

NOTICE OF REGULATORY ACTION

May 16, 2008

REGULATION TITLE:

Descriptions, Definitions and Abbreviations

REGULATION NO.:

FGCU-PR5.001

SUMMARY:

The regulation, Descriptions, Definitions and Abbreviations, is being updated to reflect changes in nomenclature (rules to regulations) and current practices since devolution.

FULL TEXT:

The full text of the regulation being proposed is attached and can also be found at <http://www.fgcu.edu/generalcounsel/promulgation.asp>

LAW IMPLEMENTED:

Section 1001.74, Florida Statutes

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:

Director, Human Resources

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:

Vice President of Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:

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ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE JUNE 2, 2008 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: MAY 16, 2008

FGCU-PR~~6C10~~-5.001 Descriptions, Definitions and

Abbreviations

(1) General Applicability.

(a) FGCU--PR5 regulations ~~Chapter 6C10-5~~ contains personnel ~~rules~~ regulations for University employees which have University-wide application by virtue of the authority granted to the University in Chapter 1001.74(5)(a) F.S.240, F.S. These regulations~~rules~~ are supplemented by other University regulations~~rules~~ contained in FGCU-PR5.001~~6C10-5.001~~ through 6FGCU-PR5.023~~C10-5.999, F.A.C.~~, the ~~rules of the~~ Florida Board of Governors' (BOG) regulations~~Regents (BOR)~~, applicable federal and state laws, collective bargaining agreements and internal management memoranda containing procedures and guidelines for implementing University policies.

(b) For purposes of these regulations~~rules~~, University employees are those persons who have been hired by the University into regular~~permanent~~ or temporary appointments and receive financial compensation to perform services for the University, and whose work is directed and controlled by the University. The term "employee" does not include volunteers or independent contractors.

(2) Definitions. For the purpose of administering and interpreting the ~~rules~~regulations and procedures of this chapter, the following definitions and abbreviations shall apply:

(a) Faculty -- an employee whose assignment includes teaching, scholarship, or public service activities or who has administrative responsibility for functions directly related to the University's academic mission. Faculty titles or modifiers include: regular, acting, adjunct, provisional, visiting, joint, research, clinical, courtesy, honorary/honoris causa, emeritus, affiliate, joint college, phased retirement and fixed and continuous multi-year. ~~as defined by Rule 6C-5.910, F.A.C.~~

(b) Academic Administrator - an employee in the General Faculty classification and pay plan, with responsibilities for University-wide academic programs at the college, unit, department or comparable levels. Such positions carry titles including ~~Vice President,~~ Dean, Director and Chairperson.

(c) Administrative & Professional (A&P) -- contractual employees who provide administrative, managerial or professional services to the University and whose titles are identified in the State University System Employment Plan as part of the A&P Staff.

(d) Executive Service -- Administrative & Professional employees, designated by the President, who report directly to the President, and whose positions are defined as responsible for policy-making at the executive level. ~~do not hold tenured or joint faculty/A&P appointments.~~

(e) University Support Personnel System (USPS) ~~---~~ support staff employees in authorized and established positions for paraprofessional, secretarial, clerical, technical, skilled crafts, service, maintenance and other responsibilities. ~~within the classification and pay plan approved and administered for all authorized and established positions of the State University System, with the exception of those positions designated by the BOR as being included in either the General Faculty or A&P classification and pay plans.~~ USPS appointment status modifiers include regular, probationary, trainee, temporary, emergency and time-limited ~~as defined by Rule 6C-5.910, F.A.C.~~

(f) Temporary positions ~~Other Personal Services (OPS)---~~ employees who are hired on a temporary, at-will basis by the University and ~~who~~ are not entitled to receive ~~any~~ benefits. They provide exempt or non-exempt temporary ~~of state~~ employment.

(g) In-unit -- positions which have been designated by the Public Employee Relations Commission as being part of a recognized bargaining unit that is represented by a bargaining agent.

(h) Non-unit -- positions which have been designated by the Public Employee Relations Commission as being excluded from a recognized bargaining unit which are not represented by a bargaining agent.

(i) FTE -- a designation which connotes a regular full-time position or its equivalent.

(j) Volunteer/Courtesy Faculty -- a person who provides services to the University with no expectation of monetary or other material compensation or consideration, or as part of a court-ordered program on a continuous, occasional, or one-time basis.

~~Specific Authority 240.227(1), FS Law Implemented 110.131, 110.501, 240.227(5), FS. History -- New 4-17-97.~~

Action by Florida Gulf Coast University Board of Trustees:

Approved: 06/17/08

Law Implemented:

1001.74 F.S.

History of Rule:

New 04/17/97

History of Regulation:

New 06/17/08

Effective Date of Regulation:

06/17/08