

# University Constitution and Regulations Committee (UCRC)

## Minutes

09 September 2020

Via Zoom: <https://ufl.zoom.us/meeting/register/tJ0uf-2orDsoEtA8NJ8sRIHxbU8xb1K30M4q>  
9:00 a.m.

**Present:** Padraic Levings, Katie Vogel Anderson, Chris Hass, Reggie Frye, Ray G. Thomas, Charlene Luke, Mei-Fang Lan, Philip Daniels, Taylor Rose, Merritt McAlister, Julie Abrams-Bernier, Laurie Bialosky, and Zully Rivera Ramos.

### 1. Call to Order

-The meeting was called to order at 9:00 a.m. by UCRC Chair Dr. Padraic Levings.

### 2. Approval of 15 April 2020 Minutes

-The minutes were approved.

### 3. Introduction, Mission of UCRC - Padraic Levings, UCRC Chair

- The charge of the University Constitution and Regulations Committee (UCRC) was read. Discussion included:

- The UCRC's role is to advise regarding the words and meaning of the University Constitution and Faculty Senate Bylaws, as opposed to developing or implementing policy.

The UCRC also ensures that Faculty Senate Bylaws and the University Constitution adhere to regulations put forward by the Board of Governors and are consistent with the model of shared governance in Faculty Senate. Proposed regulations are reviewed by UCRC and given 'lights' which reflect the level of significance to faculty.

- Suggestions and agenda items are often provided by Faculty Senate committees and councils.

### 4. Counseling & Wellness Center (CWC) Faculty – Zully A. Rivera Ramos, CWC Faculty Council Chair, Licensed Psychologist & Clinical Assistant Professor, Department of Psychology & UF Center for Latin American Studies

- [Counseling and Wellness Center Leadership Supervision & Support](#)

- [Counseling and Wellness Center Bylaws](#)

- [Faculty Senate Bylaw 22](#)

-The CWC faculty are seeking input on how to strengthen shared governance and structural changes made in early May.

- The CWC unit consists of close to 40 clinical faculty. Given their recent growth, the CWC Director has assigned each clinical faculty member to one of the five Associate and Assistant Directors to serve as direct supervisors who will also complete annual evaluations, with the Director as the final signator and evaluator. Based on its Faculty Council surveys and faculty discussions, over fifty percent of CWC faculty indicated opposition to such changes. Due to uncertainty if the proposed changes are consistent with the Collecting Bargaining Agreement (CBA), University

Constitution, CWC Bylaws, and Faculty Senate Bylaws, CWC faculty reached out this Spring to the Chair of the Faculty Senate Steering Committee/Faculty Senate Chair. A review of the scope of [Faculty Senate Bylaw 22](#) clarified that the proposed CWC changes did not require Faculty Senate approval, as the department changes in question were administrative, rather than structural, in nature. Past Faculty Senate Chair Ray Thomas also clarified that he consulted with the General Counsel's Office who concurred with this interpretation. The UCRC agrees that this matter would not need approval from Faculty Senate or this body but suggests that the CWC make any needed language changes to its bylaw articles addressing administrative structures which they can incorporate into their bylaws.

- A copy of the current CWC bylaws was shared to better understand the organization of the CWC, and how it describes the role of the director, and how faculty are able to participate in shared governance within the unit. The CWC has not reviewed its bylaws in seven years but are now doing so with faculty and administrative teams. CWC faculty continue to seek clarity regarding the appropriate extent of decision-making by the administrative components of the unit over the CWC faculty at large and welcomes UCRC feedback to strengthen shared governance.

Special attention should be paid to the CBA during this consultative process between leadership and faculty because where items are covered in the CBA, the CBA is the governing document. It was noted that some of the central issues discussed by the CWC is beyond the purview of the UCRC's mission and also that the CBA must remain in compliance with state and federal laws.

#### 5. Proposed regulations – Taylor Rose, Senior Counsel

-A. [Regulation 1.017 - Separation from Employment, Layoff and Furlough](#)

-B. Use of Space / Other

-The UCRC 'lighting' process was detailed as below:

-The University Constitution & Regulations Committee (UCRC) has adopted a color-coded key for easily informing the senators of proposed regulation changes that may affect the senators or their colleagues:

- **Red** – proposed changes affect the faculty; please review and comment as appropriate.
- **Yellow** – proposed changes may affect or be of interest to faculty; senators may want to review and comment as appropriate.
- **Green** – proposed changes likely have minimal effect on faculty and do not necessarily warrant further review by the senators.

-Taylor Rose brought two proposed regulations to UCRC's attention.

A. The UCRC lit [Regulation 1.017 - Separation from Employment, Layoff and Furlough](#) **red**.

-Faculty Senators were sent the email below:

\*On Sep 4, 2020, at 3:53 PM, Faculty Senate Chair <[FacultySenateChair@aa.ufl.edu](mailto:FacultySenateChair@aa.ufl.edu)> wrote:

Dear Senators, Please see the message below from Dr. Padraic Levings, UCRC Chair, and note that this item will be discussed at the next (9/17) Faculty Senate meeting and (9/14) [Welfare Council](#) meetings.

Dear Faculty Senate colleagues,

Regulation 1.017 "Separation from Employment, Layoff and Furlough" was posted on August 28, 2020.

The comment period of 14 days will expire before the next Faculty Senate meeting. Please take the opportunity before September 11, 2020 to review the regulation at <http://regulations.ufl.edu/> and share any concerns you have per the instructions listed in the notice.

Currently, University actions to mitigate financial and other adverse actions under Regulation 1.017 are limited. The proposed amendment explicitly gives the University the ability to implement furloughs as a proportionate response to such conditions and a job preservation tool in lieu of layoffs or other separations from employment. Additionally, the University proposes to update references regarding probationary periods for exempt workers.

Regards,  
Padraic Levings  
Chair, University Constitution & Regulations Committee (UCRC)

**B. The UCRC lit the 'Use of Space' regulation **Yellow**.**

-The Board of Trustees (BOT) will discuss this regulation in December.

-The UCRC Chair will advise the Senate that it has assigned the proposed regulation a **yellow** light at the October Faculty Senate meeting.

-This regulation seeks a consolidation into a single, clear and modernized regulation pertaining to university space.

**6. Adjournment**

-The meeting was adjourned at 9:55 a.m.

**Resources:**

[UF Senate Constitution](#), as amended by February 20, 2020

[UF Senate Bylaws](#), as amended by February 20, 2020

[UCRC Operating Procedures](#), as amended by May 2015