

**FLORIDA BOARD OF GOVERNORS  
NOTICE OF PROPOSED REGULATION REPEAL**

**DATE:** June 19, 2008

**REGULATION TITLE(S) AND NUMBER(S):** 6C-5.935 Promotion, Change in Assignment, Demotion and Transfer

**SUMMARY:** The Board of Governors has delegated authority to the board of trustees to develop university personnel programs. Therefore, the obsolete Board of Regents rule regarding promotion, change in assignment, demotion and transfer needs to be repealed.

**FULL TEXT OF THE REGULATION:** The full text of the regulation proposed for repeal is posted on Board of Governor's Web site at [www.flbog.org](http://www.flbog.org). In addition, the full text of the regulation is available upon request to the Office of the Chancellor, at (850) 245-0466.

**AUTHORITY TO REPEAL REGULATION(S):** Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

**THE BOARD OF GOVERNORS' OFFICIAL INITIATING REPEAL OF THE REGULATION(S):** Vikki Shirley, General Counsel.

**COMMENTS REGARDING THE REPEAL OF THE REGULATION(S) SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation(s) on which you are commenting:

Vikki R. Shirley, General Counsel, Board of Governors, State University System, 325 W. Gaines Street, Suite 1614, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), or [generalcounsel@flbog.org](mailto:generalcounsel@flbog.org).

## ~~5.935 Promotion, Change in Assignment, Demotion and Transfer.~~

~~(1) Promotion, change in assignment, demotion and transfer shall be administered consistent with the following provisions.~~

~~(2) Promotion.~~

~~(a) Faculty promotion is the appointment to a higher academic or equivalent rank or class and may also be combined with an application for tenure. The criteria for promotion shall include meeting the minimum qualifications for appointment to the rank or position, increased skill in teaching, increased knowledge in the field of specialty, increased recognition as an authority in the field of specialty, increased recognition as an authority in the field, and potential for professional growth. Each university shall provide for Faculty participation in developing promotion recommendations and other procedures and criteria for Faculty promotion.~~

~~(b) Administrative and Professional promotion is the appointment to another position or class with substantially increased responsibilities, or a permanent assignment of substantially increased responsibilities for the existing classification. An employee must meet the minimum qualifications for the position to which promoted.~~

~~(c) USPS promotion is the appointment to a class or position with substantially increased responsibilities. An employee must meet the minimum qualifications for the position to which promoted. Upon promotion, the employee's appointment modifier shall be determined pursuant to Rule 6C-5.910(4)(c). An employee who has earned permanent status in the class to which promoted shall be promoted with permanent status.~~

~~(3) Change in Assignment.~~

~~(a) Faculty with administrative responsibilities serve at the will of the Chief Administrative Officer and may, at any time, receive a change in classification or assignment. Employees with tenure or permanent status shall not have such status affected by the change in classification or assignment.~~

~~(b) An A&P or USPS change in assignment is the appointment to a different position in the same class or in a different class having the same pay range maximum.~~

~~(c) If a USPS employee who has not attained permanent status in the current class receives a change in assignment to a different position in the same class, the employee's status remains the same until the probationary period designated for the class has been successfully completed.~~

~~(d) A USPS employee with or without permanent status in the current class who receives a change in assignment to a different position in a different class shall be given probationary status in the new class if the employee meets the minimum qualifications for the position; however, if the employee previously held permanent status in the class to which reassigned the change in assignment shall be with permanent status.~~

~~(4) A demotion is an appointment to a class or position having less responsibility. Upon demotion a, a USPS employee's appointment modifier shall be determined pursuant to Rule 6C-5.910(4)(c); however, if the employee previously held permanent status in the class to which demoted, the demotion shall be with permanent status.~~

~~———— (5) ——— A transfer is the appointment of an employee from one geographic location within the University to a different geographic location within the same University in excess of 50 miles from the employee's current work location.~~

~~Authority: Section 7(d) Art. IX, Fla. Const., History — New 1-24-96, 8-17-99.~~