

**Regulations of  
Florida A&M University**



**~~6C3-10.233~~10.207 Nonreappointment of Non-tenured or Non-permanent Status Faculty ~~or Administrative and Professional Employees.~~**

(1) This ~~rule~~ regulation is supplemented by the provisions of the Board of ~~Regents Trustees/~~United Faculty of Florida (~~BOR~~ BOT/UFF) Collective Bargaining Agreement for Faculty ~~and Administrative and Professional (A & P) employees~~ who are members of the collective bargaining unit.

(2) Nonreappointment of Non-Tenured or Non-Permanent Status Faculty ~~or Administrative and Professional employees.~~

(a) The President or President's designee may choose not to renew the employment of a non-tenured or non-permanent status faculty employee (~~Refer to subsection 6C-5.910(3), F.A.C.~~). Therefore, notice of non-reappointment or intention not to reappoint a non-tenured or non-permanent status Faculty employee shall be given in writing with the following time limits;

1. In the first two years of continuous University service, a Faculty employee must be notified one full semester (or its equivalent, 19.5 weeks, for employees appointed for more than an academic year) prior to the expiration of the appointment.
2. In the third and succeeding years of continuous service, a Faculty employee must be notified one full year prior to the expiration of the appointment.
3. In the event of a break in service for more than one semester in one full year or more than two semesters in two full years, only service following such break shall be counted for purposes of determining length of service. Paid or unpaid leaves shall not be considered a break in service.
4. The requirement of written notice of non-reappointment set forth in this rule is applicable to all Faculty except: those holding multi-year contracts; those

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holding a visiting appointment status; those who are appointed for less than one academic year; or those with less than five years continuous service who are on “soft” money, e.g., contracts and grants, sponsored research funds, and grants and donations trust funds. Faculty not entitled to a written notice of nonreappointment shall have the following statement included in their employment contracts: “Your employment hereunder will cease on the date indicated. No further notice of cessation of employment is required.”

~~(b) — The notice of non reappointment or intention not to reappoint an A & P employee, except those employees who are appointed to the Executive Service shall be given in writing with the following time limits.~~

~~1. — For employees with up to one year of employment, one month prior to the effective date of non reappointment.~~

~~2. — For employees with more than one year of service, a minimum notification period based upon one month per year, or part thereof, of full-time employment, plus one month, up to a maximum of six months notification, prior to the effective date of non-reappointment.~~

~~3. — For Administrative & Professional employees appointed to positions in the classification of Head Athletic Coach, Associate Head Athletic Coach, or Assistant Athletic Coach, may be non-reappointed as indicated in subparagraphs 1. and 2. above unless they are exempt from any additional notice of non-reappointment based on the terms and conditions of their specific employment contracts.~~

~~4. — Administrative and Professional employees who are appointed to established positions with an appointment status modifier or type, other than Regular (for example Acting, or Visiting) are not entitled to a notice of non reappointment.~~

~~5. — For employees in the Executive service, sixty (60) days notice prior to the effective date of the non-reappointment.~~

~~6. — Employees who are issued an employment contract with a clause providing that employment will cease on the date indicated and further notice is not required, are not entitled to the notice of non-reappointment referenced in this rule.~~

~~7 (3.) In the event of a break in service for more than four consecutive months in a year, only service following such break shall be counted in determining years of employment~~

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under this section. “Break in service” is defined as an absence, not including approved leaves of absence, following which the employee is treated as a new employee.

(e a) The decision not to offer further appointment to ~~an A & P employee, or a~~ non-tenured or non-permanent status Faculty employee, shall not be based on constitutionally impermissible grounds.

(d b) An employee, ~~other than one specified in subparagraph (2)(a)4. and paragraph (2)(b), as not entitled to a written notice of non-reappointment,~~ who receives a written notice that the employee will not be offered further appointment shall be entitled upon request, within 25 days of date of notice, to a written statement of the specific basis for the decision not to reappoint. Thereafter, the President or President’s designee will have 25 days to provide a statement to the employee.

(e c) The notice of non-reappointment shall include the expiration date of the current contract and the last date of employment with the University, and shall be accompanied by a copy of the appropriate appeal procedures in effect at the University. (Refer to Regulation 10.206~~Rule 6C3-10.232, F.A.C.~~).

~~(3- 4)~~ The President or President’s designee may for the best interest of the University, at any time, assign such Faculty ~~or A & P~~ employee to other University assignments only after consultation with the employee and the departments or other units affected. Regardless of a change in assignment, however, the University is committed to compensate the employee until the effective date of non-reappointment.

*Specific Authority 240.227(1), (27) 1001.74(4) FS. Law Implemented 240.202, 240.227(5) 1001.74(4), 1001.75(3) FS. History—New 6-27-96, 6-3-01.*

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