

Ordinance no. 1/2020

of the Rector of Jan Kochanowski University in Kielce

dated January 8, 2020

on the criteria and procedure for periodic evaluation of academic teachers employed at the Jan Kochanowski University in Kielce

Pursuant to Article 128 of the Act of July 20, 2018 – Law on Higher Education and Science (Journal of Laws 2018 item 1668, as amended) and § 236 sec. 2 of the Statute of the Jan Kochanowski University in Kielce, it is ordered as follows:

§ 1

1. Periodic evaluation of academic teachers is carried out once every 2 years or at the request of the rector. In the case of absence from work due to maternity leave, leave on maternity leave conditions, paternity leave, parental leave, child care leave, or medical leave of absence, as well as military service or substitute military service, the deadline for periodic evaluation shall be extended by the time of such absence.
2. An academic teacher, with the exception of the rector, is subject to periodic evaluation, in particular with regard to the performance of duties referred to in Article 115 of the Act of July 20, 2018 – Law on Higher Education and Science (Journal of Laws 2018, item 1668, as amended), hereinafter referred to as the Act, and compliance with the provisions on copyright and related rights, as well as industrial property rights. The criteria for periodic evaluation are set forth in Appendix 1 to the Ordinance.
3. Periodic evaluation can be positive or negative.
4. The schedule for conducting the periodic evaluation is determined by the rector. The schedule shall include a deadline for submission of an intellectual property rights compliance statement and reporting form, which will be determined by a separate ordinance.

§ 2

1. For the periodic evaluation of academic teachers employed by the department, a department evaluation committee is appointed.
2. For the periodic evaluation of academic teachers employed in a branch office, a branch evaluation committee is established.
3. For the periodic evaluation of academic teachers employed in interdepartmental units, a university committee for the evaluation of academic teachers is established.
4. The committee referred to in sec. 1 is appointed by the dean of the department. The committee shall be composed of:
 - 1) dean of the department – chairman,
 - 2) associate dean in charge of education – deputy chairman,
 - 3) committee members – two representatives of each discipline who are members of the scientific councils of institutes or councils of chairs that are part of the department structure, with at least a doctoral degree.
5. The committee referred to in sec. 2 is appointed by the dean of the branch. The committee shall be composed of:
 - 1) dean of the branch – chairman,
 - 2) associate dean in charge of education – deputy chairman,
 - 3) committee members – a representative of each of the disciplines to which fields are assigned, with at least a doctoral degree.
6. The committee referred to in sec. 3 is appointed by the rector. The committee shall be composed of:

- 1) vice-rector in charge of education – chairman
- 2) deputy chairman appointed by the rector from among the members of this committee,
- 3) managers of interdepartmental units,
- 4) a representative from each of the interdepartmental units.

7. The members of the committees referred to in sec. 4 (3) and sec. 5 (3) are recommended by the relevant scientific council of the institute, the council of the department or an independent unit.
8. In the case of the evaluation of an academic teacher who is a member of a trade union, a representative delegated by the trade union, indicated by the teacher being evaluated, shall participate in the work of the evaluation committee without the right to vote. The right referred to in the preceding sentence shall also be granted to an academic teacher who is not a member of a trade union, if the teacher indicates that he or she consents to the participation in the work of the committee of a representative of a given trade union.
9. In the case of evaluation of an academic teacher who is a member of the committee, he or she is excluded from participation in its work.
10. The tasks of the committee, referred to in sec. 1-3, include:
 - 1) verification of the employee's activities and assignment of scores in accordance with the rules set forth in Appendix 1 to the Ordinance,
 - 2) resolving disputable matters,
 - 3) rating.
11. The evaluation committee has the right to inspect the evaluated person's personnel file, reports and other documents relating to the course and performance of work at the University, to the extent necessary to conduct the evaluation. Access to the documents of the evaluated employee, including his or her personal file, is carried out in compliance with the requirements of the law, in particular with regard to the protection of personal data.
12. The evaluation committee has the right to verify the statements referred to in § 1 sec. 4. For verification purposes, the evaluation committee has the right to cooperate with the relevant entities in the university.
13. You can be a member of only one evaluation committee.
14. The term of the evaluation committees is four years and begins on January 1 of the year following the year in which the term of the UJK Senate began.
15. Resolutions of the committees referred to in sec. 1-3 shall be adopted by secret ballot by an absolute majority of votes in the presence of at least 51% of the committee. Each member of the committee has the right to submit a dissenting opinion in writing with reasons for his or her position.
16. The results of periodic evaluations are attached to the personnel file of the evaluated person.

§ 3

1. The evaluation of an academic teacher is presented to him or her by the head of the organizational unit in which he or she is employed.
2. An academic teacher who is subject to evaluation is entitled to review all documents related to his/her evaluation and has the right to provide explanations during the proceedings.
3. An academic teacher has the right to appeal against the result of the periodic evaluation to the rector.
4. An appeal together with a rationale shall be submitted in writing within 14 days from the date of presentation to the academic teacher of the committee's rating.
5. The rector shall refer the appeal to the Appeals Review Committee for an opinion.
6. The members of the Appeals Review Committee, not less than five in number, are appointed by the rector from among the members of the academic councils of institutes or chair councils, indicating the chairman of the committee.
7. The Appeals Review Committee shall give its opinion on the appeal, within a deadline of no more than 30 days. The provision of § 2 sec. 15 shall apply accordingly.
8. The rector, after reviewing the opinion of the Appeals Review Committee, may either uphold the contested rating or amend it. When making a decision, the rector may take into account the fact that the employee has been on sick leave for more than 6 months, proportionally reducing the minimum requirements for a positive rating.

9. The rector's decision is final and not subject to appeal.

§ 4

1. In the case of a negative rating, the next periodic evaluation shall be carried out no earlier than 12 months from the date of completion of the previous evaluation.
2. A negative rating may be grounds for termination of an academic teacher's employment in accordance with the procedures provided by the Act.
3. The rector shall terminate by notice the employment of an academic teacher in the event of receiving two consecutive negative evaluations.

§ 5

1. The Ordinance shall enter into force on the date of adoption with effect from January 1, 2020, with the reservation that for the periodic evaluation of an academic teacher for 2018 and 2019, the evaluation sheet constituting Appendix No. 1 to Resolution No. 2/2018 of the Senate of the Jan Kochanowski University in Kielce of January 25, 2018 amending Resolution No. 7/2016 of the Senate of the Jan Kochanowski University in Kielce on establishing a template evaluation sheet for an academic teacher of the Jan Kochanowski University in Kielce and a model evaluation sheet for a certified librarian of the University Library of the Jan Kochanowski University in Kielce shall apply, with the reservation that:
 - 1) in Part II. of the Scientific Activities sheet, under Table 2. Publications that appeared in print during the reporting period are supplemented by publications issued in 2019,
 - 2) the direct supervisor referred to in item VI is the unit manager,
 - 3) item VIII of the sheet shall not be completed,
 - 4) the dean is considered the head of the basic organizational unit,
 - 5) exceptional, outstanding, good, positive rating is considered a positive rating,
2. The criteria referred to in Appendix No. 1 to the Ordinance apply to the evaluation period beginning January 1, 2020.
3. By the end of January 2020, the committees referred to in § 2 sec. 1-3 and § 3 sec. 6 shall be established. The terms of these committees will expire on December 31, 2020.