

## NOTICE OF PROPOSED REGULATION AMENDMENT

Date: October 2, 2019

**REGULATION TITLE:**

Resignation and Nonrenewal of Non-unit Faculty and  
A&P Staff Members

**REGULATION NO.:**

UCF-3.0122

**SUMMARY OF REGULATION AMENDMENT:** This regulation is amended to clarify language for employees on “soft money” funded appointments.

**AUTHORITY:** BOG Regulation 1.001

**NAME OF PERSONS WHO INITIATED PROPOSED REGULATION AMENDMENT:**

Maureen Binder, Associate Vice President and Chief HR Officer

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT 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 AMENDMENT IS:**

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

**FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:**

**UCF-3.0122 Resignation and Nonrenewal of Non-unit Faculty and Administrative and Professional Staff Members.**

(1) Resignation by the Employee.

- (a) Non-unit Faculty and Administrative and Professional (“A&P”) staff members shall give one month’s written notice of resignation if possible.
- (b) Failure to provide at least two (2) weeks’ written notice of resignation will result in the designation of the employee as ineligible for rehire, except in cases of medical or family emergency, or where the employee’s early departure is approved by the University.

- (c) Employees are required to work their resignation notice period unless on approved leave of absence. Failure to work during the resignation notice period will result in the designation of the employee as ineligible for rehire.

(2) Nonrenewal by the University.

- (a) Non-unit faculty and A&P staff members have no expectation of continued employment beyond the terms listed herein. These employees may be given a notice of nonrenewal for any reason, subject to the notice provisions herein, at any time during their employment, and such notice supersedes any term provisions of an appointment or contract. Notice is provided to allow time for the employee to seek other employment, either with UCF or elsewhere. Any reference to “non-unit faculty” in this Regulation specifically excludes tenured faculty.
- (b) Nonrenewal means an employee is given written notice that his or her employment with the University will end at the time set forth in the written notice.

(3) Terms and Conditions of Notice; Notice Periods

- (a) Non-unit Faculty and A&P staff members with up to 6 months of employment in their current pay plan, may be given two weeks’ notice terminating the employment relationship.
- (b) Non-unit Faculty and A&P staff members with at least six months but fewer than two (2) years of employment in their current pay plan may be given four (4) weeks’ written notice terminating the employment relationship.
- (c) Non-unit Faculty and A&P staff members with at least two (2) years but fewer than five (5) years of employment in their current pay plan, may be given twelve (12) weeks’ written notice terminating the employment relationship.
- (d) Non-unit Faculty and A&P staff members with at least five (5) years but fewer than ten (10) years of employment in their current pay plan may be given sixteen (16) weeks’ written notice terminating the employment relationship.
- (e) Non-unit Faculty and A&P staff members with ten (10) years or more of employment in their current pay plan may be given twenty (20) weeks’ written notice terminating the employment relationship.
- (f) Notwithstanding any provision of this regulation, employees hired on or moved to Executive Service appointments may have their employment terminated with sixty

(60) days' written notice of nonrenewal, regardless of how long the individual has been employed with the University.

(4) Following receipt of the notice of nonrenewal, the employee may be reassigned to other duties and responsibilities. An employee reassigned during a notice of nonrenewal period is entitled to the same level of salary he or she received prior to reassignment. An employee on notice of nonrenewal shall not receive any pay increase during the notice period.

(5) At the time of or following issuance of a notice of nonrenewal to any employee, the University may elect in its discretion to pay the employee for all or a portion of the notice period, as may be allowed under Florida law. If the University elects this option, it shall pay the employee an amount, less withholding, equal to the salary for that portion of the notice period which the University is paying out, and the employee's employment shall terminate immediately.

(6) Exceptions to Notice Requirements; Special Conditions.

- (a) Employees on "soft money" funded appointments. Notwithstanding paragraphs (2) and (3) above, the University may nonrenew without notice employees- who are on "soft money" funded appointments (e.g., contracts and grants, sponsored research funds, and grants and donations trust funds) with less than five continuous years of service on such "soft money" funded appointments, ~~in their current pay plan~~. For employees on a "soft money" funded appointment with five years or greater of such continued service, ~~in their current pay plan~~, the University shall provide ninety (90) days' notice of nonrenewal if funds are available in the contract, grant or fund.
- (b) Employees on Visiting Appointments. Notwithstanding paragraphs (2) and (3) above, the University may nonrenew an employee on a Visiting Appointment without providing notice.
- (c) Each employee on "soft money" or a Visiting Appointment shall have the following or an equivalent statement included in an appointment document or employment agreement: "Your employment is a Visiting Appointment or is funded by 'soft money' as defined in Regulation UCF-3.0122 and may cease with little or no notice."

(7) The decision to nonrenew a University employee shall not be based on constitutionally or statutorily impermissible grounds.

*Authority: BOG Regulation 1.001. History–New 4-30-81, Formerly 6C7-3.122, Amended 1-6-93, 4-23-03, 7-16-07; Formerly 6C7-3.0122, Amended 5-7-09, 8-25-14, 10-27-17, \_\_\_\_\_-19.*