

Proposed amendments to University of Florida Rules- Attachment

Office of the General Counsel; February 3, 1998

Pamela J. Bernard, General Counsel

NOTICE OF PROPOSED RULEMAKING

RULE TITLE:	RULE NO.:
Academic Affairs; Organization	6C1-7.001
Academic Affairs; Applicability of Personnel Rules	6C1-7.0011
Academic Affairs; Eminent Scholars Program	6C1-7.0031
Academic Affairs; Faculty and Appointments: Screening and Selection, Notice of Initial Appointments, Renewal of Appointments, and Delegation of Authority	6C1-7.004
Academic Affairs; Faculty Evaluation and Improvement: General Policy, Areas of Performance to be Evaluated, Sources of Data for Evaluation, Methods of Evaluation, Utilization of Evaluations, Sustained Performance Evaluation and Administrative Evaluation	6C1-7.010
Academic Affairs; Non-Renewal of Non-Tenured or Non-Permanent Status Faculty Appointments: Appointments Subject to Non-Renewal Notification Requirements, and Non-Renewal Transmittal Procedures	6C1-7.013
Academic Affairs; Resignations	6C1-7.017
Academic Affairs; Academic Freedom and Responsibility	6C1-7.018
Academic Affairs; Instructors: Requirement of Promotion in Fourth Year of Employment or Notice of Non-Reappointment	6C1-7.022
Academic Affairs; Permanent Status for County Extension Faculty and P.K. Yonge Developmental Research School Faculty	6C1-7.025
Academic Affairs; Instructional and Research Faculty Contract Periods, Summer Employment, and Holidays	6C1-7.028
Academic Affairs; Faculty Foreign Service	6C1-7.0321
Academic Affairs; Methods for Review and Resolution of Faculty Grievances	6C1-7.041
Academic Affairs; University Grievance Procedure for Faculty: Definitions, General Information, and Procedures	6C1-7.042
Academic Affairs; Suspension, Termination, and other Disciplinary Action for Faculty: Definitions of Just Cause, Termination, Suspension, and other Disciplinary Action, Suspension pending Investigation, Notification and Records of Disciplinary Action	6C1-7.048
Academic Affairs; Waiver of Non-Florida Tuition	6C1-

	7.050
Academic Affairs; Transfer Early Registration and Orientation Program; Eligibility	6C1-7.052
Academic Affairs; Florida Museum of Natural History: Use and Loans	6C1-7.053
Academic Affairs; Florida Museum of Natural History: Loans	6C1-7.054
Academic Affairs; P.K. Yonge Developmental Research School: Use of Campus Facilities and Grounds	6C1-7.057
Academic Affairs; Degrees	6C1-7.059
Academic Affairs; Sponsored Research	6C1-7.069
Academic Affairs; Division of Continuing Education	6C1-7.070

PURPOSE AND EFFECT: Rule 6C1-7.001 is to be repealed. The subject matter of this rule will be included in the University of Florida Statement of Organization and Operation. Rule 6C1-7.0011 is to be repealed. Information not found elsewhere in the rules will be found in the University of Florida Statement of Organization and Operation. Rule 6C1-7.0031 is being repealed as the information will be covered in other rules. Rule 6C1-7.004 clarifies existing University practice regarding offer of employment and appointments of faculty members. Rule 6C1-7.010 is amended to clarify the evaluation process. That process includes evaluation of professional responsibilities arising from the nature of the education process. Evaluation in the College of Medicine will include consideration of medical student and housestaff comments. The rule also provides for sustained performance reviews for tenured faculty members. Rule 6C1-7.013 streamlines the text of the rule. Rule 6C1-7.017 is being repealed as essentials provisions are covered in other rule provisions. Rule 6C1-7.018 clarifies existing University practice regarding academic responsibilities. Rule 6C1-7.022 is being repealed. The amendments to Rule 6C1-7.025 clarify the wording and make technical changes to the rule. Rule 6C1-7.028 is being repealed. Rule 6C1-7.0321 is to be repealed. The subject matter of the rule can be covered in internal management memoranda. Rule 6C1-7.041 is amended to clarify existing procedures and make the following changes. Mediation is provided in the appeal process. Grievances brought under Section 120.57, F.S., are covered by Chapter 28-106, Part II, F.A.C. other procedures have 30-day time limits for filing. Rule 6C1-7.042 is being amended to clarify existing procedures. 25-day time limits have been extended to 30. Rule 6C1-7.048 is being amended to clarify existing procedures concerning disciplinary actions against faculty members. Rule 6C1-7.050 is being repealed. The subject matter can be handled in internal management memoranda. Rule 6C1-7.052 is being repealed and the information will be contained in the University Record. Rule 6C1-7.053 is being amended to clarify existing policy and to incorporate portions of the repealed Rule 6C1-7.054. Rule 6C1-7.054 is being repealed and has been incorporated into Rule 6C1-7.053. Rule 6C1-7.057 is being repealed. Information concerning the subject matter of this rule will be found in Rule 6C1-2.008. Rule 6C1-7.059 is to be repealed. The subject matter of this rule can be handled in internal management memoranda or in the University Record. Rule 6C1-7.069 is to be repealed. The subject matter will be contained in the University of Florida Statement of Organization and Operation. Rule 6C1-7.070 is to be repealed. The subject matter of this rule will be found in the University of Florida Statement of Organization and Operation.

SUMMARY: Rule 6C1-7.001 is to be repealed. Rule 6C1-7.0011 is to be repealed. Rule 6C1-7.0031 is being repealed. Rule 6C1-7.004 deletes obsolete and/or unnecessary procedures regarding vacant positions, conforms the rule regarding notice and offer to established university practice, moves text regarding elements of initial letter of appointment and adds a statement on outside activities, conflict of interest and financial interests as an element of the letter of appointment consistent with university rule practice and policy. The rule deletes unnecessary cross-referencing of other rules, clarifies "soft money" notice of at least 90 days, and clarifies limitations on renewal of appointments. The rule incorporates existing employment contract language regarding exemption of contracts and amends and renumbers delegation of authority. The amendments to Rule 6C1-7.010 clarify that the evaluation of professional

responsibilities arising from the education process are to be evaluated and the evaluative comments of medical students and housestaff will be considered in College of Medicine faculty evaluations. Sustained performance evaluation of tenured faculty members is also described. Rule 6C1-7.013 is being amended to make minor editorial changes and movement of existing language, adding "special funds" to list of soft money examples and providing for a cessation notice provision in letter of appointment. Rule 6C1-7.017 is being repealed. Rule 6C1-7.018 articulates existing responsibilities corresponding to academic freedom such as honesty, respect, representation and ethics. Rule 6C1-7.022 is being repealed. The amendments to Rule 6C1-7.025 clarify the wording and make technical changes to the rule. Rule 6C1-7.028 is being repealed. Rule 6C1-7.0321 is to be repealed. Mediation is provided in the appeal process in Rule 6C1-7.041. Grievances brought under 120.57, F.S., will be covered by Chapter 28-106, Part II, F.A.C. other procedures will have 30-day time limits for filing. Rule 6C1-7.042 has been amended to clarify current procedures. The time limit for filing a grievance under Rule 6C1-7.042 has been changed from 25 to 30 days. A grievance committee is to consist only of faculty members. The amendments to Rule 6C1-7.048 clarify that failure to return from an approved leave is just cause for disciplinary action, that disciplinary action may include a reprimand, demotion, payment of fines, reassignment, or required leave as well as suspension or termination. Notification under this rule shall be by hand delivery or certified mail. The disposition of the records of disciplinary action is also clarified. Rule 6C1-7.050 is being repealed. Rule 6C1-7.052 is being repealed. Rule 6C1-7.053 is being amended to reflect that the Director of the Florida Museum of Natural History or his/her designee shall promulgate hours of operation, approve meeting space in the museum's public areas, approve photographing of exhibits and make loans of natural history specimens, objects, artifacts and equipment to accredited institutions of scientific, educational or similar nature. Rule 6C1-7.054 is being repealed and is being incorporated into Rule 6C1-7.053. Rule 6C1-7.057 is to be repealed. Rule 6C1-7.059 is to be repealed. Rule 6C1-7.069 is to be repealed. Rule 6C1-7.070 is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory costs has been prepared. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY:

6C1-7.001:	240.227(1), F.S.
6C1-7.0011:	240.227(1), F.S.
6C1-7.0031:	240.227(1), F.S.
6C1-7.004:	240.227(1), F.S.
6C1-7.010:	240.227(1), 240.253(1), F.S.
6C1-7.013:	240.227(1), F.S.
6C1-7.017:	240.227(1), F.S.
6C1-7.018:	240.227(1), F.S.
6C1-7.022:	240.227(1), F.S.
6C1-7.025:	240.227(1), F.S.
6C1-7.028:	240.227(1), F.S.
6C1-7.0321:	240.227(1), F.S.
6C1-7.041:	240.227(1), F.S.
6C1-7.042:	240.227(1), F.S.
6C1-7.048:	240.227(1), 240.261, F.S.
6C1-7.050:	240.227(1), F.S.
6C1-7.052:	240.042, F.S.
6C1-7.053:	240.227(1), 240.515, F.S.
6C1-7.054:	240.227(1), 240.515, F.S.

6C1-7.057: 240.227(1), F.S.
6C1-7.059: 240.227(1), F.S.
6C1-7.069: 240.227(1), 240.241(2), F.S.
6C1-7.070: 240.227(1), F.S.

LAW IMPLEMENTED:

6C1-7.001: 240.227(1), (21), F.S.
6C1-7.0011: 240.227(5), (19), F.S.
6C1-7.0031: 240.227(50), (19), F.S.
6C1-7.004: 240.227(5), (19), F.S.
6C1-7.010: 240.227(5), (19), 240.245, 240.253, F.S.
6C1-7.013: 240.227(5), (19), 240.505(3), (4), F.S.
6C1-7.017: 240.227(5), (6), (19), F.S.
6C1-7.018: 240.105, 240.227(5), (19), F.S.
6C1-7.022: 240.227(5), (19), F.S.
6C1-7.025: 240.227(5), (19), 240.505, F.S.
6C1-7.028: 240.227(5), (19), F.S.
6C1-7.0321: 240.227(1), (5), (19), F.S.
6C1-7.041: 120.54 (5), 240.227(5), (19), F.S.
6C1-7.042: 240.227(5), (19), F.S.
6C1-7.048: 240.132, 240.227(5), (19), 240.261, F.S.
6C1-7.050: 240.227(1), (13), (21), F.S.
6C1-7.052: 240.042, 240.2097(2), F.S.
6C1-7.053: 240.515, F.S.
6C1-7.054: 240.515, F.S.
6C1-7.057: 240.227(13), (23), 228.091, F.S.
6C1-7.059: 240.227(17), F.S.
6C1-7.069: 240.241, F.S.
6C1-7.070: 240.227(9), (10), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: February 25, 1998 at 10:00 a.m.

PLACE: J. Wayne Reitz Union, Room B74-75

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mrs. Karon S. Grabel, Clerk of the University, 207 Tigert Hall, University of Florida, Gainesville, Florida 32611.

NAME OF PERSON ORIGINATING PROPOSED RULE: Catherine A. Longstreth, Associate Vice President for Academic Affairs, Karen A. Holbrook, Vice President for Research

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Elizabeth D. Capaldi, Provost, Karen A. Holbrook, Vice President for Research

DATE PROPOSED RULE APPROVED: January 26, 1998

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE GAINESVILLE SUN:
October 15, 1997

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