

ARTICLE 29
SEVERABILITY

29.1 Invalidation of a Provision of the Agreement.

(a) A provision of this Agreement shall become invalid and have no force or effect, if it

(1) is found to be invalid or unenforceable by final decision of a tribunal of competent jurisdiction, or

(2) is rendered invalid by reason of subsequently enacted legislation, or

(3) shall have the effect of a loss to the State of Florida of funds, property, or services made available through federal law, or

(b) In such circumstances, however, the remainder of the Agreement shall continue in full force and effect.

29.2 Negotiations on Replacement Provisions. If a provision of this Agreement fails for a reason in Section 29.1(a) above, the Board and the UFF shall enter into immediate negotiations for the purpose of arriving at a mutually satisfactory replacement for such provision.

29.3 Effect of Passage of Law. Any provision of this Agreement that is contrary to law, but becomes legal during the term of this Agreement, shall be reinstated consistent with such legislation.

29.4 Intent. The above provisions are not intended by the Board and the UFF to constitute a contractual or any other recognition or grant of authority by either party that subsequent legislation can invalidate any provision of this Agreement. The Board and the UFF intend for the language of the above provisions to recognize the possibility, regardless of their intentions, that subsequently enacted legislation may attempt, be construed, be interpreted or be applied to invalidate a provision of this Agreement. The Board and the UFF may choose not to challenge said legislation or its application or that one or both Board and the UFF may challenge said legislation or its application without success.

29.5 Legislative Action. The Board and the UFF agree not to seek the enactment of legislation for the purpose of avoiding an obligation arising from this contract. The Board and UFF recognize the right of the parties to express opinions with regard to the delivery of higher education in the State of Florida.

Approved: Michael J. [Signature]
For the Florida State University
Board of Trustees

Approved: [Signature]
For the United Faculty of Florida

Date: May 19, 2004

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