Florida Gulf Coast University Board of Trustees
January 15, 2008

SUBJECT: Resolution Adopting Pre-existing Rules as University Regulations

PROPOSED BOARD ACTION

Approve the adoption of the former rules of the Department of Education, formerly promulgated in the Florida Administrative Code under 6C10, as FGCU Regulations.

BACKGROUND INFORMATION

Prior to devolution, all University rules were adopted using the process contained in Florida’s Administrative Procedures Act and posted in the Florida Administrative Code. On July 21, 2005, the Florida Board of Governors adopted a Regulation Development Procedure for State University Boards of Trustees to remove the state universities from the Administrative Procedure Act (“APA”). While the University adopted and utilized the BOG’s Regulation Development Procedure, the rules on file in the Administrative Code remain there and have not been updated on that site. All new regulations have been posted on the University’s site. This resolution will post all currently existing rules that have not already been updated to the University’s site.

Supporting Documentation Included: Resolution Adopting DOE Rules as FGCU Regulations

Prepared by: General Counsel Vee Leonard

Legal Review by: N/A

Submitted by: General Counsel Vee Leonard
Florida Gulf Coast University

RESOLUTION

WHEREAS, the voters of the State of Florida passed Amendment 11 to Article IX, Section 7 of the Florida Constitution thereby creating the Board of Governors; and

WHEREAS, the Board of Governors created a Regulation Development Procedure for State University Boards of Trustees to move the state institutions from the Administrative Procedure Act (APA); and

WHEREAS, the Board of Governors created and the University adopted and utilized the Board of Governors Regulation Development Procedure; and

WHEREAS, the Board of Trustees recognizes the need to revise the rules previously enacted under the Department of Education, while recognizing the need for continuity during this time of transition.

NOW THEREFORE, BE IT RESOLVED that the Board of Trustees hereby adopts all existing Florida Gulf Coast University rules formerly known as rules of the Department of Education as below described:

6C10-1.003 Non-Discrimination Policy and Complaint Procedure
6C10-1.004 Sexual Harassment
6C10-1.005 Florida Gulf Coast University; Direct Support Organizations
6C10-4.001 Student Rights and Responsibilities
6C10-4.004 Student Grievance Procedure
6C10-4.005 Student Activities
6C10-4.006 Student Government
6C10-5.001 Descriptions, Definitions and Abbreviations
6C10-5.002 Delegation of Authority
6C10-5.003 Employee Debt Collection
6C10-5.004 University Policy Department
6C10-5.005 Recruitment, Selection, and Appointment
6C10-5.006 Employee Security and Background Checks
6C10-5.007 Employee Recognition Program
6C10-5.008 Personnel Exchange Program
6C10-5.010 Nepotism
6C10-5.011 Complaint Review Procedure for USPS Employees
6C10-5.012 Outside Employment/Activities
6C10-5.013 Additional State Compensation
6C10-5.014 Political Activity
6C10-5.016 Employee Disciplinary Procedures
6C10-5.017 Overlap in Position
6C10-5.018 Sick Leave Pool
6C10-5.019 Personnel Records; Limited Access
6C10-5.020 Grievance Procedures – Non-Unit Faculty and A & P
6C10-5.021 Non-Reappointment and Resignation of Non-Unit Faculty and A & P Employees
6C10-5.022 Discipline and Termination for Cause of Non-Unit Faculty and A & P Employees
All Florida Gulf Coast University regulations will carry the prefix FGCU-PR (Permanent Regulation) or FGCU-ER (Emergency Regulation).

PASSED AND ADOPTED by the Board of Trustees of Florida Gulf Coast University at a public meeting thereof duly called and held this 15th day of January 2008.