

1 **BOT-UFF POLICY**
2 **EMPLOYEE PERFORMANCE EVALUATION**
3

4 **Purpose:**

5 To provide the policy and procedures for assessing employee performance and communicating
6 the results of assessment to the employee and to others using assessment information in
7 personnel decisions, and further to express the mutual commitment of the parties to the
8 University's values.
9

10 **Policy:**

11 (A) Annual Evaluations. The purpose of the annual evaluation is to assess and communicate
12 the nature and extent of an employee's performance of assigned duties consistent with the
13 criteria specified below in this Policy. Except for those employees who have received notice of
14 non-reappointment pursuant to the BOT- UFF Policy on Non-reappointment, every employee
15 shall be evaluated at least once annually. Personnel decisions shall take such annual
16 evaluations into account, provided that such decisions need not be based solely on written
17 faculty performance evaluations.
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19 (B) Sustained Performance Evaluations. Tenured faculty members shall receive a sustained
20 performance evaluation once every seven (7) years following the award of tenure or their most
21 recent promotion. The purpose of this evaluation is to document sustained performance
22 during the previous six years of assigned duties and to evaluate continued professional growth
23 and development.
24

25 (C) Third-Year Review. Faculty on tenure-earning status shall be reviewed by their peers
26 during their third year of employment, in accordance with review procedures developed by
27 each college and approved by the Provost.
28

29 **Procedures:**

30 (A) General.

31 (1) Sources and Methods of Evaluation. In preparing the annual evaluation, the person(s)
32 responsible for evaluating the employee may consider, where appropriate, information
33 from the following sources: immediate supervisor, peers, students, employee/self, other
34 University officials who have responsibility for supervision of the employee, and
35 individuals to whom the employee may be responsible in the course of a service
36 assignment. **The teaching evaluation may not be based primarily on student sources**
37 **when additional sources have been made available to the evaluator(s).**
38

39 (2) Observation/Visitation.

40 a. Supervisory Observation of Classes in all modalities

41 The employee, if assigned teaching duties, shall be notified at least two (2)
42 weeks in advance of the date, time, and place of any direct classroom
43 observation or visitation made in connection with the employee's annual

44 evaluation. If the employee determines that this date is not appropriate
45 because of the scheduled class activities, the employee may suggest a more
46 appropriate date. Classroom visitation without prior notice, for non-evaluative
47 purposes, may be made with permission of the employee.
48
49

- 50 b. Supervisory Access to Canvas Course Shells: Requests to access Canvas shells of
51 faculty assigned teaching duties must be approved by the faculty. Such requests
52 and the reason for the requested access must be made in writing at least 2
53 weeks in advance.
54
55

56 (3) Employee Assistance Programs. Neither the fact of an employee's participation in an
57 employee assistance program nor information generated by participation in the
58 program, shall be used as evidence of a performance deficiency within the evaluation
59 process described in this Policy, except for information relating to the employee's failure
60 to participate in an employee assistance program consistent with the terms to which the
61 employee and the University have agreed.
62

63 (4) Proficiency in Spoken English. Where applicable, employees must, to be involved in
64 classroom instruction, be proficient in the oral use of English. No employee shall be
65 evaluated as deficient in oral English language skills unless proved deficient in
66 accordance with the appropriate procedures and examinations established by Section
67 1012.93, Florida Statutes, for testing such deficiency.
68

- 69 a. No reference to an alleged deficiency shall appear in the annual evaluation or in
70 the personnel file of a faculty member who achieves a satisfactory examination
71 score determining proficiency in oral English ("50" or above on the Test of Spoken
72 English).
73

- 74 b. Faculty who score at a specified level on an examination established by law for
75 testing oral English language skills ("45" on the Test of Spoken English), may
76 continue to be involved in classroom instruction up to one (1) semester while
77 enrolled in appropriate English language instruction, as described in paragraph
78 (d) below, provided the appropriate administrator determines that the quality of
79 instruction will not suffer. Only such faculty members who demonstrate, on the
80 basis of examinations established by law that they are no longer deficient in oral
81 English language skills may be involved in classroom instruction beyond one (1)
82 semester.
83

- 84 c. Faculty who score below a minimum score on an examination established by law
85 for determining proficiency in oral English ("45" on the Test of Spoken English)
86 shall be assigned appropriate non-classroom duties for the period of oral English
87 language instruction provided by the University under paragraph (d) below,

88 unless during the period of instruction the faculty member is found, on the basis
89 of an examination specified above, to be no longer deficient in oral English
90 language skills. In that instance, the faculty member will again be eligible for
91 assignment to classroom instructional duties and shall not be disadvantaged by
92 the fact of having been determined to be deficient in oral English language skills.
93

94 d. It is the responsibility of each faculty member who is found, as part of the annual
95 evaluation, to be deficient in oral English language skills by virtue of scoring
96 below the satisfactory score on an examination established by law for
97 determining such proficiency to take appropriate actions to correct these
98 deficiencies. To assist the faculty member in this endeavor, the University shall
99 provide appropriate oral English language instruction without cost to such faculty
100 members for a period consistent with their length of appointment and not to
101 exceed two (2) consecutive semesters.
102

103 e. If the University determines, as part of the annual evaluation, that one (1) or
104 more administrations of a test to determine proficiency in oral English language
105 skills is necessary, in accordance with the law and this section, the University shall
106 pay the expenses for the first administration of the test. The faculty member shall
107 pay for additional testing that may be necessary.
108

109 (B) Annual Evaluation Procedures.

110 (1) Annually, the department chair or supervisor will prepare a written evaluation of all
111 employees.
112

113 (2) The proposed written annual evaluation, including the employee's annual assignment
114 furnished pursuant to the BOT-UFF Policy on Assignment of Responsibilities, shall be
115 provided to the nine-month employee within forty-five (45) days after the end of the
116 academic year for which such evaluation will be made, or in the case of 12 month
117 employees within 45 days of the end of the 12 month period for which the evaluation
118 is made. The employee shall be offered the opportunity (during the thirty day (30)
119 period following receipt of the proposed annual evaluation) to discuss the evaluation
120 with the evaluator prior to its being finalized and placed in the employee's evaluation
121 file. The evaluation shall be signed and dated by the person performing the
122 evaluation, and by the person being evaluated, who may attach a concise comment
123 to the evaluation. A copy of the evaluation shall be provided to the employee. The
124 employee may request, in writing a meeting with the administrator at the next higher
125 level to discuss concerns regarding the evaluation that were not resolved in previous
126 discussions with the evaluator.
127

128 (3) Each University department/unit shall develop and maintain procedures by which to
129 evaluate each employee according to criteria specified below in this Policy. These

130 procedures shall include the method for distribution of any merit salary increase
131 funds provided pursuant to the BOT-UFF Agreement. The employees of each
132 department/unit who are eligible to vote in department/unit governance shall
133 participate in the development of these procedures and shall recommend
134 implementation by vote of a majority of at least a quorum of those employees.
135

136 (a) The proposed procedures, or revisions thereof, shall be first reviewed at
137 the College level by the Dean for consistency with College missions and
138 goals and then reviewed by the Provost or designee to ensure that they are
139 consistent with the mission and goals of the University and that they
140 comply with the BOT-UFF Agreement and all relevant University policies.
141

142 (b) If the Provost or designee determines that the recommended procedures
143 are not consistent with the missions and goals of the University, the BOT-
144 UFF Agreement, or relevant University policies, the proposal shall be
145 referred to the department/unit for revision with a written statement of
146 reasons for non-approval. No merit salary increase funds shall be provided
147 to a department/unit until its procedures have been approved by the
148 Provost or designee.
149

150 (c) All approved procedures, and revisions thereof, shall be kept on file in the
151 department/unit office and may be placed on the University website for
152 access by employees and the UFF-FIU chapter. Upon request, employees in
153 each department/unit shall be provided a copy of that department/unit's
154 current procedures for annual evaluation and distribution of merit salary
155 increase funds.
156

157 (4) Upon written request from the employee, the persons responsible for supervising and
158 evaluating an employee shall endeavor to assist the employee in correcting any major
159 performance deficiencies reflected in the employee's annual evaluation.
160

161 (C) Sustained Performance Evaluation Procedures.
162

163 (1) The Sustained Performance Evaluation (SPE) program shall provide that:

164 (a) Only elected faculty may participate in the development or amendment of
165 applicable procedures. Such procedures shall ensure involvement of both peers
166 and administrators at the department and higher levels in the evaluation and shall
167 ensure that an employee may attach a concise response to the evaluation;
168

169 (b) The University shall provide for an appeals process to accommodate instances
170 when the employee and the supervisor cannot agree upon the elements to be

171 included in the performance improvement plan; and

172

173 (c) The proposed procedures for the sustained performance evaluation shall be
174 available to faculty members and to the UFF-FIU Chapter for review prior to final
175 approval.

176

177 (2) Employee annual evaluations, including the documents contained in the evaluation file,
178 shall be the sole basis for the sustained performance evaluation. An employee who
179 received satisfactory annual evaluations during the previous six (6) years shall not be
180 rated below satisfactory in the sustained performance evaluation nor be subject to a
181 Performance Improvement Plan.

182

183 (3) A Performance Improvement Plan shall be developed only for those employees whose
184 performance is identified through the Sustained Performance Evaluation as being
185 consistently below satisfactory in one or more areas of assigned duties. The
186 Performance Improvement Plan shall be developed by the employee, in concert with
187 their supervisor, and include specific measurable performance targets and a time
188 period for achieving the targets. The Performance Improvement Plan shall be approved
189 by the Dean/Director and the Provost or designee. Specific resources identified in an
190 approved Performance Improvement Plan shall be provided by the University. The
191 supervisor shall meet periodically with the employee to review progress toward
192 meeting the performance targets. It is the responsibility of the employee to attain the
193 performance targets specified in the Performance Improvement Plan.

194

195 (D) Third-Year Review Procedures.

196 (1) All tenure-earning faculty will be reviewed in their third year of employment. For faculty
197 hired with two or more years of tenure credit, this review should take place in the
198 second year of employment.

199

200 (2) Each unit/college procedure for third-year review must be approved by a vote of the
201 majority of tenured and tenure-earning faculty in the department/unit and by the
202 Provost or designee.

203

204 (3) The third-year review will take into consideration the faculty's assignment and annual
205 evaluations, including student evaluations, and any other information that the
206 department/unit faculty deem appropriate to be considered and have specified should
207 be included in department/unit procedures.

208

209 (E) Criteria.

210 (1) Annual Evaluation Criteria. All performance evaluations shall be based upon assigned
211 duties, and shall carefully consider the nature of the assignment in terms, where
212 applicable, of:

213 a. Teaching effectiveness, including effectiveness in presenting knowledge,

214 information, and ideas by means or methods such as lecture, discussion,
215 assignment and recitation, demonstration, laboratory exercise, practical
216 experience, supervision of interns, theses, professional projects and/or
217 dissertations, and direct consultation with students. The evaluation shall include
218 consideration of effectiveness in imparting knowledge and skills, and effectiveness
219 in stimulating students' critical thinking and/or creative abilities, the development
220 or revision of curriculum and course structure, and adherence to accepted
221 standards of professional behavior in meeting responsibilities to students. The
222 evaluator may take into account class notes, syllabi, student exams and
223 assignments, and any other materials relevant to the employee's teaching
224 assignment. The teaching evaluation must take into account any relevant materials
225 submitted by the employee, including the results of peer evaluations of teaching,
226 and may not be based solely on student evaluations when this additional
227 information has been made available to the evaluator.

228
229 b. Contribution to the discovery of new knowledge, development of new educational
230 techniques, and other forms of creative activity. Evidence of research and other
231 creative activity shall include, but not be limited to, published books; articles and
232 papers in professional journals; musical compositions, paintings, sculpture; works
233 of performing art; papers presented at meetings of professional societies; funded
234 grant activities; and research and creative accomplishments that have not yet
235 resulted in publication, display, or performance. The evaluation shall include
236 consideration of the employee's productivity, including the quality and quantity of
237 the employee's research and other creative programs and contributions during the
238 year, as well as recognition by the academic or professional community of what
239 has been done.

240
241 c. Public service that extends professional or discipline-related contributions to the
242 community, the State, public schools, and/or the national and international
243 community. This public service includes contributions to scholarly and professional
244 organizations, governmental boards, agencies, and commissions that are beneficial
245 to such groups and individuals.

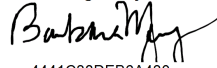
246
247 d. Participation in the governance processes of the University through significant
248 service on committees, councils, and senates, beyond that associated with the
249 expected responsibility to participate in the governance of the University through
250 participation in regular departmental or college meetings.

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252 e. Other assigned University duties, such as attending University events, advising,
253 counseling, and academic administration, or as described in a Position Description,
254 if any, of the position held by the employee. Other assigned duties may include
255 entrepreneurial activities that contribute to the further development of the
256 University with an end result of creating a new venture. Evidence of
257 entrepreneurial contributions shall include, but not be limited to, creation of self-

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supporting centers or institutes, development of multi- disciplinary research partnerships, and applications of research to implementations in society.

UFF-BOT Tentative Agreement


DocuSigned by:

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Chief Negotiator

FIU-BOT

8/18/2023

Date

DocuSigned by:

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Chief Negotiator

FIU-UFF

8/18/2023

Date