

NOTICE OF PROPOSED RULEMAKING

NAME OF AGENCY: University of Florida

RULE TITLE:	RULE NO.:
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; 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; Permanent Status for County Extension Faculty and P.K. Yonge Developmental Research School Faculty	6C1-7.025
Academic Affairs; Complaints Against Faculty Members	6C1-7.036
Academic Affairs; Last Week of Class Examination and Assignment Policy	6C1-7.055

PURPOSE AND EFFECT:

Rule 6C1-7.013 is amended to clarify the established University practice that annual appointment dates are for the sole purpose of encumbering funds and that non-tenured and non-permanent faculty appointments do not create any rights, interest, or expectancy of employment. The Rule is further amended to replace the word “non-reappointment” with the synonymous word “non-renewal” for the sake of consistency and replaces “employment contract” with “appointment form.” The changes to Rule 6C1-7.019 clarify and update procedures on tenure and promotion. The changes substitute the Board of Trustees for the Board of Regents as the body granting tenure, and indicate that tenure may reside under certain circumstances in a center or institute, that the tenure process may occur for an eligible faculty member before the sixth year, that the process for nomination for the title of distinguished professor must begin at the college level, and that the Academic Personnel Board is composed of six members appointed by the President along with three ex-officio members. The change to Rule 6C1-7.025 clarifies that eligible county extension faculty will be considered for permanent status upon request prior to the sixth year of service. Rule 6C1-7.036 is amended to clarify and streamline the University’s process for complaints filed against faculty members. The amendments to Rule 6C1-7.055 clarify the last week of class examination and assignment policy.

SUMMARY:

Rule 6C1-7.013 expressly states that annual appointments are for the sole purpose of encumbering funds and non-tenured and non-permanent faculty appointments do not create any rights, interest, or expectancy of employment. The Rule replaces the word “non-reappointment” with the word “non-renewal” and replaces “employment contract” with “appointment form.” Rule 6C1-7.019: The Board of Trustees of the University will grant tenure. The initiation of the tenure process may occur for an eligible faculty member before the sixth year. Tenure for a full professor or above may reside in a center or institute with the permission of the Provost, and the process for nomination for the title of distinguished professor must begin at the college level. The Academic Personnel Board is composed of six faculty members appointed by the President and three ex-officio members. Rule 6C1-7.025: Eligible county extension faculty will be

considered eligible for permanent status will be considered for that status upon request prior to the sixth year of service. Rule 6C1-7.036 as amended clarifies and streamlines the University's process for complaints against faculty members. Unless the complaint is one of a fraudulent or dishonest act, sexual harassment, or research misconduct, the complaint is generally handled at the department and college levels. Rule 6C1-7.055: In the fall and spring semesters, instructors may not schedule final or comprehensive examinations or assign projects or term papers during the last three days of classes and the reading days. Written papers and oral presentations and periodic testing announced in the course syllabus distributed at the first class meeting may be collected or presented during the last three days of classes.

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:

6C1-7.013: 229.0081(2), 229.0082(1), F.S.
6C1-7.019: 229.0081(2), F.S.
6C1-7.025: 229.0081(2), F.S.
6C1-7.036: 229.0081(2), 229.0082(1), F.S.
6C1-7.055: 229.0081(2), 229.0082(1), F.S.

LAW IMPLEMENTED:

6C1-7.013: 229.0081(2)(m), 229.0082(5), 240.505, F.S.
6C1-7.019: 229.0081(2)(m), F.S.
6C1-7.025: 229.0081(2)(m), 240.505, F.S.
6C1-7.036: 229.0081(2)(m), 229.0082(3), F.S.
6C1-7.055: 229.0082(7), 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: April 2, 2002 at 10:00 a.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, Associate Provost

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: David R. Colburn, Provost

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2002

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE
GAINESVILLE SUN:** January 25, 2002