

Clarifying Certain Faculty Management Issues in County Extension Offices

From the Office of the UF/IFAS Dean for Extension
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1. What is the role of county government in performance evaluations of County Extension Directors (CEDs)?

The purpose of this section is to define how county governments should be involved in the annual performance evaluation of the CED when that individual is jointly employed by UF/IFAS and the County.

The first step in this process is to determine if an active Memorandum of Understanding (MOU) exists between UF/IFAS and the County. If an MOU is in force and it contains language describing how the CED will be evaluated, then that language should be followed.

Unless an MOU says differently, there should only be one evaluation of a CED. That evaluation should be performed by the District Extension Director (DED) in compliance with UF personnel policies and procedures. However, a single evaluation does not imply that a county cannot provide input about the CED's performance for the DED to consider when evaluating that individual. To the contrary, state law and some of our MOUs require that UF consult with the county in the management of County Extension Offices.

Florida Statue 1004.37(1) states that the "Florida Cooperative Extension Service is administered through the University of Florida and is supported programmatically by the University of Florida . . . in collaboration with individual county governments." This law further indicates that counties should be kept informed of the progress and results of local extension programs, and that counties have a "means of communicating the board's satisfaction with the extension program to the county extension director and cooperative extension service." [Fla. Stat. 1004.37(6)]. It is the opinion of the UF General Counsel's office that these provisions make it permissible for a DED to solicit input from the county regarding its satisfaction with the extension program, including the CED's performance, and to use that information as part of CED evaluations.

Example

The Osceola County MOU states that the county is to "confer and advise with the DED and CED and county Extension Advisory committee regarding the Extension Service program." It is reasonable to include county input regarding CED performance as part of the county's responsibility to "confer and advise . . . regarding the Extension Service program." Moreover, while the MOU requires UF to perform the "annual review of each County Extension Faculty and Program County Extension Agent Faculty Member's performance," it does not prohibit UF from involving the county in this process. Given the close partnerships and proximity between extension offices and counties, it is reasonable for a DED to rely on information from the county in making a complete and accurate CED evaluation.

It is the opinion of the UF General Counsel's office that it is permissible in Osceola County, and in other counties with similar MOUs, for a DED to solicit and use county input when evaluating CED performance. It is important, however, that the DED not be required to include the county's input if the DED does not agree with it, if it is not relevant to the evaluation criteria required by the UF's personnel policies and procedures, or if it is based on considerations that violate UF regulations or state or federal law. *Regardless, there should be a communication loop with the county about this.* Also, it is permissible for a county liaison to add his or her signature to UF's evaluation of the CED as long as that signature only indicates the liaison's agreement with the DED's evaluation, i.e., the signature is not a proxy for the county's own evaluation. Finally, a county liaison may be involved in an evaluation meeting between a CED and a DED as long as the liaison's input reinforces and elaborates on the county evaluation input that the DED has previously agreed is relevant to UF's evaluation criteria and is consistent with the DED's own evaluation of the CED after consulting with the county. *This circumstance points out the need for the DED and the county liaison to confer ahead of time to ensure that they have common thoughts prior to an annual review.*

To ensure that this process works efficiently and productively, DEDs should educate both their CEDs and county liaisons about the impact of state law and MOUs on the relationship between the extension office, the county, and in particular the management and evaluation of CEDs. If a DED solicits input from a county regarding a CED's performance, the DED should provide the county liaison with UF's personnel policies and procedures related to such an evaluation so the county may tailor its feedback to be relevant to the criteria UF uses to evaluate CEDs.

2. Is it appropriate to share county faculty evaluations with county administrators?

The purpose of this section is to define the University of Florida's response to a county government request to view a faculty member's performance evaluation documents without the faculty member's permission.

UF's regulation on this issue is clear and unambiguous. The regulation states that "such records (academic evaluations) shall be open for inspection by the employee evaluated and by university personnel responsible for the supervision or evaluation of the employee." (See <http://regulations.ufl.edu/wp-content/uploads/2012/09/1019.pdf>.) Based on that provision, the only way to share a faculty's evaluation with county administration is to first obtain the employee's permission.

Side note: There is a difference between an evaluation that is conducted only by UF personnel and is then given to county administration versus involving county administration in the evaluation to assist the DED in completing the evaluation. The former is prohibited by our regulation, but the latter is not. As is often the case, UF/IFAS is in a unique situation with regard to its faculty and joint state/county employment. The cited regulation was not written to prevent a DED from involving county administration in the evaluation of faculty if the DED

chooses that option. However, when the county is not involved (i.e., strictly a UF evaluation), the regulation clearly indicates that only UF personnel are entitled to receive and review the evaluations.

3. What is the personnel management policy for Program County Extension Agents (formerly Courtesy Agents)?

The purpose of this section is to define the personnel management policy for faculty that are 100% funded by the county.

Again, the first step is to determine if an active Memorandum of Understanding (MOU) exists between UF/IFAS and the County. If an MOU is in force and it contains language describing how Program County Extension Agents will be managed, then that language should be followed.

State law allows a county to manage Program County Extension Agents using County personnel policies and procedures, but this concept would have to be specifically stated in an MOU.

In the absence of an MOU, UF's personnel management policies and procedures apply to Program County Extension Agents. These policies and procedures include personnel actions such as investigations, grievances, discipline, and any other personnel issues. UF/IFAS Human Resources, along with the HR Employee Relations manager should be contacted immediately if any of these issues arise so they may be included in any procedure or action requested by the county.