

**FSU-4.0395 College of Law Phased Retirement Program.**

~~(1) Eligibility. College of Law faculty who have accrued at least ten years of creditable service in the Florida or Teachers Retirement System or Optional Retirement Program and who are tenured are eligible to participate in the College of Law Phased Retirement Program. A College of Law faculty member at any age after accruing ten years of creditable service may retire from the University and participate in this Program during a six year period ending June 30, 1997. Thereafter, if phased retirement continues to be permitted by the Florida Retirement System, eligibility shall expire not later than one year after the employee's 62nd birthday. Employees who choose to participate must provide written notice during an academic year that they will retire with an effective date to be agreed upon by the employee and the University.~~

~~(2) Program Provisions.~~

~~(a) All participants must retire and thereby relinquish all rights to tenure.~~

~~(b) Upon retirement, the participant will receive payment for any unused annual leave or sick leave to which the participant is entitled.~~

~~(c) Participants shall be offered reemployment as a College of Law Service Associate Professor or College of Law Service Professor under an Other Personal Services (OPS) contract by the University for 780 hours in any academic year (.50 FTE), one semester at full pay or two semesters at one-half pay, at a salary proportional to the salary prior to retirement, including an amount comparable to the pre-retirement employer contribution for health and life insurance during the period of reemployment.~~

~~(d) The period of reemployment obligation shall extend over five consecutive years, beginning with the academic year next following the date of retirement. If a participant chooses to decline employment for an academic year, the participant shall request a leave of absence without pay for the period of time involved with reasonable notice to the University. The period of reemployment, however, shall not be extended beyond that described above.~~

~~(e) The assignment shall begin with the academic year next following the date of retirement and shall be scheduled within one semester of the academic year, unless the participant and the University agree to reemployment for the entire academic year at 0.50 FTE. Participants who are~~

~~on the Florida Retirement System or Optional Retirement Program must remain off the State payroll for one calendar month following the effective date of retirement in order to validate their retirement, and may be reemployed by the State University System for only 780 hours in the first year after retirement.~~

~~(f) Participants shall be credited with five days of paid leave at the beginning of each full-time semester appointment. The leave may be accumulated but shall not be reimbursed as unused leave at the termination of the five-year reemployment period. The leave shall be used in increments of not less than one-half day (4 hours) when the participant is unable to perform assigned duties as a result of illness or injury to the participant or a member of the participant's immediate family which shall include only the spouse, mother, father, brother, sister, natural, adopted, or step child, or other relative living in the participant's household.~~

~~(g) Participants shall receive all across-the-board salary adjustments available to employees in established positions in an amount proportional to their part-time appointment. They shall be eligible for discretionary salary increases on the same basis as such other employees.~~

~~(h) Participants shall retain all rights, privileges, and benefits of employment as provided by law, rules, and University policies. During the period of reemployment, participants are to be treated as tenured faculty members for the purposes of Rule 6C 5.125, F.A.C., Layoff. The participant is entitled to an allocable portion of funds normally made available to faculty for research assistants if he or she is maintaining an active research program, and for travel, books and photocopying services.~~

~~(i) Office assignments within the College of Law shall be made at the discretion of the Dean. In all likelihood the participant will have to vacate his or her office to provide space for a new faculty member; however, office space will be made available to the participant when he or she has teaching responsibilities.~~

~~(j) While under policy of the Faculty Senate participants are to be given the same opportunities to participate in faculty activities as regular non-tenured faculty members have, a participant would not be required to attend faculty meetings or serve on University committees but would be entitled to vote as a regular faculty member on any issues in which non-tenured faculty members are eligible to vote.~~

~~(k) The decision to participate in the College of Law Phased Retirement Program is irrevocable.~~

~~(l) At the conclusion of the five year period of reemployment and upon the permanent retirement of the faculty member from the College of Law Phased Retirement Program, the faculty member, at the discretion of the Dean, may be reemployed as an adjunct employee on a year-to-year basis as permitted by Board of Governors Regents rules.~~

~~(m) Recommendation for Emeritus Status shall not be considered for faculty members until retirement from the College of Law Phased Retirement Program.~~

~~Specific Authority BOG Regulation 1.001(3)(j) , Reg. Procedure July 21, 2005 Law Implemented 121.091(9)(b)5., 240.227(1), (5), 240.227(19) FS. History New 10-10-91.~~