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ARTICLE 10 FACULTY MEMBER PERFORMANCE EVALUATIONS

10.1 Policy.

The University community is committed to ensuring excellence in teaching, research and creative activity, and service. Our performance evaluation and development process assist 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 community 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.

The objective of good teaching is student learning. Good teaching is necessary at any land-grant university. All members of the university community 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. Supervisors will be trained and evaluated to enable them to evaluate faculty in a fair and objective manner. 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, design, use and grading of projects, assignments and exams, and the appropriateness of student evaluations, and accessibility.

(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~~ Post Tenure Review. In addition to the annual performance evaluations, tenured faculty members identified in 10.4 of this Article shall receive a post tenure review in accordance with the terms therein. The purpose of post tenure review is to accomplish the following:

- (1) Ensure high standards of quality and productivity among the tenured faculty in the State University System.
- (2) Determine whether a faculty member is meeting the responsibilities and expectations associated with assigned duties in research, teaching, and service, including compliance with state laws, Board of Governors' regulations, and university regulations and policies.
- (3) Recognize and honor exceptional achievement and provide an incentive for retention as appropriate.
- (4) Refocus academic and professional efforts and take appropriate employment action when appropriate.

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~~_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.~~

~~(b)~~ Sources and Methods of Evaluation.

~~(c)~~

~~(1)~~ In preparing the annual evaluation, the person(s) responsible for evaluating the faculty may consider, where 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, including public school officials when an faculty member has a service assignment to the public schools.

~~(1)~~

~~(2)~~ 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 scheduled class activities, the faculty member may suggest a more appropriate date. Direct classroom observations shall not occur during the last two (2) weeks of the semester.

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, in writing, a 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 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

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- 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's/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 provide training and development of the evaluation process during the 2016-17 year.

10.4 ~~10.4 Sustained Performance Evaluations~~ Procedure for Post Tenure Review.

(a) Tenured Faculty are required to undergo post-tenure review as outline in the Board of Governors Regulation 10.003.

(b) Timing and Eligibility.

(1) Each ~~t~~ Tenured faculty members shall receive a comprehensive post-tenure reviews~~sustained performance evaluation~~ once every ~~five~~seven years following the award of tenure or their most recent promotion, whichever is ~~most recent~~late-r. For faculty hired with tenure, the hire date shall constitute the date of the last promotion. 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.

- i. In the first, second, third, fourth and fifth year following the effective date of the Board of Governors Regulation 10.003, 20% of tenured faculty who have not been evaluated over five years will be evaluated, in addition to faculty in the fifth year under 10.4(b).
- ii. Tenure faculty members who have not been evaluated for over five years were placed into groups based on their university employee identification number. Chat GPT was used to randomly place each member in a Post Tenure Review Cohort.
- iii. Faculty members selected for a Post tenure Review during the 2024-2025 Academic Year will be notified by June 30, 2024 before the beginning of the Fall 2024-2025 semester. The remaining faculty members selected for Post Tenure Review for the 2025-

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2026; 2026-2027; and 2027-2028 academic years will be notified by the end of the Fall 2024-2025 semester December 23, 2024.

(1) Tenured faculty in administrative roles, such as department chairs or directors, shall be evaluated annually by the appropriate college dean based on criteria established by the university. Such evaluations shall include a review of performance based on all assigned duties and responsibilities and professional conduct. Such evaluations shall also include the following, if applicable: performance of academic responsibilities to the university and its students; non-compliance with state law, Board of Governors' regulations, and university regulations and policies; any violation of section 1000.05(4), Florida Statutes; and substantiated student complaints.

(2)

(3) Policies and regulations adopted by the boards of trustees may include exceptions to the timing of the comprehensive post-tenure review for extenuating, unforeseen circumstances. Additional exceptions may be considered for former faculty administrators who have stepped down from their administrative position during their 5-year performance review period and faculty members on an approved university leave. These exceptions granted to tenured faculty members shall be disclosed in the chief academic officer's report to the university's president and board of trustees on the outcomes of the comprehensive post-tenure review.

(c) Review Requirements

(1) The comprehensive post-tenure review shall include consideration of the following.

- i. The level of accomplishment and productivity relative to the faculty member's assigned duties in research, teaching, and service, including extension, clinical, and administrative assignments. The university shall specify the guiding documents. Such documents shall include quantifiable university, college, and department criteria for tenure, promotion, and merit as appropriate.
- ii. The faculty member's history of professional conduct and performance of academic responsibilities to the university and its students.
- iii. The faculty member's non-compliance with state law, Board of Governors' regulations, and university regulations and policies.
- iv. Unapproved absences from teaching assigned courses.
- v. Substantiated student complaints.
- vi. Other relevant measures of faculty conduct as appropriate.

(2) The review shall not consider or otherwise discriminate based on the faculty members' political or ideological viewpoints.

(d) Review Procedure

(1) The faculty member shall complete a university-designated dossier highlighting accomplishments and demonstrating performance relative to

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assigned duties and submit the dossier to the appropriate department chair or unit director.

(2) The faculty member's department chair or unit director shall review the completed dossier, the faculty member's personnel file, and other records related to professional conduct, academic responsibilities, and performance.

(3) The faculty member's department chair or unit director shall add to the dossier the following.

- i. Additional records related to professional conduct, academic responsibilities, and performance concerns.
- ii. A letter assessing the level of achievement and certification that the letter includes, if applicable, any concerns regarding professional conduct, academic responsibilities, and performance during the period under review.

(4) The faculty member's department chair or unit director shall forward the dossier, including all records and the chair's letter, to the appropriate college dean for review.

(5) The dean of the college shall review all materials provided by the faculty member's department chair or unit director.

(6) The dean of the college shall add to the dossier a brief letter assessing the level of achievement during the period under review. The letter shall include any 5 concerns regarding professional conduct, academic responsibilities, and performance. The letter shall also include the dean's recommended performance rating using the following scale:

- i. Exceeds expectations: a clear and significant level of accomplishment beyond the average performance of faculty across the faculty member's discipline and unit.
- ii. Meets expectations: expected level of accomplishment compared to faculty across the faculty member's discipline and unit.
- iii. Does not meet expectations: performance falls below the normal range of annual variation in performance compared to faculty across the faculty member's discipline and unit but is capable of improvement.
- iv. Unsatisfactory: failure to meet expectations that reflect disregard or failure to follow previous advice or other efforts to provide correction or assistance, or performance involves incompetence or misconduct as defined in applicable university regulations and policies.

(7) The dean of the college shall forward the dossier to the chief academic officer for review.

(8) The chief academic officer shall review the dossier provided by the dean of the college.

(9) With guidance and oversight from the university president, the chief

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academic officer will rate the faculty member's professional conduct, academic responsibilities, and performance during the review period. The chief academic officer may accept, reject, or modify the dean's recommended rating. The chief academic officer may request assistance from a university advisory committee in formulating an assessment. Each faculty member reviewed will receive one of the following performance ratings, as defined above:

- i. Exceeds expectations
- ii. Meets expectations
- iii. Does not meet expectations
- iv. Unsatisfactory

(10) The chief academic officer shall notify the faculty member, the faculty member's department chair, and the appropriate college dean of the outcome.

(e) Review Outcomes

(1) University regulations and policies regarding outcomes of the comprehensive post-tenure review process shall include recognition and compensation considerations and consequences for underperformance.

(2) For each faculty member who receives a final performance rating of "exceeds expectations" or "meets expectations," shall receive recognition and/or compensation accordance to Article 23.

(3) For each faculty member who receives a final performance rating of "does not meet expectations," the appropriate college dean, in consultation with the faculty member's department chair or unit director, shall propose a performance improvement plan to the chief academic officer.

- i. The plan must include a deadline for the faculty member to achieve the requirements of the performance improvement plan. The deadline may not extend more than 12 months past the date the faculty member receives the improvement plan.
- ii. The chief academic officer shall make final decisions regarding the requirements of each performance improvement plan.
- iii. Each faculty member who fails to meet the requirements of a performance improvement plan by the established deadline shall receive a notice of termination from the chief academic officer in accordance with Article 16.

(4) Each faculty member who receives a final performance rating of "unsatisfactory" shall receive a notice of termination from the chief academic officer in accordance with Article 16.

(2) Final decisions regarding performance ratings of "does not meet expectations" or "unsatisfactory" may be appealed under this collective bargaining agreement, as applicable to the employee and consistent with Article 20.2(b). The sustained performance evaluation program shall provide that:

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(5)

~~i. 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 response to the evaluation;~~

~~(3) The proposed procedures for the sustained performance evaluation shall be available to faculty members and to the UFF for review prior to final approval.~~

~~(4) 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.~~

~~(5) A faculty member who received "Meets Expectations" or better as an Overall result on her or his Annual Evaluation Summary Form during the previous six years shall not be rated below "Meets Expectations" in the sustained performance evaluation, nor subject to a PIP. Faculty whose performance falls below "Meets Expectations" in more than two of the previous six evaluations shall develop a performance improvement plan, as specified in 10.5.~~

(a) Post-tenure review shall include an evaluation of all relevant performance factors in accordance with established criteria. Where concerns regarding misconduct or incompetence arise, such matters may be considered to the extent they are supported by appropriate findings; however, all disciplinary actions shall be reviewed and processed in accordance with Article 16. Nothing herein shall be construed to merge or replace the disciplinary procedures required under Article 16.

10.5. Performance Improvement Plan

(1) A performance improvement plan shall be developed for those faculty members whose performance is identified through an evaluation as being consistently below satisfactory in one or more areas of assigned duties. 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 the Dean or his or her 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 faculty member to attain the performance targets specified in the performance

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improvement plan.

10.6 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 effectiveness in presenting knowledge, information, and ideas by means or methods such as lecture, discussion, assignment when consideration of a portfolio submitted for meritorious performance salary and recitation, demonstration, laboratory exercise, practical experience, and direct consultation with students. The evaluation shall include consideration of effectiveness in imparting 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. The evaluator 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 include, 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 are beneficial to such groups and individuals.
- ~~(c)~~
- ~~(d)~~ Participation in the governance processes of the institution through significant service on committees, councils, and senates, beyond that associated with the expected responsibility to participate in the governance of the institution through participation in regular departmental or college meetings.
- ~~(d)~~
- (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.

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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 1012.93, 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 (d) 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 (10.5(a))), 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

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necessary, in accordance with the statute and rule and 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.

10.8 Employee Assistance Programs. 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 an 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.

10.9 Merit Evaluations.

- (a) The determination of meritorious performance for the distribution of funds allocated for merit-based salary increases pursuant to Article 23 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 23 and are based on the annual performance evaluation.
- (c) Merit distribution criteria must:
 - (1) Define performance as ~~“performance that substantially exceeds expectations, exceeds expectations, meet expectations, does not meet expectation or substantially does not meet expectations for the position classification and department/unit.”~~
 - (2) Not mandate a merit pay award for all members of the department/unit.
 - (3) Establish distinctive levels of merit reflecting the differences in performance.
- (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, she/he 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 this 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. ~~I Summary,~~ the faculty member may register 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 reviewer within~~

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~~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.~~

~~(e)(b)~~ 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)(c)~~ 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.

For the University



Rob Larkin
Chief Negotiator

4/14/2026

Date

For FAMU-UFF



James Muchovej
Chief Negotiator

4/14/2026

Date

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