Florida Agricultural and Mechanical University
Board of Trustees

Governance Committee
Monday, February 20, 2017
Time: 8:30 a.m.

Committee Members: Gary McCoy, Chair
Trustees Mills, Moore, Perry, and Washington

AGENDA

I. Call to Order
   Trustee McCoy

II. Roll Call
   Linda Barge-Miles, Board Liaison

ACTION ITEM

III. Approval of Collective Bargaining Agreements
   Trustee McCoy
   Shira Thomas, Acting General Counsel

VIII. Adjournment
Florida Agricultural and Mechanical University
Board of Trustees
ACTION ITEM

Governance Committee
Date: February 20, 2017
Agenda Item: UFF Collective Bargaining Agreement

Subject: Ratification of Collective Bargaining Agreement between FAMU Board of Trustees and the United Faculty of Florida

Rationale: Florida Agricultural and Mechanical University and the United Faculty of Florida’s Chapter at Florida Agricultural and Mechanical University have reached a tentative agreement regarding Articles 10, 14, 15, and 23. The tentative agreement includes in part:

- Wage increase of 2% recurring to the base
- Prorated 2% non-recurring beginning with the 2016-2017 Academic Year through March 9, 2017, one-time payment payable March 31, 2017
- Non-recurring $1,500 bonus
- Promotion increase to 12% (associate) and 15% (full) respectively
- The Board may modify the tenure and/or promotion criteria so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to impact bargain
- Amended procedures for merit evaluations

Attachments: Articles 10, 14, 15, and 23 of the Agreement (negotiated articles)

Recommendation: Approval of Collective Bargaining Agreement
ARTICLE 10

FACULTY MEMBER PERFORMANCE EVALUATIONS

10.1 Policy

The University community is committed to assessing excellence in teaching, research and creative activity and seeks to effectively evaluate and develop those faculty members who are engaged in such endeavors. Evaluating the performance of faculty members and assessing their accomplishments in teaching, research, and service in the context of the overall mission of the institution. The University community is committed to ensuring that collective responsibility for the success of the institution is achieved through overall goals, faculty, open dialogue, and constructive feedback, emphasizing faculty performance and supporting professional development.

The objective of good teaching is student learning. Good teaching is necessary at any Institution. All faculty members of the University community are accountable to the learning of their students. Faculty members being evaluated are responsible for providing the evidence to support their evaluation with respect to their teaching and quality of teaching. Supervisors will be trained and evaluated to provide them in evaluating faculty, the methods used, and performance. The elements of effective teaching are organization, planning, teaching and learning activities, and methodology. The course content, instructional style, and training are evaluated. The assessment of student evaluation of teaching is provided.

(a) Annual Evaluations: The purpose of the annual evaluation is to assess and communicate the nature and extent of a faculty member’s performance of assigned duties consistent with the criteria specified in Section 10.4. The performance of all faculty members, other than those who have received notice of non-reappointment under Section 12.2 or those not entitled to receive notice of non-reappointment under Section 12.2 shall be evaluated at least once annually, and they shall be advised of the academic term during which such evaluation will be made. Personnel decisions shall take such annual evaluations into account, provided that such decisions need not be based solely on written faculty member performance evaluations.

(b) Sustained Performance Evaluations: In addition to the annual performance evaluations, tenure faculty members shall receive a sustained performance evaluation once every seven years following the award of tenure or their most recent promotion. The purpose of this evaluation is to document sustained performance during the previous six years of post-tenure assigned duties and to encourage continued professional growth and development.

10.2 Sources and Method of Evaluation

(a) In preparing the annual evaluation, the person(s) responsible for evaluating the faculty member may consider, where appropriate, information from the following sources: immediate supervisor, peers, students, faculty member himself/her, 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, including public school officials when an faculty member has a service assignment to the public schools.

(b) Observation/Visitation: The faculty member if assigned teaching duties shall be notified at least two (2) weeks in advance of the date, time, and place of any direct classroom observation or visitation made in connection with the faculty member's annual evaluation. If the faculty member determines that this date is not appropriate because of the scheduled class activities, the faculty member may suggest a more appropriate date. Alternatively, if such classroom observation or visitation will be made, the faculty member shall be notified at least two (2) weeks in advance of the period (for example, a semester) over which no less than two (2) observations will be made. Direct classroom observations shall not occur during the last two (2) weeks of the semester nor the week before or the week after spring break.

10.3 Procedures for Annual Evaluation

(a) The proposed written annual evaluation, including the faculty member’s annual assignment which was furnished pursuant to Section 9.3, shall be provided to
the faculty member within thirty (30) days after the end of the academic term during which such evaluation will be made. The faculty member shall be offered the opportunity to discuss the evaluation with the evaluator prior to it being finalized and placed in the faculty members' evaluation file. The evaluation shall be signed and dated by the person performing the evaluation, and by the person being evaluated who may attach a concise comment to the evaluation. A copy of the evaluation shall be provided to the faculty member. The faculty member may request an in-person meeting with an administrator at the next higher level to discuss concerns regarding the evaluation which were not resolved in previous discussions with the evaluator.

(b) The University department/unit shall develop and maintain procedures by which to evaluate each faculty member according to criteria specified in Section 10.4. These procedures will include the method for the distribution of salary increase funds specified in Section 23.6 based on said annual evaluation. The faculty of each department/unit who are eligible to vote in department/unit governance shall participate in the development of these procedures and shall recommend implementation by vote of a majority of at least a quorum of those faculty members.

1. The proposed procedures or revisions thereof shall be reviewed by the President or representative to ensure that they are consistent with the mission and goals of the University and that they comply with this agreement.

2. If the President or representative determines that the recommended procedures do not meet the conditions in Section 10.3(b) above, the proposal shall be referred to the department/unit for revision with a written statement of reasons for non-approval. No merit salary increase funds shall be provided to a department/unit until its procedures have been approved by the President or representative.

3. Approved procedures and revisions thereof shall be kept on file in the department/unit office. Faculty members in each department/unit shall be provided a copy of that department/unit's current procedures for annual evaluation.

(c) The University is committed to providing assistance to any faculty member seeking improvement of his/her assignment performance. Therefore, upon written request from the faculty member, the persons responsible for supervising and evaluating a faculty member shall endeavor to assist the faculty member in correcting any major performance deficiencies reflected in the faculty member's annual evaluation. A faculty member receiving an unsatisfactory annual evaluation in any area shall be responsible to demonstrate improvement in the area found to be unsatisfactory.

(d) The University will continue to monitor and develop the evaluation process during the 2016-17 year and will be committed to training and development of the evaluation process.

10.6 Sustained Performance Evaluation:
(a) Tenured faculty members shall receive a sustained performance evaluation once every seven years following the annual evaluation or their most recent promotion, whichever is most recent. The purpose of this evaluation is to document sustained performance during the previous six years of assigned duties and to encourage continued professional growth and development.
(b) The sustained performance evaluation program shall provide that:
(1) Only elected faculty members may participate in the development of applicable procedures. Such procedures shall ensure involvement of both peers and administrators at the department and higher levels in the evaluation and shall ensure that a faculty member may attach a concise comment to the evaluation.
(2) The proposed procedures for the sustained performance evaluation shall be available to faculty members and the URF for review prior to final approval.
(c) Faculty members' Annual Evaluation Summary Form, along with attachments, including the documents contained in the evaluation file, shall be the sole basis for the sustained performance evaluation.
(1) A faculty member who received 'Meets High Expectations' or better on his/her Annual Evaluation Summary Form during the previous six years shall not be rated below 'Meets High Expectations' in the sustained performance evaluation. For subject to a PIP, faculty whose performance falls below "Meets High Expectations" in more than two of the previous six evaluations shall develop a performance improvement plan as specified in 10.6.
10.6 Performance Improvement Plan

A performance improvement plan shall be developed for those faculty members whose performance has been identified as consistently below satisfactory in one or more areas. The performance improvement plan shall be developed by the faculty member in concert with his/her supervisor and include specific performance targets and a time period for achieving the targets. The performance improvement plan shall be approved by the Chair or by the Dean or by the Program Director or other representative. Specific resources identified in an approved performance improvement plan shall be provided by the University. The supervisor shall meet periodically with the faculty member to review progress toward meeting the performance targets. It is the responsibility of the Chair or of the Dean to ensure that the supervisor provides the specific resources identified in the performance improvement plan.

10.7 Criteria. The annual performance evaluation shall be based upon assigned duties and shall carefully consider the nature of the assignments. In terms, where applicable, of

(a) Teaching effectiveness including methods of teaching, effectiveness in presenting knowledge, and ideas by means of methods such as lecture, discussion, assignment when consideration is given to the development and demonstration of laboratory exercises, and direct consultation with students. The evaluation shall include consideration of effectiveness in imparting knowledge and skills, and in stimulating students to 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. The evaluation may take into account class notes, syllabi, student exams and assignments, and any other materials relevant to the faculty member’s teaching assignment. The teaching evaluation must take into account any relevant materials submitted by the faculty member including the results of peer evaluations of teaching, and may not be based solely on student evaluations when this additional information has been made available to the evaluator.

(b) Contribution to the discovery of new knowledge, development of new educational techniques, and other forms of creative activity. Evidence of research and other creative activity shall be included but not be limited to published books, articles, and papers in professional journals, musical compositions, paintings, sculpture, works of performing art, papers presented at meetings of professional societies, and research and creative activity that has not yet resulted in publication, display, or performance.

The evaluation shall include consideration of the faculty member’s productivity including the quality and quantity of what has been done during the year, and of the faculty member’s research and other creative programs and contributions, and recognition by the academic or professional community of what is done.

(c) Public service that extends professional or discipline-related contributions to the community, the State, including public schools, and the national and international community. This public service includes contributions to scholarly and professional organizations and governmental boards, agencies, and commissions that benefit such groups and individuals.

(d) Participation in the governance of the University through the office of the faculty member, significant service on committees, councils, and institutions beyond that associated with the expected responsibility to participate in the governance of the institution through participation in regular departmental or college meetings.

(e) Other assigned University duties, such as advising, counseling, supervision of interns and academic administration or as described in a Position Description if any of the position held by the faculty member

10.7 Proficiency in Spoken English. No faculty member shall be evaluated as deficient in oral English language skills unless proved deficient in accordance with the appropriate procedures and examinations established by Section 1012.33, Florida Statutes, and State Board of Education rule, for
testing such deficiency

(a) Faculty involved in classroom instruction other than in courses conducted
primarily in a foreign language found by their supervisor as part of the annual evaluation to be
potentially deficient in English oral language skills shall be tested in
accordance with appropriate procedures and examinations established by statute and rule cited above
for testing such skills. No reference to an alleged deficiency shall appear in the annual evaluation or
in the personnel file of a faculty member who achieves a satisfactory examination score determining
proficiency in oral English as specified in the rule (currently 50% or above on the Test of Spoken English).

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

(c) Faculty who score below a minimum score on an examination established by statute and rule
for determining proficiency in oral English (currently "45" on the Test of Spoken English) shall be
assigned appropriate non-classroom duties for the period of oral English language instruction
provided by the University under paragraph (a) below unless during the period of instruction the
faculty member is found on the basis of an examination specified above to be no longer deficient in oral
English language skills. In that instance, the faculty member will again be eligible for assignment to
classroom instructional duties and 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 by virtue of scoring below the satisfactory
score on an examination established by statute and rule for determining such proficiency (see
paragraph 105(a)) to take appropriate actions to correct these deficiencies. To that end, 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
administrators of a test to determine proficiency in oral English language skills is necessary in
accordance with the statute and rule this section 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.

10.9 Merit Evaluations.

(a) The determination of meritorious performance for the distribution of funds allocated for merit-based
salary increases pursuant to Article 27 shall be according to each department/unit's faculty evaluation
criteria and procedures developed pursuant to this section which must be consistent with the criteria for
faculty evaluation specified elsewhere in this Article. All faculty members will be reviewed for merit.

(b) These criteria and procedures may include any refinements of the methods for the distribution of
salary increase funds that are permitted by Article 29 and are based on the annual performance evaluation.

(c) Merit distribution criteria must:
(d) Merit distribution plans are subject to the approval of the department chair or in non-departmentalized units, the dean. If the chair makes any changes to the merit distribution plan proposed by a faculty evaluation committee, the chair shall report such changes to the faculty evaluation committee, if there is such a body. The original merit distribution plan along with any recommendations by the chair shall be submitted to the dean and the provost. The dean and the provost provide final approval of merit distribution plans. Any changes at the level to the merit distribution plan shall be reported to the chair by the dean's office, and the chair will inform the faculty evaluation committee if there is such a body.

10.10 Provision for Appeal

(a) If a faculty member is dissatisfied with an evaluation, including the determination of failure to successfully complete a PIP, summary, the faculty member may request his or her disagreement in writing.

(b) In addition, if the faculty member is not satisfied with an evaluation, he or she may present his or her request for review in writing to the appropriate review, within thirty (30) days after being informed of the evaluation. The reviewer, like the evaluator, shall have complete freedom of action consistent with this Agreement, in seeking to settle or resolve differences concerning evaluations, and presumably his or her efforts will be largely conciliatory. The reviewer shall meet with the faculty member to discuss the request within fifteen (15) days of receipt of the written request for review. Within fifteen (15) days of receipt of the written request, the reviewer shall reach a decision and report it to the faculty member.

(c) If the faculty member is not satisfied with the reviewer's decision, the faculty member may request in writing a review from the Dean of the College within fifteen (15) days after the reviewer's decision. Within fifteen (15) days of receipt of the written request, the Dean of the College shall meet with the faculty member to discuss the request. Within fifteen (15) days of receipt of the written request, the Dean of the College shall reach a decision and report it to the faculty member.

(d) An appeal of the decision of the Dean of the College may be made to the Provost and Vice President for Academic Affairs. Such a request for review shall be made in writing within fifteen (15) days after the Vice President for Academic Affairs' decision. Within fifteen (15) days of the receipt of the written request, the Provost and Vice President for Academic Affairs shall reach a decision and report it to the faculty member.

Merit Performance Evaluation Instrument

10-XX: Merit Performance

Merit performance is the outstanding contribution to the academic world based on the discipline specific judgments of academic peers on the quality and originality of scholarship or creative activity, teaching effectiveness, and excellent participation in professional and public service. The goal of the FAMU Merit Performance Salary Increase Plan ("MPS Plan") is to reward faculty for their contributions in teaching, scholarship or creative activity and professional service.

(a) Meritous performance salary increases are separate and independent from legislative or state-wide administrative adjustments to salary.

(b) Meritous performance salary increases are subject to the availability of funds and may not be available every year. Availability is determined by the Administration [JM2].

10-XX: Eligibility Criteria

(a) Meritous performance salary increases shall only be awarded for performance that...
exceeds—and far exceeds that which is required—expected and appropriate to the faculty role.
b) MPSIP will be open to tenured faculty with the rank of—Associate or—Full Professor.
   Exceptions to this general rule may be considered by the Provost upon recommendation of
   the responsible Dean upon demonstration of extraordinary circumstances.
c) Faculty members on leave at the time of consideration will not be eligible for
   consideration under the MPSIP. Exceptions to this general rule may be considered by the
   Provost upon recommendation of the responsible Dean upon demonstration of extraordinary
   circumstances.

10-XX- Procedures
Merit Performance Salary Increases Merit pay pools will be determined for each college or school by the
Provost and within each college or school for each academic unit by the deans in consultation with the
Provost:

a) The availability of merit pay funds will be announced to faculty to ensure full participation in
   the process laid out in the MPSIP.
b) Consistent with the understanding that MPSIP is reserved to those faculty
   members whose performance far exceeds that expected, ordinarily no more than 25% of
   the eligible faculty members in a school or college will be awarded meritorious performance
   salary increases in a given merit pay cycle.
c) Each unit shall develop a Unit MPSIP Plan that takes into account the disciplines that
   characterize their academic unit. Each Unit MPSIP Plan must identify and clearly—weight the
   criteria for meritorious performance for the academic discipline.
   1. The Unit MPSIP Plan may include cumulative assessment of the candidate's annual
      evaluations and sustained performance evaluations, but the weight allocated to this factor
      in the overall Unit MPSIP may not exceed 35%. At least 65% of the assessment should
      be based on the criteria for meritorious performance for the discipline set by the Unit MPSIP.
   2. The Unit MPSIP Plan must clearly identify the role of quality in assessment of the portfolios of
      faculty members considered for meritorious performance salary increases.
   3. The Unit MPSIP must also identify distinctions of excellence related to teaching, scholarly or
      creative activity, and professional service relevant to the discipline, and to the extent possible,
      quantify targets of excellence.
   4. Ordinarily, the consideration of distribution of any available funds in a merit
      pool will occur in the fall at the conclusion of the budgeting process, and will be based on
      Unit MPSIP Plans implemented or updated the prior academic year.

(1) d) A recommendation for a meritorious pay increase must be made to the dean. A
   recommendation may be made by:
   1. The Unit Chair,
   2. By the Unit Tenure and Promotion Committee, based upon an application by the faculty
      member,
   3. By the dean on his or her own motion.
   e) If the Unit Tenure and Promotion Committee considers a faculty application for
      meritorious pay increase any member of the unit or collegiate tenure and promotion
      committee must recuse herself or himself from review of her or his own portfolio being
      considered for meritorious performance salary increase or.

1. Examples of distinctions of excellence include: university-wide teaching awards, special
   recognitions of excellence by professional organizations, scholarly distinctions such as Fulbright
   Fellowships, publication of scholarly works in premier journals, publication of a scholarly book;
   distinction in sponsored research.
2. An example of a target of excellence would be publish two scholarly works in premier peer-
   reviewed journals over three years.
increase would otherwise violate conflict of interest policies.

h) A recommendation for meritorious pay increase made by the unit's chair or tenure and promotion committee is subject to review by the Dean of the school or college.

I) The recommendation for a merit pay increase should indicate whether each candidate is "highly deserving," "deserving," or "not deserving" of a meritorious pay-salary increase. Unit and collegiate recommendations should not include award amounts. The Dean in his or her recommendation to the Provost should include recommendations of the dollar amount that should be awarded to each candidate faculty member.

j) The Provost will review and provide final approval on all unit merit pay distribution recommendations.
ARTICLE 14
PROMOTION PROCEDURE

14.1 Policy.

(a) Promotion decisions are not merely a totaling of a faculty member's annual performance evaluations. Rather, the University, through faculty, professional employees, and administrators, assesses the faculty member's potential for growth and scholarly contribution, as well as part meritorious performance. Established promotion criteria should be objectively and consistently applied to all seeking promotion.

(b) Upon annual written request beginning with the second year of employment, a faculty member eligible for consideration for promotion shall be apprised of their progress toward promotion. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to faculty members to help them to qualify themselves for promotion. The faculty member may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the promotion appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the university.

14.2 Criteria.

(a) Promotion decisions shall be a result of meritorious performance of assigned duties pursuant to Article 10.3 and other established criteria specified in writing by the Board or the University. The Board and the University may modify these criteria so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to impact bargaining. Changes in criteria shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by the local UFF President and the Board or University. The date of adoption shall be the date on which the changes are approved by the administrator at the highest level required under applicable policies and procedures. Any proposal to develop or modify promotion criteria shall be available for discussion by members of the affected departments/units before adoption.

(b) The University is encouraged to review its promotion criteria at the university, college/school, or department/unit level to ensure that such criteria are consistent with each other and that they conform with the mission of the University and its various academic units.

(c) Promotion criteria shall be available in the department/unit office and or at the college/unit level.

14.3 Procedures.

(a) Recommendations for promotion shall begin with the faculty member's supervisor and shall be submitted to the appropriate officials for review. Faculty desiring to be considered for promotion may also initiate the process by nominating themselves. Prior to the consideration of the faculty member's promotion, the faculty member shall have the right to review the contents of the promotion file and may attach a brief and concise response to any material therein. It shall be the responsibility of the faculty to see that the file is complete. The provisions of Section 11.2 through 11.8 of this Agreement, regarding access to the evaluation file, shall apply also to the contents of the promotion file. If any material is added to, deleted from, or changed in the file by anyone other than the nominee after the commencement of consideration, a copy shall be sent to the faculty member within five (5)

Chief Negotiator - FAMU-BOT
January 19, 2017

Chief Negotiator - UFF
June 19, 2017
days (by personal delivery or by mail, return receipt requested). The faculty member may attach a brief response within five (5) days of his/her receipt of the added material. The file shall not be forwarded until either the faculty member submits a response or until the second five (5) day period expires, whichever occurs first.

(b) Recommendations for promotion shall include a copy of applicable promotion criteria, the faculty member's annual assignments and annual evaluations, and, if the chooses, the faculty member's promotion appraisals. The reviewers at any stage in the review may request to review the appraisals.

14.4 Notice of Denial.

If any faculty member is denied promotion, the faculty member shall be notified in writing by the appropriate administrative official, within ten (10) days or as soon as possible thereafter, of that decision. Upon written request by a faculty member within twenty (20) days of the faculty member's receipt of such decision, the university shall provide the faculty member with a written statement of reasons by the President or representative.
ARTICLE 15
TENURE

15.1 Eligibility:

Faculty members with the rank of Assistant Professor, Associate Professor, Professor, and other faculty members the Board may designate (such as Assistant Librarians, and Associate Librarians), shall be eligible for tenure. The university may, by rule, make Assistant Professors ineligible for tenure. The universities’ rule-making power to make Assistant Professors ineligible for tenure shall apply only to faculty members appointed after January 1, 1982. Other faculty members shall be governed by the agreement in force at the time of their original appointment. The Board may designate other positions as tenure earning and shall notify the faculty member of such status at the time of initial appointment. Tenure shall be in a department/unit or other appropriate administrative unit. Tenure shall not extend to administrative appointments in the General Faculty or Administrative and Professional classification plans.

15.2 Tenure Decision:

(a) A faculty member shall normally be considered for tenure during the sixth year of continuous service in a tenure-earning position including any prior service credit granted at the time of initial employment. A faculty member's written request for early tenure consideration is subject to the university's written agreement.

(b) By the end of six (6) years of service at the university, a faculty member eligible for tenure shall either be awarded tenure by the Board or given notice that further employment will not be offered. Upon written request by a faculty member within twenty (20) days of the faculty member’s receipt of such notice, the university shall provide the faculty member with a written statement of reasons by the President or provide the faculty member with a written statement of reasons by the President or representative why tenure was not granted.

(c) Decision by the Board. The Board shall award tenure. This decision shall normally be made at the May Board Meeting but no later than the following meeting. The faculty member shall be notified in writing by the President or representative within five (5) days of the decision of the Board.

(d) A faculty member being considered for tenure prior to the sixth (6) year may withdraw from consideration on or before March 15 without prejudice.

15.3 Criteria for Tenure:

(a) The decision to award tenure to a faculty member shall be a result of meritorious performance and shall be based on established criteria specified in writing by the Board and the universities. The decision shall take into account the following:

(1) annual performance evaluations;
(2) the needs of the department/unit, college/unit, and university;
(3) the contributions of the faculty member to the faculty members' academic unit (program, department/unit, college/unit); and
(4) the contributions the faculty member is expected to make to the institution.

(b) The university shall give a copy of the criteria for tenure to faculty member eligible for tenure, and each such shall be apprised in writing once each year of the faculty member's progress toward
tenure. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates to help them to qualify themselves for tenure. The faculty member may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the tenure appraisal which were not resolved in previous discussions with the evaluator. The appraisals are not binding upon the university.

(c) Tenure criteria shall be available in the department/unit office and/or at the college/unit level.

15.4 Modification of Criteria:

(a) Modifying Criteria. The Board may modify the criteria for tenure so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to participate in discussions of such changes in consultation with the university President or representative. Changes in criteria shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by the local UFF President and the university President or representative. The date of adoption shall be the date on which the changes are approved by the administrator at the highest level required under applicable university policies and procedures. Any proposal to develop or modify tenure criteria shall be available for discussion by members of the affected departments/units before adoption.

(b) Effect on Faculty members. The provisions of Section 9.3(d) are applicable to the modified criteria. Further, if a faculty member has at least three (3) years of tenure-earning credit as of the date on which the tenure criteria are adopted under Section 15.4(a), above, the faculty member shall be evaluated for tenure under the criteria as they existed prior to modification unless the faculty member notified the university at least thirty (30) days prior to commencement of the tenure consideration that he/she chooses to be evaluated under the newly-adopted criteria.

15.5 Recommendations and Procedures

(a) Recommendations for the awarding of tenure shall be made by the faculty member's supervisor and shall include a poll by secret ballot of the tenured members of the faculty member's department unit. The performance of a faculty member during the entire term of employment at the institution shall be considered in determining whether to grant tenure. Recommendations regarding tenure shall include a copy of applicable tenure criteria, the faculty member's annual assignments and annual evaluations, and, if the faculty member chooses, the faculty member's tenure appraisals. The reviewers at any stage in the review may request to review the appraisals. Prior to the consideration of the faculty member's candidacy, the faculty member shall have the right to review the contents of the tenure file and may attach a brief and concise response to any materials therein. It shall be the responsibility of the faculty member to see that the file is complete. The provisions of Sections 11.2 through 11.8 of this Agreement shall apply to the contents of the tenure file.

(b) If any material is added to the file after the commencement of consideration, a copy shall be sent to the faculty member within five (5) days (by personal delivery or by mail, return receipt requested). The faculty member may attach a brief response within five (5) days of his/her receipt of the added material. The file shall not be forwarded until either the faculty member submits a response or until the second five (5) day period expires, whichever occurs first. The only documents which may be considered in making a tenure recommendation are those contained or referenced in the tenure file.

[Signatures]
15.6 Other Considerations.

(a) During the period of tenure-earning service, the faculty member's employment shall be governed by the provisions of Article 12.

(b) Part-time service of a faculty member employed at least one semester in any twelve (12) month period shall be accumulated. For example, two (2) semesters of half-time service shall be considered one-half year of service toward the period of tenure-earning service.

(c) Where faculty members are credited with tenure-earning service at the time of initial appointment, all or a portion of such credit may be withdrawn once by the faculty member prior to formal application for tenure.

15.7 Transfer of Tenure:

(a) A tenured faculty member may seek a transfer with tenure through the normal hiring process within the University to a vacant position in the same or similar discipline. The President or Provost may approve the transfer at her or his discretion and may consider any discrepancies in the tenure criteria in approving the transfer.

(b) When a tenured faculty member is transferred as a result of a reorganization or program curtailment within the University and is employed in the same or similar discipline in which tenure was granted, the faculty member's tenure shall be transferred to the new department.

15.8 Tenure upon appointment.

Tenure may be granted to a faculty member by the Board at the time of initial appointment, upon recommendation of the appropriate administrator. The administrator shall consider the recommendation of the department or equivalent unit prior to making his/her final tenure recommendation.

15.9 Leave.

Authorized leaves of absence may, under the provisions of Article 17, Leaves, be credited toward the period of tenure-earning service.

15.10 Termination/Layoff.

Tenure/permanent status guarantees annual reappointment for the academic year until voluntary resignation, retirement, removal for just cause in accordance with the provisions of Article 16, Disciplinary Action and Job Abandonment, or layoff in accordance with the provisions of Article 13, Layoff and Recall, but does not extend to administrative appointments.

(d) Department chairs, division directors, and higher administrators may not be faculty representatives to the University wide tenure and promotion Committee.

Michael Hall
Chief Negotiator – FAMU-BOT
January 19, 2017

Cheryl Watkins
Chief Negotiator – UFF
Jan 19, 2017
23.1 General Wage Increases. The board shall provide the following wage increases to the eligible members of the bargaining unit.

(a) All eligible UFF bargaining unit members shall receive a two percent (2%) across the board wage increase to their base salary. **Contracts will be revised for the pay period March 10, 2017 through March 23, 2017 and payable on March 31, 2017.**

(b) All eligible UFF bargaining unit members shall receive a non-recurring one-time lump sum prorated payment of two percent (2%) of their base salary for the period: start of the 2016-2017 academic year through March 9, 2017. **This non-recurring prorated payment is payable on March 31, 2017.**

(c) All eligible UFF bargaining unit members shall receive a **non-recurring one-time bonus in the amount of one thousand five hundred dollars ($1,500) payable on March 31, 2017.**

23.2 Eligibility for Annual Salary Increases. Faculty members whose most recent annual evaluation is at least satisfactory and who were in pay status on May 1, 2016, or before through the date of the wage increase, are eligible for the increases described in Section 23.1 except that employees who have been issued a notice of non-reappointment pursuant to Section 12.2 are not eligible for such increases. "Satisfactory" with respect to annual evaluations is when a majority of the employee's assigned duties are evaluated as "Satisfactory".

23.3 Wage Increases Upon Promotion. Promotion increases shall be granted to employees pursuant to Article 14. These increases shall be granted in an amount equal to 12% of the employee's previous year's base salary rate in recognition of promotion to one of the ranks described below.

For those promoted from assistant to associate Professor, Research Associate, Associate Curator, Associate Scholar/Scientist to 12%.

These increases shall be granted in an amount equal to 15% of the employee's previous year's salary rate in recognition of promotion to one of the ranks described below:

For those promoted from associate to Professor, Curator, Scholar/Engineer and University librarian to 15%.

**Employees who were promoted in 2015 – 2016 and awarded a 2016 – 2017 promotional increase will have their increases adjusted upward to the amounts stated above, effective at the beginning of the academic term in August 2017.**

23.4 Administrative Discretionary Increases. Nothing contained herein shall prevent the Board from providing salary increase beyond the increases specified above. These increases are provided for market equity considerations, including verified counteroffers and compression/inversion; increased
duties and responsibilities; special achievements; litigation/settlements; and similar special situations. A copy of procedures used for distributing increases under this section will be provided to the local UFF chapter, which shall have an opportunity to discuss the procedures in consultation with the president or representative, prior to their implementation.

23.5 Grievability. The only issues to be addressed in a grievance filed pursuant to Article 20 alleging violation of this Article are whether there is unlawful discrimination under Article 6, or whether there is an arbitrary and capricious application of the provisions of one or more Sections of this Article.

23.6 Type of Payment for Assigned Duties.
(a) Duties and responsibilities assigned by the university to an employee which do not exceed the available established FTE for the position shall be compensated through the payment of Salary, not OPS.
(b) Duties and responsibilities assigned by the university to an employee which are in addition to the available established FTE for the position shall be compensated through OPS, not Salary.

23.7 Contract and Grant Funded Increases.
(a) Employees on contracts or grants shall receive salary increases equivalent to similar employees on regular funding, provided that such salary increases are permitted by the terms of the contract or grant and adequate funds are available for this purpose in the contract or grant. In the event such salary increases are not permitted by the terms of the contract or grant, or in the event adequate funds are not provided, the president or representative shall seek to have the contract modified to permit such increases.
(b) Nothing contained herein shall prevent employees whose salaries are funded by grant agencies from being allotted raises higher than those provided in this contract.

Michael Matthews
Chief Negotiator
FAMU-BOT
January 19, 2017

Date

Chief Negotiator
UFF

Date
APPENDIX

Annual Faculty Evaluation Form (See Article 10)

The University is committed to ensuring excellence in teaching, research, and creative activity and service. Our performance evaluation and development process assists faculty members and supervisors in setting goals, engaging in professional development activities, and measuring and rewarding success. The process articulates individual goals and achievement in the context of the overall mission of the institution. The University is committed to individual and collective responsibility of the success of the institution by articulating goals, fostering open dialogue, and constructive feedback, emphasizing quality performance, and supporting professional development. This form is intended to serve as a minimum template for annual evaluations. Colleges and Departments may also enhance this template per the review process outlined in the UFF contract.

Directions
The faculty member being evaluated should complete Part A of each section and share these materials with their evaluator no later than one week before their scheduled meeting to discuss the evaluation. The faculty member should attach any relevant documents and an updated copy of their curriculum vitae.

Teaching

The objective of good teaching is student learning. Good teaching is necessary at any land-grant university. All faculty are accountable for the learning of their students. Faculty members being evaluated are responsible for providing the evidence to support their evaluation with respect to both quality and quantity of teaching. The elements of effective teaching are organization and planning, course content, teaching strategies and methodology, classroom decorum, including faculty and student punctuality and attendance, planning, use and grading of projects, assignments, and exams, appropriateness of student evaluations, and accessibility and maintenance of office hours.

A: To be completed by the Faculty Member (online survey using Qualtrics)

1. Please provide copies of all syllabi of all courses taught since your last evaluation.

2. Please answer the following questions:
   a. Please briefly explain your teaching philosophy.
   b. Number of courses taught since last evaluation.
   c. Number of new courses taught since last evaluation.
   d. Number of classes taught since last evaluation.
   e. Number of students taught since last evaluation.
   f. Did you use any new teaching methodologies this year? Please describe.
   g. For any of your classes did you cancel more than three teaching sessions for any reason? Did you give notice? Please identify the class and explain the circumstances.
   h. What were your posted office hours? Did you cancel more than three office hour sessions for any reason? Please explain.
   i. Please describe how you monitor student attendance.
   j. Please describe any new teaching methods, materials, or other innovations you used in your class.
B. To be completed by the evaluator

Based on your evaluation of the material provided—including student evaluations—and your discussion with the faculty member, please evaluate the faculty member using the following criteria:

1. Organization and planning of courses
2. Evidence of careful preparation documented by current course outlines, syllabi, or other appropriate methods, distributed at the beginning of class meetings
3. Ability to make course(s) challenging, inspiring, interesting, and thought-provoking in subject matter, and encouraging students to understand all phases of the course(s)
4. Ability to maintain professional classroom decorum and to project an atmosphere of friendliness and concern for students
5. Punctuality with respect to classroom attendance, adherence to announced schedule, grading of tests and assignments, and submitting required reports
6. Accessibility and openness to questions, maintenance of office hours and availability for student consultation
7. Appropriateness, relevance, and fairness of examination or student evaluations

Scholarship or Creative Activity

Faculty members being evaluated are responsible for providing the evidence to support the evaluation of their research productivity with respect to both quality and quantity. This may include ability to identify and define significant research and development projects, to plan and execute well-defined research and to generate effective results and reports worthy of publication. Copies of written supporting evidence may be submitted along with the evaluation form.

A. To be completed by the Faculty Member (online survey using Qualtrix)

1. Please provide copies of all award notifications for contracts or grants awarded since your last evaluation. Please provide copies of any awards or recognition of research or creative activity received since your last evaluation (internal or external). Please provide copies of any scholarly or creative work published since your last evaluation. Please provide materials indicating scholarly or creative presentations since your last evaluation (internal or external)

2. Please answer the following questions:
   a. Number of peer-reviewed books published since your last evaluation. Please provide titles/ISBN numbers.
   b. Number of peer-reviewed articles published since your last evaluation. Please provide titles and citations.
   c. Information about other publications, including op-ed or other publications in popular media or on the web.
   d. Please briefly describe any future or ongoing research or creative activities.

B. To be completed by the evaluator

Based on your evaluation of the material provided—including documentation of current or pending publications or creative activities—and your discussion with the faculty member, please evaluate the faculty member using the following criteria:
1. Evidence of presentation of creative works at professional meetings/societies or exhibitions. Also, include a statement that speaks to the quality of scholarship/creative activity--impact within the professional field and the reach of research.

2. Evidence of papers or articles published in professional journals and/or books published. Also, include a statement that speaks to the quality of scholarship/creative activity--impact within the professional field and the reach of research.

3. Evidence of recognized creative work in his/her field such as musical compositions, paintings, product design, sculptures, dance, theatre, etc. Also, include a statement that speaks to the quality of scholarship/creative activity--impact within the professional field and the reach of research.

4. Evidence of on-going quality research or creative activity.

5. Evidence of the development of research projects or submission of proposals relative to research or creative activity.

Service

Service activities are an essential part of the land grant university's mission. Faculty service develops and promotes goals of individual units, the institution, the profession, and external constituents. Service is essential for an institution's seamless operation and its obligation to serve society.

Faculty members are expected to perform service in balance with excellence in teaching and scholarship. However, evaluation of faculty service activities should take into account differences in assignment of responsibilities and discipline, including research activities that might preclude service or service/engagement learning activities that might be common for a particular discipline. Units should expect and recognize different levels of service according to the rank of individual faculty members. For example, the non-tenured faculty may be protected from taxing service while those with tenure and longevity may be expected to increase service commitments and assume leadership roles.

A. To be completed by the Faculty Member (online survey using Qualtrix)

1. Please provide evidence of your campus service activities (may be reflected in accompanying CV).

2. Please provide evidence of off-campus service activities appreciating that not all civic activities (e.g., membership in a church or civic organization) may not be sufficient without evidence that your expertise as a faculty member or your leadership responsibilities as a faculty member are a primary element of your contribution.

3. Please answer the following question:
   a. Please briefly explain your service philosophy. Please describe the ties between your service activity and your teaching and research or creative responsibilities as a FAMU faculty member.
   b. Please describe any leadership roles you have undertaken in your service activities since your last evaluation.
   c. Please describe how your service activities advance the FAMU mission and vision.
Based on your evaluation of the material, video, including appropriate documentation of service, and your discussion with the faculty member, please evaluate the faculty member using the following criteria:

1. Evidence of performance on departmental, college/school, and university-wide committees, councils, and task forces.
2. Evidence of ongoing contribution/participation to faculty meetings and regular program activities.
3. Evidence of memberships in appropriate professional organizations and contributions to these.
4. Evidence of involvement in activities leading to professional development, continuing education, certification, or licensure.
5. Evidence of performance in community activities on a local, state, national or international level.
6. Evidence of demonstrated leadership through participation with university activities or membership(s) in appropriate professional organizations.
7. Evidence of advancing the FAMU mission through contribution/participation with university activities or membership(s) in appropriate professional organizations.

\[\text{Signature}\]
RANK AND POSITION

DEPARTMENT/UNIT

REQUIREMENT OF DUTIES

The annual evaluation shall include evaluation of summer activities.

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A detailed and accurate explanation of overall performance must be attached. The evaluator should receive input from both students and faculty in preparing this report. If any reason seeks input from another faculty, the report should indicate why and what alternative methods have been used.

Evaluating personnel attached with non-academic member?

Yes
No (attach explanation)

nature of Evaluator

Date:

nature of Faculty Member

Date:

number of pages attached to report:

nature of Academic Dean/Director

Date:

Does Not Meet High Expectations

A student in Spoken English. Consult the advice of the appropriate supervisor in writing an action plan. A copy of the plan and the addendum should be forwarded through the dean to the President.

If “Overall Performance” is rated as Poor, Not Meet High Expectations, the report must be forwarded with the appropriate or inappropriate action plan, including a Performance Improvement Plan, if applicable, to the Provost and the President.