

MEMORANDUM OF UNDERSTANDING  
REGARDING A GENERAL SET OF CRITERIA FOR “UNACCEPTABLE”  
PERFORMANCE FOR ACADEMIC UNITS WITHOUT AN APPROVED DEFINITION OF  
“UNACCEPTABLE” PERFORMANCE

WHEREAS, the Collective Bargaining Agreement (“CBA”) between Bowling Green State University (the “University”) and the Bowling Green State University Faculty Association – AAUP (the “Faculty Association”)(collectively, the “Parties”) expiring June 30, 2019, provides in Article 14, Section 5.3.1 that: “Each unit shall determine the standard for an “unacceptable” rating in its merit document (or an addendum to that document) prior to December 31, 2016.”; and

WHEREAS, Article 14, Section 5.3.1 of the CBA provides that: “In place of APRs and EPRs, the annual merit review process shall serve as the annual evaluation for NTTF members in year seven and beyond. Annual evaluation ratings higher than unacceptable in all assigned areas, based on a BUFM’s allocation of effort, shall indicate a successful annual evaluation.”; and

WHEREAS, the Parties agreed on December 16, 2016 to a Memorandum of Understanding “Regarding Academic Unit Completion of “Unacceptable” Rating in Merit Document” (“MOU on Deadline Extension”) which in part, allowed that an academic unit that has an approved standard for an “unacceptable” rating in its merit document (or an addendum to that document) before March 15, 2017 will be deemed to have determined the standard for an “unacceptable” rating in its merit document (or an addendum to that document) prior to December 31, 2016 deadline as set forth in Article 14, Section 5.3.1; and

WHEREAS, a number of academic units still do not have an approved definition of “unacceptable” performance in their merit document (or an addendum to that document); and

WHEREAS, both Parties agree that an approved definition of “unacceptable” performance is needed for the merit review process underway in the academic units as of August 31, 2017;

NOW, THEREFORE, the Parties agree as follows:

1. For those academic units without an approved definition of “unacceptable” performance in their Merit policies by September 8, 2017, the following procedures will be followed for Merit evaluation for BUFM performance during AY 2016-2017 and AY 2017-2018:
  - a. BUFM, chairs/directors, and deans will evaluate each BUFM’s performance during AY 2016-2017 using the academic unit’s previously approved criteria for Merit, but also implementing a three year rolling average as mandated by Article 17, Section 11.1.3.
    - i. For those circumstances applicable under Article 31, those BUFM who receive a rating of “meets expectations” or better from unit faculty will be

deemed to have performed at an "acceptable" level for the evaluation period.

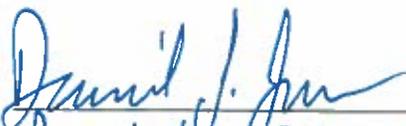
- ii. For those circumstances applicable under Article 14, those BUFM who receive a rating of "meets expectations" or better from unit faculty, Chair/Director, and Dean will be deemed to have performed at an "acceptable" level for the evaluation period.
  
- b. Representatives from the University and BGSU-FA shall determine a general set of criteria for "unacceptable" performance by September 18, 2017 for these units to use for the AY 2016-2017 Merit evaluation.
- c. BUFM shall apply these criteria to the performance of any BUFM who did not "meet expectations" for performance during AY 2016-2017 to determine if they also performed at an "unacceptable" level.
- d. If this process determines that a BUFM's performance was "unacceptable," then policies outlined in Article 14, and, if applicable, Article 31, of the CBA shall be followed.
- e. Academic units and the University will continue working on developing approved Merit policies. Those policies approved by January 26, 2018 shall be applied to Merit evaluation for BUFM performance during AY 2017-2018, and shall be deemed not to violate Article 17, Section 11.2.4.

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be made effective this 11 day of September, 2017.

BOWLING GREEN STATE UNIVERSITY

By:   
Title: Provost

BOWLING GREEN STATE UNIVERSITY FACULTY ASSOCIATION – AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

By:   
Title: President, BGSU-FA