

NOTICE OF PROPOSED REGULATION

Date: March 31, 2016

REGULATION TITLE:

Discipline and Termination for Cause Faculty and A&P Staff Members of the College of Medicine

REGULATION NO.:

UCF-10.010

SUMMARY OF PROPOSED REGULATION: This new regulation is proposed to formalize specific standards for College of Medicine personnel with regard to performance.

AUTHORITY: BOG Regulations 1.001

NAME OF PERSON WHO INITIATED PROPOSED REGULATION:

Jeanette Schreiber, Associate Vice President Medical Affairs and Chief Legal Officer

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:

Regulations Administrator
4365 Andromeda Loop North
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
e-mail: regulations@ucf.edu

FULL TEXT OF THE PROPOSED REGULATION:

UCF-10.010 Discipline and Termination for Cause of Faculty and A&P Staff Members of the College of Medicine

(1) Just cause for termination, suspension, and/or other disciplinary action imposed on a non-unit faculty or an A&P staff member of the College of Medicine shall be defined as incompetence or misconduct, which shall include, but not be limited to, the following:

- (a) Employee's breach of or failure to perform any material term of their Employment Agreement, if any, provided that employee may be offered a 30-day

period in which to correct the breach;

- (b) Employee's professional negligence, incompetence, or misconduct or failure to achieve satisfactory or above on annual performance reviews;
- (c) Any action that may materially harm the reputation of the University of Central Florida;
- (d) Employee's inability to work with and relate to others, including, but not limited to, students, residents, staff, or colleagues, in a respectful, cooperative and professional manner;
- (e) For clinical faculty, the denial, suspension, termination, restriction, non-renewal, or voluntary relinquishment of employee's license to practice medicine in the state of Florida, board certifications, or membership in good standing or clinical privileges on the Medical Staff of any institution at which employee practices as a University of Central Florida employee, including but not limited to the UCF Health Medical Staff and any University of Central Florida College of Medicine facilities;
- (f) For clinical faculty, the failure or inability to render clinical services in a competent, professional, safe and ethical manner, in accordance with prevailing standards of medical care and practice, and all applicable statutes, regulations, rules, orders and directives of applicable governmental and regulatory bodies;
- (g) Employee's conviction of a criminal offense related to the delivery of an item or service under subchapter XVIII of the Social Security Act or under any State health care program; conviction, under Federal or State law, of a criminal offense relating to neglect or abuse of patients in connection with the delivery of a health care item or service; conviction for an offense which occurred after August 21, 1996, under Federal or State law, in connection with the delivery of a health care item or service or with respect to any act or omission in a health care program operated or financed in whole or in part by any Federal, State, or local government agency, of a criminal offense consisting of a felony relating to fraud, theft, embezzlement, breach of fiduciary responsibility, or other financial misconduct; conviction for an offense which occurred after August 21, 1996, under Federal or State law, of a criminal offense consisting of a felony relating to the unlawful

- manufacture, distribution, prescription, or dispensing of a controlled substance;
- (h) Employee's death;
 - (i) Neglect of duty or responsibilities which impairs teaching, research, or other normal and expected services to the University;
 - (j) Willful violation of a rule or regulation of the University;
 - (k) Failure to discharge assigned duties;
 - (l) Violation of the ethics of the academic or medical profession;
 - (m) Failure to return from an approved leave;
 - (n) Failure to maintain any professional licensures or clinical privileges necessary to perform assigned duties;
 - (o) Threatening or abusive language or conduct;
 - (p) Sexual harassment;
 - (q) Falsification of records;
 - (r) Unauthorized use of state property, equipment or personnel;
 - (s) Unlawful possession, sale, or distribution of alcoholic beverages or nonprescribed drugs;
 - (t) Possession of unauthorized weapons and/or firearms on university property.

(2) Termination and Suspension; Other Disciplinary Actions; Procedures. The appointment of a faculty or A&P staff member in the College of Medicine may be terminated or suspended during its term for just cause as defined above. Additionally, other forms of disciplinary action may be issued to faculty or A&P staff members in the College of Medicine for just cause. The procedures applicable to any such disciplinary actions are set forth in University Regulation UCF-3.0124.

Authority: BOG Regulation 1.001. History–New _____-16.