

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED REPEAL OF REGULATION

REGULATION NO.: FIU-1702

REGULATION TITLE: Non-reappointment and Resignation of Non-Tenured, Bargaining Unit Faculty

SUMMARY: This regulation pertains to the non-reappointment and resignation of the bargaining unit faculty. The regulation is being repealed as it was superseded by the applicable collective bargaining agreement and the policies contained therein.

TEXT OF REGULATION: The full text of the Proposed Regulation Repeal can be viewed below and on the website of The Florida International University Board of Trustees, <http://bot.fiu.edu/regulations/>. If you would like a copy of the Proposed Regulation Repeal, please contact Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, (305) 348-2103.

AUTHORITY: Resolution of the Florida Board of Governors dated January 7, 2003.

NAME OF PERSON INITIATING PROPOSED REPEAL: Cristina Mendoza, Vice President and General Counsel.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED REPEAL OF THE REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REPEAL OF THE REGULATION: Eli Deville, Coordinator, Administrative Services, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199. Email: devillee@fiu.edu Fax: (305) 348-3272. Phone: 305-348-2103.

DATE OF PUBLICATION: August 12, 2008.

THE FULL TEXT OF THE PROPOSED REGULATION REPEAL IS PROVIDED BELOW:

~~FIU-1702 — Nonreappointment and Resignation of Non-Tenured, Bargaining Unit Faculty~~

~~(1) — Nonreappointment. The nonreappointment of non-tenured bargaining unit faculty is subject to the provisions of the Board of Regents/United Faculty of Florida (BOR/UFF) Collective Bargaining Agreement. The President or designated representative may choose not to renew the appointment of a non-tenured faculty member. The decision not to renew a non-tenured faculty member's appointment may not be based on constitutionally impermissible grounds. Notice of nonreappointment or intention not to renew the appointment shall be given in writing in accordance with the provisions of Article 12 of the BOR/UFF Collective Bargaining Agreement. The notice requirements are not applicable to employees holding temporary appointments.~~

~~(2) — Resignation by Bargaining Unit Faculty. A bargaining unit faculty member who wishes to resign has the professional obligation, when possible, to provide the University with at least one semester's notice. Upon resignation, all consideration for tenure and reappointment shall cease. A resignation may not be rescinded by the non-tenured bargaining unit faculty without concurrence of the University.~~

~~Authority: Resolution of the Florida Board of Governors dated January 7, 2003; 1001.74(19), FS.~~