reflected in the annual evaluation.
    - a. Employees are encouraged to accept and seek such assistance, if needed.
    - b. The Evaluator may informally coach or counsel the Employee with the goal of improving performance. Such advice is not disciplinary, nor may it be part of the evaluation file.
  - (2) Performance Evaluations must:
    - a. Fully consider ~~information in the faculty member's dossier and any other~~ faculty evaluative information that is provided and disclosed to the Evaluator, and;
    - b. Be consistent with the Evaluation Guidelines, ~~and reasonably consistent with the Review Panel's guidance.~~
    - c. Take into account the quality of the performance, as well as the proportions and nature of the assignments.

- d. Not evaluate an employee for a work assignment that is given, or implied to be given, in the area of research without the involvement of the Employee's supervisor and the agreement of the Employee.
  - e. Evaluate how well an employee fulfilled the work duties they were assigned. Evaluators may take into consideration work that goes beyond the faculty member's assigned duties but remain within the professional responsibilities of a faculty member.
  - f. Only evidence that directly pertains to the candidate shall be considered.
  - g. An evaluation may not penalize a faculty member for having less than twelve (12) credit hours of work assigned. See 7.3.
- (3) Academic professionals have, as part of their job description, other duties as assigned. Significant duties assigned under this heading must be issued in writing (via email) and are included in the expectation of performance. Minor requests that are within the appropriate scope of the individual's job may be given verbally.
- (4) Each Evaluator completing a performance evaluation must articulate sufficient and specific grounds or reasons to substantiate any rating other than "~~Meet Expectations~~Successful."
- (5) Evaluations shall not be arbitrary nor capricious and the evaluation shall reflect the reviewer's best judgment of the individual's performance.
- (c) Promotion Appraisals.
- ~~(1) — Faculty Members may request, at the time of the submission of the Evaluation Information Sheet (see Section 8.3(b)), an appraisal regarding their progress toward promotion, if applicable.~~
- ~~(2)~~(1) The appraisal is intended to provide a current assessment of the strengths and weaknesses of the Faculty Member's candidacy for promotion and provide assistance and counseling in progressing toward promotion.
- ~~(3)~~(2) The Evaluator shall include the promotion appraisal as a separate addendum to the annual evaluation, but the promotion appraisal shall not be part of the justification for the ratings assigned for the annual evaluation.
- ~~(4)~~(3) Such appraisals regarding progress toward promotion are non-binding on the University and shall not be subject to the grievance process.
- ~~(5)~~(4) Such appraisals shall not be included in the employee's personnel file and shall not be considered or used during the promotion process.

**8.38.2 Annual Evaluation.** Employees are evaluated ~~at least~~ once annually, except as described in Sections 8.3(g) and (h).

- (a) The annual evaluation period will cover all employment occurring from ~~February 1 through January 31~~ January 1 through December 31, regardless of the employment

start date.

- (b) The Employee must submit the Evaluation Information Sheet (see Section ~~8.68.7~~) to the Evaluator, with a copy to the Provost's Office, no later than February 15.
- (c) On or before May 1, the Evaluator must:
  - (1) Complete the performance evaluation;
  - (2) Provide a copy of the Evaluation to the Employee, and;
  - (3) Discuss and review the evaluation with the Employee (the Employee may choose to not discuss the evaluation). The discussion will be scheduled by the Evaluator during normal business hours, unless both parties agree to a meeting outside of normal business hours.
- (d) On or before May 1, the Employee must acknowledge receipt of the performance evaluation by signing the evaluation. The evaluation shall make clear to the employee that this is only to acknowledge the receipt of the evaluation and does not represent acceptance of the contents of the evaluation. The Evaluator must sign the evaluation and submit the signed evaluation to the Provost's Office.
- (e) On or before May 15, the finalized performance evaluation must be added to the Employee's evaluation file in the Provost's Office unless the employee and the Provost's Office have agreed to postpone a review meeting until after May 15 (see 8.6 (c)).
- (f) Revised evaluations
  - (1) If errors, omissions, or other documentable issues with the evaluation are discovered, the chair, division director if present, Provost, or Provost designee may issue a revised performance evaluation to replace the original evaluation. However, a revised evaluation may only be issued within 120 days of the finalized evaluation being added to the Employee's evaluation file (see 8.3 (e)) except by mutual agreement of the Employee and the University.
  - (2) If the performance evaluation contains indisputable factual errors or omissions (e.g. an SAI result or DFW rate is misreported), the chair, division director if present, Provost, or Provost designee will issue a corrected performance evaluation to replace the original evaluation.
  - (3) The Evaluator and Employee must acknowledge receipt of the revised or corrected performance evaluation by signing the revised or corrected evaluation. The University would retain both evaluations and would indicate on the original evaluation that it had been replaced by the revised or corrected evaluation.
- (g) The performance of an Employee must be evaluated annually, with the following permissible exceptions:
  - (1) Employees that have resigned;

- (2) Faculty members in the terminal year of the contract, ~~or;~~
- (3) Faculty members whose employment began less than ninety (90) days prior to the end of the evaluation period; ~~or;~~
- ~~(3)~~(4) Faculty members who are being evaluated for reappointment or promotion in the current academic year.

**8.48.3 Probationary Evaluation.** In addition to the annual evaluation, the academic professional must receive a probationary evaluation after ninety (90) days of employment in their position.

- (a) In the absence of a completed probationary evaluation, a probationary employee will default to a “satisfactory” rating.
- (b) If the academic professional’s probationary period ends between October 1 and January 30, the employee’s immediately following annual performance evaluation may be skipped. If skipped, the employee must be evaluated during the next annual evaluation period.

**8.58.4 Evaluators.**

- (a) Faculty Evaluators are the Department Chair that has been assigned personnel management responsibility by the Provost for the Employee’s area. The Assistant Librarian and Wellness Counselor are evaluated by their immediate supervisor.
- ~~(b) For faculty, the Provost will appoint an evaluation review panel which will consist of Evaluators, and if the Faculty Representative Council chooses to do so, two faculty members of senior rank (Associate Professor or Professor) appointed by the Faculty Assembly. The purpose of the review is to ensure the Evaluators have applied a consistent standard to all faculty members when conducting the evaluations. The reviews prepared by Department Chairs may change as a result of panel discussions. The Provost will serve as chair of the evaluation review panel. All members of the evaluation review panel must agree to the confidentiality of the review process. Following the completion of all annual evaluations, the Office of the Provost will provide summary evaluation information (the distribution of ratings) to all faculty.~~

**8.68.5 Evaluation Review.**

- (a) Within seven (7) calendar days of receipt of the evaluation, the faculty member may request a review, in writing, with the Provost’s Office to discuss (with the Provost or Provost’s designated administrator) concerns regarding the evaluation, which were not resolved in previous discussions with the Evaluator.
- (b) Within seven (7) calendar days of receipt of the evaluation, the academic professional may request, in writing, a meeting with the administrator at the next higher level in their line of authority to discuss concerns regarding the evaluation, which were not resolved in previous discussions with the Evaluator.
- (c) The evaluation reviews in (a) and (b) above must take place no later than May 15 unless both the Provost’s Office and the faculty member or academic professional mutually agree to schedule the meeting after May 15.

**8.78.6 Evaluation Information Sheet.** A sample Faculty Activity Report format is attached to this contract in Appendix B. The Faculty Representative Council may provide the Provost with recommended changes to the information sheet's format no later than December 1 on an annual basis. The Provost will communicate decisions on changes in the format to the Faculty Representative Council by January 15. (See Appendix B).

**8.88.7 Sources of Faculty Evaluative Information.** Evaluations are intended to be comprehensive and not based on a single or limited number of sources of information.

- (a) The Evaluator may consider all appropriate and available information that is relevant to the Employee's performance. This includes information provided by the Employee and information provided from the following sources: Immediate supervisor(s), peers, students, other University officials who have responsibility for supervision of the faculty member, and members of the University community.
  - (1) Any materials or information used to evaluate a faculty member other than that included in the faculty member's dossier will be provided or explained to the faculty member by the Evaluator during the evaluation meeting offered pursuant to Section 8.3(c).
  - (2) Any materials or information that have not been disclosed to the faculty member as described in 8.8(a)(1) cannot be used in the evaluation process.
- (b) Records maintained for the purposes of any investigation of Employee misconduct, including but not limited to a complaint against an Employee, including anonymous complaints, and any final conclusions reached pursuant to the investigation of such complaint may not be used or considered in the evaluation process until they are considered final, pursuant to section 1012.91, Florida Statutes. Information that has been validated that is a part of an investigation may be used, regardless of complaint finding and the status of the complaint.
- (c) Information from outside the evaluation period must not be considered in the determination of the Employee's evaluation rating. However, reference to prior evaluations may be appropriately considered for the purpose of providing context or comparison (such as meeting previously stated goals, or noting improvement, consistency, or regression), if directly relevant to performance during the current evaluation period.
- (d) All employees may provide a written response and/or comments regarding their evaluation and have it added to the evaluation file within sixty (60) days of the receipt of the evaluation. All written material used to produce a performance evaluation shall be included in the evaluation file.

**8.98.8 Evaluation Guidelines.** The administration will develop a set of evaluation guidelines for each of the faculty ranks that indicate performance characteristics appropriate to each rating for teaching, scholarship, and service.

- (a) ~~Judgments of academic excellence are complex. Evaluation guidelines cannot easily be reduced to a quantitative formula, nor can the considerations that must be applied in each individual case be completely described in general terms or by~~

~~numbers alone, separate from necessary qualitative assessments. Therefore, the~~ guidelines are used to create consistency in ratings across the range of evaluators and are specifically not a scoring rubric.

- (b) The guidelines for a review period will be provided to the academic departments by September 15 of the year prior to the beginning of the review period and the departments will provide comments on the guidelines on or before November 1 of that year. The comments provided must be approved by the majority vote of the department. The vote must take place anonymously. By January 15, the review evaluation panel will consider the department recommendations and provide a recommendation to the Provost on evaluation guidelines to be used for the next review cycle. The University must provide the final guidelines to faculty before the review period begins.
- (c) The scale for the evaluations is provided in the following table. The performance rating will typically be used in setting salary increases as described in Article 12.

Evaluation Key	
<b>Deficient</b>	<del>Performance that does not meet an acceptable standard. This rating will typically require a supervisor and employee to develop a performance improvement plan.</del>
<b>Needs Improvement</b>	<del>Performance that is below a reasonable expectation for the person's job description. This rating will typically require a supervisor and employee to develop a performance improvement plan.</del>
<del>Meets Expectations</del> <b>Successful</b>	<del>The faculty member's p</del> Performance <u>successfully met expectations. is sound and within reasonable expectations for the person's job description. Supervisors may add a "+" or a "-" to this rating as further indicators of an employees performance.</u>
<b>Exceeds Expectations</b>	<del>The faculty member's p</del> Performance <u>significantly exceeds expectations in at least two of the three categories of teaching, research, and service. that goes beyond the "Meets Expectations" standard in some significant way. The individual has performed at a level that provides distinction for themselves.</u>
<del>Exemplary</del>	<del>Performance that is extraordinary and reflects outstanding distinction for the individual.</del>

#### **8.108.9** Performance Improvement Plan.

- (a) No employee in their terminal year of employment will be required to develop a performance improvement plan.
- (b) When an employee receives an overall evaluation of "~~Deficient~~Needs Improvement," they and their supervisor will develop a performance improvement plan except in the situation explained in 8.10 (a). The primary responsibility for putting together the plan lies with the faculty member.
- ~~(c) When an employee receives an overall evaluation of "Needs Improvement" for two consecutive years, they and their supervisor will develop a performance improvement plan except in the situation explained in 8.10 (a).~~

~~(d)~~(c) When an employee receives a “Needs Improvement” or ~~“Deficient”~~ rating in any category used in the evaluation, they may request that they and their supervisor develop a performance improvement plan. Such a request will be approved by the supervisor except in the situation explained in 8.10 (a).

~~(e)~~(d) The performance improvement plan will be developed by the employee, in cooperation with his/her supervisor, and include specific performance targets and a time period for achieving the targets.

(1) The first performance improvement plan for a faculty member will be approved by the Provost or designee. A faculty member’s second consecutive performance improvement plan must be approved by the President or representative.

(2) Specific resources identified in an approved performance improvement plan may be approved and provided by the University. However, the University is under no obligation to provide resources requested by the faculty member or the supervisor.

~~(f)~~(e) The supervisor will meet periodically with the employee to review progress toward meeting the performance targets. It is the responsibility of the supervisor to use the performance improvement plan as the part of the basis for the next annual evaluation.

~~8.11~~8.10 Evaluation File. Faculty members must refer to 6C13-6.008 Personnel Records and Limited-Access Records regarding access to, and disclosure of, performance evaluations and other faculty evaluative information.