

**Recommendations and Comments on
Proposed Regulation Changes Affecting Faculty
Constitution Committee
February 15, 2007**

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

- **Red** – These regulation changes have elements that many faculty members might disapprove or deem to be controversial and, therefore, should be given thoughtful consideration by all.
- **Yellow** – These regulation 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 regulation changes had some impact on faculty but generally made only stylistic or technical changes.

Caveat: while the Constitution Committee has attempted to review every regulation 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 regulation change.

Summary of regulations in numeric order:

6C1-1.009	Yellow	Employment of Relatives
6C1-1.0101	Red	Policy for Dealing with Conduct in Research
6C1-1.015	Yellow	University of Florida; Community Campaign
6C1-1.018	Yellow	Works and Inventions
6C1-1.201	Red	Leaves
6C1-2.018	Yellow	University of Florida; Smoking Policy
6C1-3.0051	Green	Lost or Abandoned Property
6C1-3.007	Red	Traffic & Parking; Parking Registration
6C1-3.008	Yellow	Traffic & Parking; Miscellaneous Provisions
6C1-3.009	Yellow	Traffic & Parking; Bus System
6C1-3.014	Green	Traffic & Parking; Fine Schedule
6C1-3.0372	Yellow	Student Health, Athletic, and Activity and Service Fees
6C1-3.0376	Green	Miscellaneous Fees

GREEN- These regulations seem acceptable

3.0051 Lost or Abandoned Property - The change allows notice of items to be auctioned to be listed in general categories when appropriate. The President may designate the “Property Custodian” for purposes of managing abandoned property.

Recommendation: The Constitution Committee (CC) reviewed this regulation and believes it is straight forward and uncontroversial.

3.0376 Miscellaneous Fees- The purpose of this revision is to clarify that the University may charge students the cost of collection of overdue accounts, including student loan accounts and any debts not secured by a promissory note or contract.

Recommendation: This regulation merely changes university regulations from assessing an estimated fee for collection of funds owed to the actual cost of collection. The CC deems this uncontroversial.

3.014 Traffic & Parking; Fine Schedule- The amendment changes the reporting period during when a vehicle is cited for violations from May 1 through April 30 to September 1 through August 31 for purposes of impoundment and suspension of campus driving and parking privileges.

Recommendation: This represents a minor change in how the calendar year is defined for the purpose of reporting traffic fines. In the view of the CC, this regulation requires no further comment.

YELLOW- There Regulations should be examined by those individuals directly affected

1.009- Employment of Relatives Domestic partners are added to the definition of “relatives” for the purposes of regulating the employment of relatives within an organizational unit or in job-related organizational units.

Recommendation: This is a significant change to university regulations. The CC believes that those parties affected should examine the proposed regulation carefully and exercise their full rights in expressing their views. It should be noted that the university has apparently not yet established a formal definition as to what constitutes a domestic partner nor the requirements for establishing standards of proof for such.

1.015 University of Florida; Community Campaign- The amendment changes the distribution of undesignated funds raised in the University of Florida Community Campaign. Such funds will be distributed in the same portions as designated funds to participating organizations or federations.

Recommendation: This regulation changes the manner in which the university allocates funds raised under the University of Florida Community Campaign. As some faculty designate recipients for their contributions, it is the CC view that this recommendation should be closed examined by this faculty concerned with how all donations are allocated.

1.018 Works and Inventions- The work and invention disclosure forms for the University of Florida Intellectual Property Policy have been updated. The amendments also clarify Appendix IV of the University of Florida Intellectual Property Policy, the “University of Florida Policy for Program Support and Royalty Distribution from Research Cultivars,” applicable to certain University of Florida/Institute for Food and Agricultural Sciences personnel only. All inventors covered by the Policy, whether faculty or other staff members, shall be eligible to share individual royalty distributions.

Recommendation: This is a significant change in regulations that merits examination. However, it affects a very narrow range of individuals and hence the CC deemed it should be designated as yellow in accordance with the above definition.

2.018 University of Florida; Smoking Policy - All University facilities are no smoking facilities except that the President or designee may allow smoking for clinical or research purposes. The fifty feet areas surrounding the outside of University facilities on campus are designated as no smoking areas.

Recommendation: While on the surface this proposed regulation appears uncontroversial, it does have a significant impact on a small segment of the university community. In the view of the CC, the proposed changes should be closely examined and considered by all affected parties.

3.008 Traffic & Parking; Miscellaneous Provisions- The change reflects that employees of Shands and the J. Hillis Miller Health Center may not use the Visitor Pay Parking facilities during the hours posted unless they are patients at clinics or the hospital.

Recommendation: This regulation has the potential to significantly impact a small segment of the university community. In the view of this, the proposed regulation was designated as yellow by the CC.

3.009 Traffic & Parking; Bus System - The regulation is amended to set forth the transportation access fee effective the fall semester 2007.

Recommendation: In the view of the CC, any changes in fees should be closely examined by faculty. As the fee affects only a portion of the university committee, the CC has designated it as yellow.

3.0372 Student Health, Athletic, and Activity and Service Fees- The regulation is amended to set forth the student health, athletic, and activity and service fees effective the fall semester of 2007.

Recommendation: In the view of the CC any changes in fees should be closely examined by faculty. As the fee affects only a portion of the university committee, the CC has designated it as yellow.

RED- There Regulations may require full Faculty Senate discussion and consideration.

1.0101 Policy for Dealing with Conduct in Research- The amendments to this regulation clarify that “research misconduct” for the purposes of the regulation does not include authorship or credit disputes and clarify the definitions of falsification, fabrication, and plagiarism. The amendments also clarify the requirements for a finding of research misconduct and clarify the circumstances occurring during the research misconduct inquiry or investigation of which a federal agency funding the research must be immediately informed.

Recommendation: In the view of the CC, any change in regulations governing research misconduct has the potential to significantly impact the entire university community and thus should be carefully examined by all faculty.

1.201 Leaves- This regulation revision redefines immediate family to include domestic partners for purposes of sick leave usage. The revision clarifies the transfer and restoration of unused sick leave for recruitment purposes and extends eligibility for parental leave to domestic partners of expectant or adoptive parents. The revision expands the use of administrative leave to include layoff and clarifies military leave and reemployment rights of veteran employees. The revision clarifies usage of workplace injury leave and personal leave for Developmental Research School faculty.

Recommendation: This is the most sweeping and complex regulatory change proposed this year, and is germane to the entire university community. The CC believes that all faculty should read the proposed regulatory changes carefully and exercise their full rights to provide comments and suggestions.

3.007 Traffic & Parking; Parking Registration - The amendments raise the rates for parking decals, change the annual term for student decals to September 1 through August 31 and provide that refunds for annual decals will be 1/24 of the annual price for the unused payroll deduction period.

Recommendation: Parking fees are, well, parking fees, and they affect the entire university community. It is the view of the CC, that the proposed fee increases be examined closely and that faculty register their sentiment as they feel appropriate.