

**ORDINANCE**

**No. 8/2022**

**of the Rector**

**of the Maria Curie-Skłodowska University in Lublin**

**of 7 February 2022**

***on the Rules for periodic evaluation of academic staff at the***

***Maria Curie-Skłodowska University in Lublin***

Pursuant to Article 23(1) and Article 128(3) of the Act of 20 July 2018 Law on Higher Education and Science (i.e. Journal of Laws of 2021, item 478, as amended) – hereinafter referred to as the Act, as well as § 19, item 17 and § 87, subsection 4 of the Statutes of the Maria Curie-Skłodowska University, it is ordered as follows:

**General Provisions**

**§ 1**

1. The Regulations lay down the rules and procedure for the periodic evaluation of academic staff at the Maria Curie-Skłodowska University in Lublin – hereinafter referred to as the University, the entities conducting periodic evaluation, and the criteria for periodic evaluation for particular groups of academic staff and the types of positions in which they are employed.
2. The purpose of periodic evaluation shall be in particular to determine how academic staff fulfil the obligations referred to in Article 115 of the Act resulting from their position, and how they comply with the legislation on copyright and related rights, as well as the law on industrial property.

# § 2

1. Academic staff, with the exception of the Rector, shall be subject to periodic evaluation.
2. Periodic evaluation shall be carried out once every four years, subject to section 3.
3. Periodic evaluation may also be carried out at any time at the request of the Rector, acting:
	1. *ex officio* or
	2. on the initiative of the head of an organisational unit.

# § 3

1. The periodic evaluation referred to in § 2, subsection 2 shall be carried out four years after the date of employment or after the previous periodic evaluation of an academic staff member, within two months of the expiry of that period.
2. The period referred to in subsection 1 shall not include the period of absence from work resulting from maternity leave, leave under the conditions of maternity leave, paternity leave, parental leave, extended parental leave or leave for health care, long-term sick leave of not less than 30 days and military service or alternative service. In such a case, the period shall be extended by the duration of such absence.
3. Periodic evaluation of academic staff shall be conducted for the entire period since the previous evaluation.
4. The first periodic evaluation of academic staff may be conducted only one year after their appointment, subject to the evaluation referred to in §2, subsection 3, item 2) of the Regulations.
5. Periodic evaluation of academic staff shall not be conducted during the period of notice or termination by mutual consent of their employment relationship with the University.

# Principles of periodic evaluation

**§ 4**

1. The periodic evaluation of academic staff is carried out on the basis of partial evaluations concerning:
	1. their scientific activity, if they belong to the group of research and teaching and research staff;
	2. their teaching activity, if they belong to the group of research and teaching and teaching staff;;
	3. their organisational activity;
	4. their compliance with the provisions on copyright and related rights, as well as on industrial property.
2. The evaluation of academic staff shall be conducted on the basis of:
	1. the academic staff evaluation sheet filled in by the evaluated person and attached as Appendix 1 to these Regulations;
	2. the evaluation of the immediate supervisor with regard to the performance of instructions concerning the tasks assigned to the academic staff member within the unit which the supervisor directs.
3. The organisational activities associated with an academic staff member's leadership role shall be subject to evaluation if that role is held for more than one year.

# § 5

1. Evaluation of teaching activity shall also be conducted on the basis of the opinions of students and doctoral students expressed in course evaluation questionnaires. The University shall enable students and doctoral students to evaluate, at least once per academic year, a given academic staff member with respect to the fulfilment of their duties related to teaching.
2. The course evaluation questionnaire of students and doctoral students is anonymous and voluntary, made available to all students and doctoral students during examination and re-sit sessions, either electronically via the University's IT system or in a written copy.
3. The evaluation of the teaching activity of an academic teacher also includes a report on the hospitalisation conducted by the direct supervisor of the evaluated person, i.e. the head of an organisational unit or the head of an internal organisational unit, or a person designated by them, who holds at least the postdoctoral degree. The hospitalisation shall be carried out in accordance with the rules laid down in the faculty concerned.
4. If the academic staff member concerned has not been hospitalised during the evaluation period, the immediate supervisor shall set a date for the hospitalisation of the academic staff member concerned.

# § 6

1. Academic staff shall be required to complete the evaluation sheet and submit it to their immediate supervisor within 14 days of receiving, via official e-mail, information from the chairperson of the academic staff evaluation committee on the periodic evaluation being carried out; submission of the completed sheet with appendices shall take place in the University's IT system.
2. The immediate supervisor may set a different date for academic staff to submit their evaluation sheet in the event of excused absence from work or absence due to maternity leave, leave under conditions of maternity leave, paternity leave, parental leave, extended parental leave, childcare leave or health leave or military service or substitute service.
3. Upon receipt of the completed evaluation sheet, the immediate supervisor, based on its content and their knowledge of the performance of the evaluated academic staff member, shall evaluate the academic staff member in the evaluation sheet within no more than 7 days and forward it to the chairperson of the academic staff evaluation committee.
4. The evaluation of the direct supervisor concerning the performance of the tasks entrusted to the evaluated person shall be subject to detailed consideration by the academic staff evaluation committee.

# § 7

1. The periodic evaluation mark can be either positive or negative.
2. An academic staff member shall be given a positive mark if they obtain positive partial marks in all areas of activity in which they are evaluated. Otherwise, academic staff shall be given a negative mark, subject to subsection 3.
3. In special cases, an academic teacher may also receive a positive mark if they receive positive partial marks from:
	1. at least two areas of their activity, including scientific activity in the case of a research and teaching employee;
	2. the area of scientific activity in the case of a research worker;
	3. the area of teaching activity in the case of a teaching employee.
4. A positive evaluation mark issued under the rules indicated in subsection 3 requires the justification of the committee for the evaluation of academic teachers.
5. A negative evaluation mark shall also be given to an academic staff member who, during the period since the last evaluation or since the date of employment (if no periodic evaluation has been carried out so far), has committed, as determined by a final judgment or a final ruling of a disciplinary committee, one of the acts specified in the provisions of the Act of February 4, 1994. on Copyright and Related Rights (Journal of Laws of 2019, item 1231, as amended), the Industrial Property Law of June 30, 2000 (Journal of Laws of 2020, item 286, as amended), and Article 287(2)(1-5) of the Act.

# § 8

1. A positive partial mark for scientific activity shall be given to an academic teacher who has met the detailed criteria established for individual scientific disciplines, which are attached as Appendix No. 2 to these Regulations.
2. A positive partial mark for teaching activity shall be awarded to an academic teacher who has met the detailed criteria established for individual academic disciplines, which are attached as Appendix No. 3 to these Regulations.
3. A positive partial evaluation mark for teaching activity shall be given to an academic teacher employed in a university-wide unit in a teaching position who has met the detailed criteria established in Appendix No. 4 to these Regulations.
4. An academic teacher who conducts scientific activity in two scientific disciplines, shall receive a positive partial mark for activity:
	1. scientific - in the situation of combined fulfillment of specific criteria established separately for these disciplines, in proportion to their participation in the declaration submitted;
	2. teaching - in the situation of meeting specific criteria calculated proportionally to the participation of specific criteria established for the disciplines indicated in the submitted declaration.
5. A positive partial mark for organizational activity shall be given to an academic teacher who has scored at least 2 points in the evaluation sheet in this part for each year of evaluation, and in the case of persons employed in the positions of assistant professor (with a postdoctoral degree), university professor (with a postdoctoral degree) or professor, at least 5 points for each year of evaluation*.*

# § 9

In the event that an academic staff member receives a negative periodic evaluation mark, another periodic evaluation shall be carried out after 16 months from the date of completion of the previous evaluation, within one month from the expiration of this period. During the second evaluation, the employee's achievements obtained in the period since the last evaluation are taken into account.

**Committees for the evaluation of academic teachers and their mode of operation**

**§ 10**

1. To carry out the periodic evaluation, the institute's academic council shall appoint a committee for the evaluation of academic staff, consisting of 3 to 5 academic staff, including the chairman. The chairman of the commission is the director of the institute or their deputy. The commission shall consist of the dean or a person designated by the dean.
2. The committee for the evaluation of academic teachers appointed by the scientific council of the institute shall conduct the evaluation:
	1. of academic teachers who have indicated a leading discipline in accordance with the discipline of the respective scientific council of the institute;
	2. of academic teachers who have indicated a discipline that is not subject to evaluation at the University, but are employed within the institute.
3. To carry out the periodic evaluation of academic staff belonging to the group of teaching staff employed in all-university units and in faculties, outside the internal structure of the institute, the Rector shall appoint a committee for the evaluation of academic staff consisting of 5 persons, including the chairman.
4. Academic staff members of the committees referred to in subsections 1 and 3 shall not participate in their meeting, during which their evaluation is carried out.
5. The meeting of the committee for evaluation of academic teachers may be attended, without the right to vote, by an academic teacher - a representative of the trade union operating at the University indicated by the person being evaluated before the meeting of the committee.
6. In situations where the validity of the negative evaluation mark raises reasonable doubts, the committee for the evaluation of academic teachers before formulating the final evaluation mark shall take into account:
	1. explanations submitted at the committee meeting by the evaluated academic teacher concerning the overall performance of their duties, and
	2. an additional detailed opinion of the immediate supervisor regarding the diligence in the performance of academic, teaching and organizational duties by the academic teacher, including the circumstances that influenced the achievements indicated in the evaluation sheet.
7. The chairman of the committee for evaluation of academic teachers immediately after the completion of the work of the committee shall inform - via official e-mail - the evaluated academic teachers of the issuance of the periodic evaluation and its delivery in the computer system of the University.

# § 11

1. An academic staff member may appeal against a negative periodic evaluation to the Rector within 14 days from the date of receipt of the evaluation through the University's information system.
2. The appeal shall be submitted through the chairman of the relevant committee for the evaluation of academic teachers.
3. Before deciding on an appeal, the Rector shall consult with the committee for appeals against the periodic evaluation of academic teachers, consisting of at least half of those holding the postdoctoral degree or the academic title of professor.
4. The committee on appeals of academic teachers' evaluation is appointed for the term of office of the Rector. It consists of a chairman and 12 academic teachers.
5. The meeting of the committee for appeals against the periodic evaluation of academic staff may be attended, without the right to vote, by representatives of the trade unions operating at the University, one from each union.
6. The committee for appeals against the periodic evaluation of academic teachers shall issue an opinion on the appeal within 30 days from the date of its submission by the Rector.
7. After the Rector has reviewed the documentation of the periodic evaluation of academic staff and the opinion of the committee for appeals against the periodic evaluation of academic staff, the Rector shall either uphold the appealed evaluation or amend it in favor of the appealing academic staff member.
8. The Rector's decision is final and is communicated to the academic staff member being evaluated and to their immediate superior.

# § 12

1. Documentation of periodic evaluation of academic teachers shall be made in written or electronic form.
2. The result of the periodic evaluation shall be included in the academic staff member's personnel file. Signing of the result of the periodic evaluation shall be part of the academic staff member's personnel duties.

# § 13

1. The Rector may terminate by notice the employment relationship with an academic staff member in the event that the academic staff member receives a negative evaluation mark.
2. The Rector shall terminate by notice the employment relationship with an academic staff member in the event that they receive two consecutive negative evaluation marks.

**Transitional and final provisions**

**§ 14**

In the event that an academic staff member receives a negative evaluation mark as part of the statutory periodic evaluation of academic staff conducted pursuant to Article 255, subsections 2-4 of the Provisions introducing the Act - Law on Higher Education and Science, another periodic evaluation shall be conducted after 12 months from the date of completion of this evaluation, within one month from the expiration of this period. During the second evaluation, the employee's achievements obtained during the last year shall be taken into account.

# § 15

In all matters relating to the periodic evaluation of academic staff not specified in the Act, the Regulations and other internal regulations of the University, the final decision is made by the Rector.

# § 16

1. Ordinance No. 113/2020 of the Rector of the Maria Curie-Skłodowska University in Lublin of December 30, 2020 on the Regulations for Periodic Evaluation of Academic Teachers of the Maria Curie-Skłodowska University in Lublin is repealed, subject to subsection 2.
2. The ordinance referred to in subsection 1 shall continue to apply to academic staff when conducting periodic evaluation under Article 255, subsections 2 - 4 of the Provisions introducing the Act - Law on Higher Education and Science, in the situation of postponement of the deadline for its conduct.

# § 17

The Ordinance shall come into force when signed.

# R E C T O R

prof. dr hab. Radosław Dobrowolski