

**Recommendations and Comments on Proposed Rule Changes Affecting Faculty
Constitution Committee
April 7, 2005**

The Constitution Committee has reviewed the proposed rule changes that were noticed for April public hearings and makes the following recommendations. The Committee has adopted a color-coded key for easily identifying the rule changes that it feels need further consideration.

- **Red** – These rule changes have elements that are disliked by the Constitution Committee, are perhaps against faculty interests, and probably require full Faculty Senate discussion and consideration.
- **Yellow** – These rule changes have elements that concern a limited group of faculty and we recommend that those faculty examine the rule changes closely and express their views both to the Senate and to the administration through the public hearings if they feel it is appropriate.
- **Green** – These rule changes had some impact on faculty but generally made only stylistic or technical changes.

Caveat: while the Constitution Committee has attempted to review every rule in light of its potential impact on faculty, we are only a small group with limited knowledge of the specific workings of every aspect of the University. Our recommendations should not substitute for individual examination of each rule change.

Summary of rules in numeric order:

3.0375	Green
6.009	Green
7.010	Yellow
7.013	Green
7.019	Yellow
7.042	Green
7.0441	Green
7.048	Green

YELLOW – These Rules should be examined by those individuals directly affected

The Committee chose to yellow-flag the following two rules because they directly affect important tenure rules and faculty evaluation procedures, though it felt that the changes faithfully reflect the specific language that the Senate passed.

7.010 – This rule is changed to implement the mentoring program and mid-term review process. The committee feels that this rule faithfully represents the literal language the Senate passed regarding the mentoring policy and the mid-term review policy, but chose to flag it because it is of such critical importance to faculty.

Recommendation: OK

7.019 – This rule implements the complex variable tenure probationary periods, the extension policy, the change from 3 letters to 5 letters, makes clear the tenure-when-ready policy, and the college T&P board voting policy. The committee feels that this rule faithfully represents the general concepts that the Senate passed, but chose to flag it

because it is of such critical importance to faculty and contains details beyond the specific language the Senate passed.

Recommendation: OK.

GREEN – These Rules seem acceptable

3.0375 – Rule on tuition cost adds provision allowing the Provost to waive out-of-state tuition in individual cases where it supports the University’s mission and is in accord with BOT policies.

Recommendation: OK

6.009 – Changes the rule on tenure probationary period and permanent status for IFAS extension faculty back to 6 years, in accord with IFAS’ decision to adopt the 6 year period.

Recommendation: OK.

7.013 – Primarily stylistic changes to the rule on non-renewal and termination of non-tenured faculty to reflect variation in tenure probationary period and to use terminology of “end of employment” rather than “non-renewal.” No substantive changes to notice periods.

Recommendation: OK

7.042 – This change recognizes the variation in tenure probationary period and provides that any faculty member filing a grievance is entitled to free copies of all pertinent material up to \$25.00 worth of copies; after that the grievant must pay for additional copies of documents. The cost of copies is limited to that allowable under the State Public Records Law.

Recommendation: OK

7.0441 – Changes to the AFTPRS Committee procedures for grievances which appear to be in accord with the Faculty Senate recommendations. Provision added that upon request of faculty member the University shall supply all relevant information pertinent to the charges, and that the President may not rely on ex parte communications and may not modify findings of fact if supported by competent substantial evidence.

Recommendation: OK

7.048 – Implements the Faculty Senate recommendation that if a faculty member whose employment is terminated files a grievance, he/she may not be suspended without pay until the end of the grievance process

Recommendation: OK