

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

**NOTICE OF REGULATIONMAKING -
PROPOSED REGULATION**

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

REGULATION NO. **FIU-1702**

SUMMARY: This proposed Regulation is identical to former Rule 6C8-4.016, F.A.C., as adopted by the Board of Trustees at its June 29, 2005 meeting. The proposed regulation reflects current University policy regarding non-reappointment and resignation applicable to bargaining unit faculty.

TEXT OF THE REGULATION: The full text of the Proposed Regulation can be viewed on the website of The Florida International University Board of Trustees, www.fiu.edu/trustees/, or by following this link, <http://www.fiu.edu/trustees/regulations.htm>. If you would like a copy of the Proposed Regulation, 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; 1001.74(19), FS.

NAME OF PERSON INITIATING THE PROPOSED REGULATION: Maria Alam, Executive Director, Division of Human Resources.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED 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 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 19, 2005.

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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.