



**FLORIDA
ATLANTIC
UNIVERSITY**

THINGS YOU NEED TO KNOW

PRESENTED BY VICE PROVOST FOR
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&

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OVERVIEW

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- **Collective Bargaining Agreement**
 - Article 5 Academic Freedom & Responsibility
 - Article 6 Nondiscrimination
 - Article 10 Performance Evaluations
 - Article 17 Leaves
 - Article 19 Conflict of Interest/
Outside Activity & Appendix J
 - Article 24 Benefits
 - **Instruction**
 - **Faculty Absence**
 - **Florida Sunshine Laws**

BARGAINING UNIT

- ≈ 900 in-unit members
- Positions vary:
 - Visiting instructors → full professors
 - Librarians, psychologists & K-12 teachers
- Article 30 (Duration): Agrees to a 3-year CBA ending June 30, 2028.

ARTICLE 5 ACADEMIC FREEDOM & RESPONSIBILITY

- When teaching or engaging in assigned duties, faculty shall provide an objective and skillful exposition of subject matters, including a variety of scholarly opinions.
- Faculty have the academic responsibility to act respectfully towards members of the University community to include refraining from statements disparaging the professional capabilities of colleagues and others.
- Contributing to the orderly and effective functioning of the academic unit and/or the University.
- Responsibility not to represent oneself as an institutional representative, unless specifically authorized as such.

COLLEGIALITY & EFFECTIVE COMMUNICATION

- Remember, this is a long-term relationship.
- What goes around, comes around
- Communication with Chair/Director is important
- University Policy 7.2, Standards of Conduct

Some advice: Don't just remember the Golden Rule, practice it too.



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ARTICLE 6 NONDISCRIMINATION

- The Office of Civil Rights and Title IX (OCR9) is charged with investigating charges of discrimination and harassment, and determining whether a violation of University Policy 7.10 or other University regulations and policies occurred. However, independent of the OCR9's determination, the employee may be disciplined pursuant to Article 16 if factual findings suggest the employee is incompetent or engaged in misconduct. A record of such discipline will be placed in the employee's evaluation file.
- Mandatory reporting – All claims of discrimination and harassment based on membership in a protected class must be reported to OCR9.
- Student Accessibility Services (SAS)

ARTICLE 10 EVALUATIONS

- Chairs/Directors, or comparable administrators, who are responsible for an employee's annual assignments, shall also be responsible for evaluating the employee.
- Evaluators may consider, where appropriate, information from the following sources: immediate supervisor, peers, students, employee/self, other University officials who have responsibility for supervision of the employee, and individuals to whom the employee may be responsible in the course of a service assignment.



ARTICLE 10 EVALUATIONS (CONT'D)

- Know your department evaluation criteria
- Process
 - Self-evaluation
 - Written evaluation with annual assignment within 90 days of end of evaluation period
 - Employee may request meeting before evaluation is placed in file (10 day requirement)
 - Employee may then request meeting with next level administrator
 - Employee may attach a concise comment to evaluation

ARTICLE 10 EVALUATIONS (CONT'D)

- 10.3(c)(4) The University is committed to providing assistance to any faculty member who wants or needs to improve the performance of his/her assignment. If an employee is evaluated as **less than satisfactory in any area of the annual evaluation**, the employee and the supervisor must develop a **written plan** to address the employee's performance. This plan will be **appended to the annual evaluation**.

ARTICLE 10 EVALUATIONS (CONT'D)

- Sustained Performance Evaluations (SPE) terminated at the end of the 2025-2026 academic year because the Board of Governors (BOG) now requires Post Tenure Review (PTR), per BOG Regulation 10.003.
- Faculty members may receive a PTR rating of Does Not Meet Expectations or Unsatisfactory if substantiated factors are severe or part of a pattern of misconduct or incompetence, or if there are substantiated violations of University policy, regulation or law within the scope of employment.
- 98% of FAU faculty who underwent PTR in 2025-2026 received outcomes of Meets Expectations or Exceeds Expectations.
- PTR guidance is located on the Office of the Provost webpage:
<https://www.fau.edu/provost/for-faculty/post-tenure/>.

ARTICLE 19 OUTSIDE ACTIVITY & CONFLICT OF INTEREST

- No moonlighting
- Workday Outside Activity Form (available to those already on-boarded)
- Conflict of Interest Resource Page -
<https://www.fau.edu/compliance/conflict-of-interest/>
- University Policy 7.3, Conflict of Interest, Conflicts of Commitment, and Outside Activity

ARTICLE 19 OUTSIDE ACTIVITY & CONFLICT OF INTEREST (CONT'D)

- 1012.977 Disclosure of contracts that affect the integrity of state universities or entities; penalties.—
 - (1) Any person employed by a state university or entity engaging in research which was created or authorized pursuant to part II of chapter 1004 consents to the policies of the university or entity, the regulations of the Board of Governors, and the laws of this state. At a minimum, such policies shall require employees engaged in the design, conduct, or reporting of research to disclose and receive a determination that the outside activity or financial interest does not affect the integrity of the state university or entity.
 - (2)(a) “Financial interest” includes anything of value other than that provided directly by the university or entity. (b) “Outside activity” includes anything an employee does for an organization or an individual, other than the university or entity, that is related to the employee’s expertise.
 - (3) An employee who has failed to disclose any outside activity or financial interest as required by subsection (1) shall be suspended without pay pending the outcome of an investigation which shall not exceed 60 days. Upon conclusion of the investigation, the university or entity may terminate the contract of the employee.

ARTICLE 19 OUTSIDE ACTIVITY & CONFLICT OF INTEREST (CONT'D)

- Faculty with at least a 0.5 FTE appointment, and all faculty engaged in the design, conduct, or reporting of research regardless of FTE, are required to annually complete an outside activity form for conflict review.
- All outside activity, including teaching and research activities occurring when the employee has no active appointment (i.e. summer) or is on leave must be reported.
- Financial interests must also be disclosed if: (i) there is a business relationship between the outside entity and the university or its direct-support organizations, (ii) there is a relationship of such interest with your university responsibilities, or (iii) you are engaged in the design, conduct and reporting of research and hold financial interests with a foreign entity.

ARTICLE 19 OUTSIDE ACTIVITY & CONFLICT OF INTEREST (CONT'D)

- If a faculty member has no information to disclose, a report indicating “no activity to report” must be completed each year on or before September 30.
- Failure to report outside activity, and receive required approvals, may result in discipline including termination.
- Appendix J

ARTICLE 24: BENEFITS

- Employees will be provided with detailed information about retirement options (i.e., FRS Pension and Investment Plans, and the State University System Optional Retirement Program), and may request a personal consultation with Human Resources regarding retirement plans.
- Employees may enroll in up to 6 credit hours per term without tuition charges if the employee earns a grade of at least a C in undergraduate courses; a B in graduate courses; and a P in P-F graded courses.
- Employees may elect to allow an IRS qualified dependent child or spouse to utilize this benefit in lieu of the employee. A dependent child must enroll in a minimum of 21 credit hours in undergraduate classes per academic year (unless a SAS accommodation dictates otherwise), and maintain a 2.0 GPA.
- A dependent spouse may enroll in either undergraduate or graduate level courses for at least 6 credits per semester, fees for 3 credits will be waived while the remaining 3 credits must be paid out-of-pocket.

INSTRUCTION

SPOT (STUDENT PERCEPTION OF TEACHING)



- Syllabus is a contract with the students
- Teach to your course objectives
- Prompt constructive feedback/SPOTs
- Ask for help! University resources are available to you

FACULTY ABSENCE

- University Policy 3.5.5
- CBA Article 17
- Faculty leave request form
 - BOG
 - SACSCOC
 - [Faculty Absence Form](#)



**Faculty Absence
Request**

FLORIDA SUNSHINE LAWS

- Florida Statutes, Chapter 286, the “Open Meetings Act,” provides a **right of access to governmental meetings**.
- Florida Statutes, Chapter 119, the “Public Records Law,” creates a **right of access to records** made or received in connection with official business of a public body.
- Refer all public records requests to the Media Relations office
 - Requests need not be in writing or directed to any particular individual or office



FLORIDA SUNSHINE LAWS (CONT'D)

- Florida Statutes, Chapter 119 defines Public Records as:
 - all documents, drafts, emails, texts, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material
 - regardless of physical form or means of transmission
 - made or received pursuant to law in connection with transaction of official business by the agency
- Not applicable to truly personal records

FLORIDA SUNSHINE LAWS (CONT'D)

But, I sent it from my personal email address or device!

- It doesn't matter where the record originated from.
- If it was made or received in the course of official business and perpetuates, communicates, or formalizes knowledge, it is subject to Florida's Public Records Law even if sent from a personal email address or device.

FLORIDA SUNSHINE LAWS (CONT'D)

- Some public records are exempt from public disclosure due to statutory exemptions.
- Examples of exemptions:
 - Student education records (FERPA and state law)
 - Certain materials relating to faculty tenure applications
 - Certain investigative records during the pendency of an investigation
 - Certain confidential trade secret or proprietary information

WE'RE GLAD YOU'RE HERE!





QUESTIONS?

Feel free to contact us!

Office of the Provost

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www.fau.edu/provost