

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: February 20, 2013

REGULATION TITLE:

Notice of Ending of Employment of Non-Tenured and Non-Permanent Status Faculty

REGULATION NO.:

7.013

SUMMARY: The changes clarify that faculty on multi-year or term appointments need no notice of the ending of employment and that their appointments expire automatically at the end of their appointment period. County Extension Agents who have not been granted permanent status by the end of the seventh (rather than current sixth) year of continuous employment shall be given notice of the ending of employment under this regulation.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Senior Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION:

Joseph Glover, Provost and Senior Vice President for Academic Affairs

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

RULES OF
UNIVERSITY OF FLORIDA

~~6C1-7.013 Academic Affairs;~~ Non-Renewal of Non-Tenured and Non-Permanent Status Faculty Appointments: Notice of Ending of Employment of Non-Tenured and Non-Permanent Status Faculty.

(1) Procedures for ending the employment of Non-Tenured or Non-Permanent Status Faculty.

(a) Appointment periods are stated for the purpose of encumbering funds, thus non-tenured and non-permanent faculty appointments shall not create any rights, interest, or expectancy of continued employment. Faculty in these positions have the right to appropriate notice that the faculty member's employment will end as provided in subsection (2) below.

(b) The President or the President's designee may choose to discontinue the employment of a non-tenured or non-permanent status faculty member in accordance with the provisions of this ~~regulation~~rule.

(c) By the end of the tenure probationary period, as defined in [University of Florida Regulation Rule 6C1-7.019, F.A.C.](#), a faculty member in a tenure-accruing position who has not been granted tenure shall be given notice that the faculty member's employment will end as provided for in subsections (2) and (3) of this ~~regulation~~rule.

(d) A [County Extension Agent I, II, III or IV](#)~~faculty member in a permanent status-earning position in county extension~~ who has not been granted permanent status by the end of the ~~seventh~~sixth year of continuous employment ~~and a faculty member at the P.K. Yonge Developmental Research School who has not been granted permanent status by the end of the~~

~~third year of continuous employment~~ shall be given notice that the faculty member's employment will end as provided for in subsections (2) and (3) of this ~~regulation~~^{rule}. Refer to [Regulation Rule 6C1-7.025, F.A.C.](#)

(e) Non-tenured and non-permanent status faculty who are appointed to serve in an academic-administrative classification or administrative position and whose employment with the University will end shall be entitled to written notice in accordance with this ~~regulation~~^{rule}.

(f) Faculty members with multi-year or term appointments are not entitled to notice of the ending of their employment under this regulation because their appointments by virtue of their specified term include such notice. The appointment and employment of a person holding a multi-year or term appointment automatically expires without notice at the end of the multi-year period specified in the employment offer and contract.

(2) Notification Requirements

(a) Notice that a faculty member's employment will end shall be provided in writing.

At any time during any appointment, the employment of a non-tenured or non-permanent status faculty member may be ended upon written notice as follows:

1. For employees in their initial appointment period of faculty employment with the University, notice must be given three (3) months prior to the last day of employment;
2. For employees in their second appointment period of faculty employment with the University, notice must be given six (6) months prior to the last day of employment; and
3. For employees in their third appointment period of faculty employment or beyond with the University, notice must be given twelve (12) months prior to the last day of employment. These notification procedures also apply to faculty with five (5) or more years of

continuous university employment as of June 30, 1993 whose salary is funded through "soft" money, e.g., contracts and grants, sponsored research funds, and grants and donation trust funds.

(b) The requirement of written notice that employment will end as set forth in paragraph (2)(a) of this [regulation#1e](#) is not applicable to the following non-tenured, non-permanent status, non-tenure accruing or non-permanent status accruing faculty appointments if the statement described in paragraph (2)(c) of this [regulation#1e](#) is included in the individual's notification of appointment:

1. Those holding visiting appointments;
2. Those who are appointed for less than one (1) academic year; or
3. Except as provided in paragraph (2)(a)3 of this [regulation#1e](#), those whose salary is funded through "soft" money, e.g., contracts and grants, sponsored research funds, grants and donations trust funds, and special funds such as those allocated to meet enrollment demands.

(c) Faculty not entitled to a written notice that his or her employment will end as provided in paragraph (2)(b) above shall have the following statement included in the notification of the appointment or subsequent reappointment: "Your employment for this appointment period will cease on the date indicated. No further notice of cessation of employment is required." If this statement is not included in either the notification of appointment or letter of appointment or reappointment, then the faculty member shall be provided with ninety (90) days notice prior to his or her last day of employment.

(3) Notice that Employment will End.

(a) Before sending the notice that employment will end as required under subsection (2) of this [regulation#1e](#), the President or designee shall confer informally with the faculty member concerning the end of employment.

1. The notice shall include the following:
 - a. A statement that the University is discontinuing the appointment;
 - b. A reference to the meeting held with the President or ~~the President's~~ designee to advise the faculty member that the faculty member's employment will end;
 - c. The expiration date of the current appointment period;
 - d. The last date of employment with the University; and
 - e. A copy of the appropriate appeal procedures in effect at the University. (Refer to

[Regulation](#) ~~Rule 6C1-7.041, F.A.C.~~)

2. After mailing of the notice, the President or designee can reassign such a faculty member to other institutional duties after consultation with the faculty member and the department or other affected units.

(b) The University's commitment to compensate the faculty member ends upon the last date of employment. However, should a faculty member enter into other full-time professional employment or employment which may interfere or conflict with the faculty member's assignment without written approval of the President or designee prior to the end of the faculty member's employment, the University will immediately terminate payment of any compensation thereunder.

Specific Authority 1001.74(4) FS

~~Law Implemented 1001.74(19), 1004.37 FS~~

History--New 3-26-80, Amended 2-23-82, 3-6-85, Formerly 6C1-7.13, Amended 5-19-93, 7-11-94, 6-28-98, 6-15-99, 6-27-02, 6-3-03, 7-19-05, _____.