

## NOTICE OF PROPOSED RULEMAKING

**NAME OF AGENCY:** University of Florida

<b>RULE TITLE:</b>	<b>RULE NO.:</b>
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, Junior Faculty Mentoring, Sustained Performance 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, Non-Renewal Notification Requirements, and Non-Renewal Transmittal Procedures	6C1-7.013
Academic Affairs; Tenure and Promotion: Definition, Eligibility, Granting of Tenure, Criteria, Procedures and Methods of Processing, Confidential Nature of Materials and Discussions, Reports and Appeals, Permanent Status and Sustained Performance Evaluations	6C1-7.019
Academic Affairs; University Grievance Procedure for Faculty: Definitions, General Information, and Procedures	6C1-7.042
Academic Affairs; Appeal Procedures of the Faculty Senate Committee on Academic Freedom, Tenure, Professional Relations and Standards Committee	6C1-7.0441
Academic Affairs; Suspension, Termination, and Other Disciplinary Action for Faculty: Definition of Just Cause, Termination, Suspension, and Other Disciplinary Action, Suspension pending Investigation, Notification and Records of Disciplinary Action	6C1-7.048

**PURPOSE AND EFFECT:** **6C1-7.010:** The amendments add a junior faculty mentoring program and a midterm review for faculty in the tenure probationary period. **6C1-7.013:** The amendments clarify existing procedures for the ending of employment of non-tenured and non-permanent status faculty. **6C1-7.019:** The amendment defines the “tenure probationary period” as six or seven years depending on the college, provides for an extension of the tenure probationary period for certain events, and provides that “distinction” for the purposes of determining tenure and promotion shall be defined by each college. The amendments also provide that at least five review letters from outside the university must be presented in tenure applications, that one-half of the college-level fact-finding committee shall be elected by tenured faculty members in the college, and that this group shall provide recorded individual assessments to the dean or equivalent administrator as part of its fact-finding role. The amendments also clarify existing procedures where no vote is taken by department and deletes the requirement that an appointee recommended for tenure on hire have tenure at another college or university. A revised and updated University’s Guidelines and Information regarding the Tenure, Permanent Status and Promotion Process is incorporated by reference. **6C1-7.042:** The changes clarify the limits upon a decision to award tenure beyond the tenure probationary period or equivalent

period for county extension and P.K. Yonge School faculty and allow for charging for copies of records requested by the grievant. **6C1-7.0441:** The amendments reduce the Hearing Panel from five to three members and change the President's authority to reject or modify findings of fact in the Hearing Panel's report. **6C1-7.048:** The amendment provides that termination or suspension imposed on a faculty member for cause takes effect on the date set forth in the notice, except that if a faculty member timely files a grievance, the faculty member shall not be deprived of pay and benefits until the grievance process ends with an outcome that allows the discipline.

**SUMMARY: 6C1-7.010:** A junior faculty mentoring program is to be established in each department. A mid-career review is to be conducted for faculty in the tenure probationary period, and the process, established by the colleges, shall include the completion of a tenure application and faculty and administrative review. The results are shared with the faculty member, but cannot be used in any future evaluation of the faculty member for tenure. **6C1-7.013:** By the end of the tenure probationary period as defined in Rule 6C1-7.019, F.A.C., a faculty member in an accruing position who has not been granted tenure will be given notice of the ending of employment. A county extension faculty member must be given notice of the ending of employment by the end of the sixth year of employment. Other changes clarify the current language of the rule. **6C1-7.019:** The amendment defines the "tenure probationary period" as six or seven years depending on the college, provides for an extension of the tenure probationary period for certain events, and provides that "distinction" for the purposes of determining tenure and promotion shall be defined by each college. The amendments also provide that at least five review letters from outside the university must be presented in tenure applications, that one-half of the college-level fact-finding committee shall be elected by tenured faculty members in the college, and that this group shall provide recorded individual assessments to the dean or equivalent administrator as part of its fact-finding role. The amendments also clarify existing procedures where no vote is taken by department and deletes the requirement that an appointee recommended for tenure on hire have tenure at another college or university. A revised and updated University's Guidelines and Information regarding the Tenure, Permanent Status and Promotion Process is incorporated by reference. **6C1-7.042:** A decision to award employment beyond the tenure probationary period, or six years for a county extension faculty member or three years for a P.K. Yonge Developmental School faculty member, to a grievant does not entitle the grievant to tenure or permanent status. Charges for copies of documents requested from the University by the grievant shall be limited to the amounts that can be charged for copies under the Public Records Law, excluding the first \$25 worth of copying which is free of charge. **6C1-7.0441:** The Hearing Panel is reduced from five to three members. In adopting or modifying the Hearing Panel's report, the President may not rely on ex parte communications and may not reject or modify findings of fact if they are supported by competent substantial evidence in the record. The President will meet with the Hearing Panel to discuss the decision. **6C1-7.048:** The amendment provides that termination or suspension imposed on a faculty member for cause takes effect on the date set forth in the notice, except that if a faculty member timely files a grievance, the faculty member shall not be deprived of pay and benefits until the grievance process ends with an outcome that allows the discipline.

**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:**

6C1-7.010: 1001.74(4), F.S.  
6C1-7.013: 1001.74(4), F.S.  
6C1-7.019: 1001.74(4), F.S.  
6C1-7.042: 1001.74(4), F.S.  
6C1-7.0441: 1001.74(4), F.S.  
6C1-7.048: 1001.74(4), 1012.92(1), F.S.

**LAW IMPLEMENTED:**

6C1-7.010: 1001.74(19), F.S., 1012.91, 1012.94, F.S.  
6C1-7.013: 1001.74(19), 1004.37, F.S.  
6C1-7.019: 1001.74(19), 1012.91, F.S.  
6C1-7.042: 1001.74(19), F.S.  
6C1-7.0441: 1001.74(19), F.S.  
6C1-7.048: 1001.74(19), 1001.75(3), 1012.92, F.S.

**IF REQUESTED BY 5:00 P.M. WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**TIME AND DATE:** May 2, 2005 at 2:00 p.m.

**PLACE:** J. Wayne Reitz Union, Room 284

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mrs. Karon S. Grabel, Clerk of the University, 123 Tigert Hall, University of Florida, Gainesville, Florida 32611.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Joseph Glover, Interim Provost

**NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE:**  
Joseph Glover, Interim Provost

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** June 14, 2005

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE GAINESVILLE SUN:** January 29, 2005