

ARTICLE 18
FACULTY MEMBER PERFORMANCE EVALUATIONS AND EVALUATION FILE

18.1 Performance evaluations are intended to communicate to a faculty member a qualitative assessment of performance of assigned duties by providing written feedback. Each faculty member's performance shall be evaluated annually. Faculty shall be evaluated according to the approved standards and procedures, provided that those standards and procedures were in place prior to the beginning of the evaluation period. Exempt from such evaluations are those whose employment is ending before the next annual evaluation.

18.2 Sources of Evaluation.

(a) Faculty Annual Report. Every year, each faculty member shall submit to the chair a report of the faculty member's activities in teaching, research/scholarship/creative activities, service, and other University duties.

(1) The University shall specify the required format and minimum content of the faculty annual report, consistent with the provisions of Sections 18.5 through 18.7.

(2) The annual report shall include any interpretive comments and/or supporting data that the faculty member deems appropriate in evaluating the faculty member's performance.

(b) The person responsible for completing the annual evaluation shall also consider appropriate information from the following sources: immediate supervisor, peers, students, faculty member/self, other university officials who have responsibility for supervision of the faculty member, and individuals to whom the faculty member may be responsible in the course of a service assignment. Any materials used in the evaluation process submitted by persons other than the faculty member shall be shown to the faculty member, who may attach a written response.

(c) University Required Student Evaluations. The tabulated results and written comments of student evaluations of classroom instruction shall be available to the faculty member no later than thirty (30) days following the end of classes in the semester in which the evaluation occurred.

18.3 Observation/Visitation. The University may conduct classroom observation or visitation in connection with the faculty member's evaluation.

(a) The chair shall notify a faculty member at least fifteen (15) days in advance of the date and time of any direct classroom observation(s) or visitation(s). If the faculty member determines that this date is not appropriate because of the nature of the class activities scheduled for that day, the faculty member may suggest a more appropriate date or dates.

(b) Notwithstanding the above, if the chair has received a complaint or other information that gives rise to immediate concerns about the conduct of the class, the chair may observe or visit the class at any time without notice to the faculty member.

(c) A written report of the observation/visitation shall be submitted to the faculty member within two (2) weeks of the observation/visitation. The faculty member shall be offered the opportunity to discuss the report with the evaluator prior to its being finalized and placed in

the employee's evaluation file and may submit a written reply, which shall be attached to the report. If the course involved was assigned to the faculty member with less than six (6) weeks' notice, the report shall include this information.

(d) Peer Assessment. A faculty member has the right to have a peer or colleague to observe/visit the faculty member's teaching and to have an assessment of that observation/visitation included as part of the faculty member's annual report. The chair shall invite the peer evaluator, who may be within the University, a retired colleague, or a colleague in the same discipline from another university.

18.4 Evaluation Rating Categories. Each faculty member's performance of assigned duties shall be evaluated according to rating categories defined by the chair and the faculty of the department. This definition shall identify for each assignment area some representative examples of the achievements or performance characteristics that would earn each performance evaluation rating, consistent with a faculty member's assigned duties.

18.5 University Criteria for Annual Performance Evaluations. The annual performance evaluations shall be based upon assigned duties and shall consider the nature of the assignments and quality of the performance in terms, where applicable, of:

(a) Teaching effectiveness, including effectiveness in presenting knowledge, information, and ideas by means or methods such as lecture, discussion, assignment and recitation, demonstration, laboratory exercise, practical experience, student evaluations, assessment of and engagement with student work, and direct consultation with students. The evaluation shall include consideration of:

(1) Effectiveness in presenting knowledge and skills, and effectiveness in stimulating students' critical thinking and/or creative abilities, the development or revision of curriculum and course structure, and adherence to accepted standards of professional behavior in meeting responsibilities to students.

(2) Other assigned university teaching-related duties.

(3) Any relevant materials submitted by the faculty member such as class notes, syllabi, student exams and assignments, a faculty member's teaching portfolio, results of peer evaluations of teaching, and any other materials relevant to the faculty member's instructional assignment.

(4) All information available in forming an assessment of teaching effectiveness.

(b) Contribution to the discovery of new knowledge, development of new educational techniques, and other forms of research/scholarship/creative activity.

(1) Evidence of research/scholarship/creative activity, either print or electronic, shall include, but not be limited to, published books; chapters in books; articles and papers in professional journals; musical compositions, paintings, sculpture; works of performing art; papers presented at meetings of professional societies; reviews, and research and creative activity that has not yet resulted in publication, display, or performance.

(2) The evaluation shall include consideration of the quality and quantity of the faculty member's research/scholarship and other creative programs and contributions during the evaluation period, and recognition by the academic or professional community of what has been accomplished.

(c) Service within the university and public service that extends professional or discipline-related contributions to the community; the State, including public schools; and the national and international community. Such service includes contributions to scholarly and professional conferences and organizations and unpaid positions on governmental boards, agencies, and commissions that are beneficial to such groups and individuals.

(d) Participation in the governance processes of the institution through significant service on committees, councils, and senates, and the faculty member's contributions to the governance of the institution through participation in regular departmental or college meetings.

(e) Service for UFF may require a significant commitment of time and shall be acknowledged in the annual evaluation.

(f) Other assigned university duties, such as advising, counseling, supervision of interns, and academic administration, or as described in a position description.

18.6 Department Clarifications of University Criteria for Annual Performance Evaluations. The chair and the faculty in each department/unit shall develop and maintain written clarifications of the University criteria for annual performance evaluations, in terms tailored to the department's discipline(s), faculty positions (i.e., tenured or tenure-earning, non-tenure-earning, library faculty), and assigned duties. Such discipline-specific written clarifications shall be according to the provisions of Article 9, Bylaws Governing Terms and Conditions of Employment.

(a) These discipline-specific clarifications shall

(1) Take into consideration the department's mission and the reasonable expectations for the different ranks;

(2) Be adaptable to various assigned duties, so that department faculty have an equitable opportunity to earn merit increases, regardless of their assignments; and

(3) Be detailed enough that a reasonable faculty member should not be uncertain or confused about what performance or accomplishment is sufficient in teaching, research/scholarship/creative activity, and service to earn each performance evaluation rating. The clarifications shall identify for each assignment area some representative examples of the achievements or performance characteristics that would earn each performance evaluation rating.

(b) With respect to research/scholarship/creative activity, each department/unit shall develop discipline-specific clarifications that are consistent with the University's publicly articulated mission. These discipline-specific clarifications must also address how the department values various research/scholarship/creative activities and the outlets in which candidates might be reasonably expected to publish, exhibit, or perform.

(c) The departmental clarifications for the annual evaluation rating categories shall assume that the period over which a faculty member's performance is evaluated is the preceding year. However, the department may allow for an evaluation period for research/scholarship/creative activity of up to three (3) years.

(d) The discipline-specific clarifications must be consistent with the criteria and

procedures described in Sections 18.2 through 18.5.

(e) The procedures, criteria, and clarifications described in Sections 18.2 through 18.6 shall be the sole basis for the annual faculty performance evaluation.

18.7 Annual Evaluation Process. The annual evaluation assesses an employee's performance of assigned duties consistent with the criteria specified in Section 18.5 and in departmental by-laws.

(a) The annual evaluation shall be conducted in the Spring semester, and shall include evaluation of assigned duties for the Fall and Spring semesters of the current academic year and the preceding Summer terms, if the faculty member had an appointment in a summer term.

(b) The chair shall provide to his/her department faculty the form or format for submission of a faculty member's annual report no later than January 15.

(c) Each faculty member shall submit to the chair the faculty member's annual report no later than March 30.

(d) Faculty committees or other individuals submitting evaluative data that may be relevant to the annual evaluation shall report to the chair no later than April 15.

(e) The chair's evaluation shall identify any major performance deficiencies and, if any such deficiency has been identified, shall provide the faculty member with written feedback designed to assist the faculty member in improving his/her performance.

(f) No later than July 1 the chair shall provide to the faculty member the written annual evaluation, and shall attach to the annual evaluation a copy of the faculty member's annual report.

(1) The faculty member shall be offered the opportunity to discuss the evaluation with the evaluator prior to its being finalized.

(2) The evaluation shall be signed and dated by the person performing the evaluation and by the faculty member being evaluated, who may attach a concise comment to the evaluation.

(g) The above deadlines do not apply to P.K. Yonge. P.K. Yonge deadlines shall be in accordance with state schedules for such.

(h) Nothing prohibits the chair from modifying the annual evaluation based on a faculty member's written response to the evaluation. A copy of the revised evaluation shall be provided to the faculty member. The faculty member may append a response to the final evaluation.

18.8 Sustained Performance Evaluations. Tenured faculty members shall receive a sustained performance evaluation once every seven (7) years following the award of tenure or their most recent promotion. The purpose of this process is to evaluate sustained performance during the previous six (6) years of assigned duties. A faculty member who has received satisfactory annual evaluations during four (4) or more of the previous six (6) years, including one (1) or more of the

previous two (2) years, shall be rated satisfactory in the sustained performance evaluation.

(a) Only tenured faculty and the chair may participate in the development of applicable procedures. Sustained performance evaluation procedures shall ensure involvement of peers at the department level.

(b) The procedures for the sustained performance evaluation shall be made available to department faculty and included in the department's bylaws.

(c) The documents contained in the faculty member's evaluation file shall be the sole basis for the sustained performance evaluation.

(d) A faculty member may attach a concise response to the evaluation.

(e) A performance improvement plan resulting from a Sustained Performance Evaluation shall be developed only for those faculty members whose performance is identified through the sustained performance evaluation as being consistently unsatisfactory in one (1) or more areas of assigned duties.

(f) The performance improvement plan shall be developed by the faculty member in concert with his/her chair and shall include specific performance targets and a reasonable time period for achieving the targets. If the faculty member and the chair are unable to reach agreement on a plan, the dean shall resolve the issues in dispute.

(1) With approval of the Dean, the University shall provide specific resources identified in an approved performance improvement plan.

(2) The chair shall meet periodically with the faculty member to review progress toward meeting the performance targets.

(3) It is the responsibility of the faculty member to attain the performance targets specified in the performance improvement plan. If the plan identifies specific deadlines for attaining performance targets and the faculty member fails to attain the targets by the deadlines, the department/unit has the responsibility to take appropriate actions.

18.9 Proficiency in Spoken English.

(a) A chair, who as part of the annual evaluation, or upon receipt of a complaint, identifies a faculty member to be potentially deficient in English oral language skills, may require the faculty member to take an English language proficiency test.

(b) Faculty may continue to be involved in classroom instruction up to one (1) semester while enrolled in appropriate English language instruction.

(c) Faculty who score below a minimum score specified by the University shall be assigned appropriate non-classroom duties for the period of oral English language instruction provided by the University. When such faculty member is eligible to return to classroom instructional duties the faculty member shall not be disadvantaged by the fact of having been determined to be deficient in oral English language skills.

(d) It is the responsibility of each faculty member who is found, as part of the annual evaluation, to be deficient in oral English language skills, to take appropriate actions to correct

these deficiencies. To assist the faculty member in this endeavor, the University shall provide appropriate oral English language instruction without cost to such faculty members for a period consistent with their length of appointment and not to exceed two (2) consecutive semesters. The time the faculty member spends in such instruction shall not be considered part of the individual assignment or time worked, nor shall the faculty member be disadvantaged by the fact of participation in such instruction.

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

18.10 Employee Assistance Program. Neither the fact of a faculty member's participation in an employee assistance program nor information generated by participation in the program, shall be used as evidence of a performance deficiency within the evaluation process described in this Article, except for information relating to a faculty member's failure to participate in an employee assistance program consistent with the terms to which the faculty member and the University have agreed.

18.11 Evaluation File.

(a) Policy. There shall be one (1) official evaluation file, containing a dated copy of all documents used in the assignment and evaluation process, other than evaluation for tenure or promotion, except for course materials, publications, public speeches/presentations, or papers presented at conferences. When evaluations and other personnel decisions are made, other than for tenure or promotion, the only documents that shall be considered are those contained in the official evaluation file, as well as the faculty member's course materials, publications, public speeches/ presentations, or papers presented at conferences that are referenced in the official evaluation file.

(1) The department chair shall be the custodian of the evaluation file, and a notice specifying the location of faculty evaluation files shall be posted in each department/unit.

(2) Documents shall be placed in the evaluation file upon receipt. The faculty member shall be notified when the document is placed in the evaluation file.

(3) No adverse employment action shall be taken against the faculty member based upon material in the faculty member's evaluation file that has not been provided to the faculty member or to which the faculty member has not had an opportunity to attach a response.

(b) Access. A faculty member may examine the evaluation file, upon reasonable advance notice, during the regular business hours of the office in which the file is kept, normally within the same business day, and under such conditions as are necessary to ensure its integrity and safekeeping.

(1) Upon request, a faculty member may paginate with successive whole numbers the materials in the file, and may attach a concise statement in response to any item therein. The University may paginate the materials in the file and shall notify the faculty member when that pagination will take place.

(2) Upon request, a faculty member shall be provided one (1) free copy of any material in the evaluation file. Additional copies may be obtained by the faculty member upon the payment of a reasonable fee for photocopying.

(3) A person designated by the faculty member may examine that faculty member's evaluation file with the written authorization of the faculty member concerned, and subject to the same limitations on access that are applicable to the faculty member.

(c) Indemnification. UFF agrees to indemnify and hold the University harmless from and against any and all liability for any improper, illegal or unauthorized use by UFF of information contained in such evaluation files.

(d) Anonymous Material. There shall be no anonymous material in the evaluation file except for numerical summaries of student evaluations that are part of a regular evaluation procedure of classroom instruction and/or written comments from students obtained as part of that regular evaluation procedure. If written comments from students in a course are included in the evaluation file, all of the comments obtained in the same course must be included.

(e) Peer Committee Evaluations. The chair and other faculty of a department may develop a procedure for peers to evaluate the performance of faculty members, consistent with other provisions of this Agreement. This procedure shall be approved by the chair and other faculty and included in the department bylaws. The procedure shall identify how faculty will be involved in the process, how the faculty member will receive feedback on the peer evaluation, and whether the evaluation will be included in the faculty member's official evaluation file.

(f) Removal of Contents. Materials shown to be contrary to fact shall be removed from the file. This section shall not authorize the removal of materials from the evaluation file when there is a dispute concerning a matter of judgment or opinion rather than fact. Materials may also be removed pursuant to the resolution of a grievance. Materials removed from the evaluation pursuant to this section shall be placed in a separate file with the notation of the reason for removal from the evaluation files.

(g) Use of Evaluative Material.

(1) Information reflecting the evaluation of a faculty member's performance shall be available for inspection only by the faculty member, the faculty member's representative, university officials who use the information in carrying out their responsibilities, peer committees responsible for evaluating the faculty member's performance, and arbitrators or others engaged by the parties to resolve disputes, or others by court order. Such limited access status shall not, however, apply to summary data, by course, for the common "core" items contained in student course evaluations that have been made available to the public on a regular basis.

(2) In the event a grievance is filed, the University, UFF grievance representatives, the arbitrator, and the grievant shall have the right to use, in the grievance proceedings, copies of materials from the grievant's evaluation file.