

University Constitution Committee Minutes
February 8, 2011, 3 – 5 p.m.
Tigert 354

Attendance:

Barbara Wingo
Angel Kwolek-Folland
Margaret Temple-Smith
James Seale
John Leavey
Paul Ortiz
Michael Siebecker

Meeting was called to order at 3:02 p.m.

Minutes from the November 29, 2010 were approved.

Barbara Wingo presented the new regulations and the committee assigned lights to each.

- **1.0063 - Affirmative Action; Complaints and Appeal Procedures for Academic Personnel (AP), Technical, Executive, Administrative and Managerial Support (TEAMS) Staff Members, and University Support Personnel System (USPS) Employees.** The amendment removes outdated language that suggests that employees would be denied the ability to file an internal complaint of discrimination. GREEN

- **1.009 – Employment of Related Persons.** The amendments to this regulation clarify the requirement that employment of a related person which involves a conflict of interest is prohibited except when such an arrangement is approved in writing by the dean or director and the Provost and/or Vice President for Human Resource Services. The definition of “related person” is clarified and includes grandchildren as well as someone with the same legal residence as the employee. RED

- **1.0103 – Policies on Restricted Data.** The regulation sets forth the information privacy policies of the University of Florida for complying with legal, contractual and University regulatory restrictions on disclosure of certain data, specifically the Information Privacy Statement, Online/Internet Privacy Statement, and the University of Florida Information Privacy Policies and Procedures General Privacy Management. RED

- **1.011 – Disclosure and Regulation of Outside Activities and Financial Interests.** Amendments to the regulation provide for reporting the required use of books, supplies, or other resources when they are created or published by the faculty member or other employee, the employee’s spouse, domestic partner or minor children and the total annual remuneration is over \$500. An employee may not receive remuneration for materials reflecting general course information or assignments or for evaluation materials. If an employee or other person or entity as described may benefit from the sale of required books, supplies, or other materials, such materials may be assigned only if they have been selected for academic reasons, are offered at a fair market price, have been adopted for use at other higher education institutions, have been through a peer review process, are the original work of the employee, are protected by copyright, patent, or trademark, and are published or reproduced by an incorporated or registered entity, and their use does not require the user to waive any intellectual property rights. RED

- **1.200 – Benefits, Retirement Programs, Employment Services, and Holidays.** Certain requirements for the Higher Education Opportunity program for children of full-time TEAMS employees have been changed. The child need not be unmarried and will continue to be eligible through the end of the calendar year in which the child turns 26 years of age (rather than 25). The time limitation of six calendar years on the University’s payment of its total obligation for each child, which is the matriculation fees less any Bright Futures scholarship for maximum of 132 hours, has been removed. **GREEN**
- **2.019 – Alcoholic Beverages.** Facilities on campus that are permitted to sell alcoholic beverages are prohibited from doing so in a manner that promotes excessive or rapid consumption, such as selling on an “all you can drink” basis or promoting free or discounted beverages for a certain segment of the population. **RED**
- **3.006 – Traffic & Parking Definitions.** The changes clarify the definitions of “employee” and “student” under the traffic and parking regulations. Students are persons who are not employed by the University or the other entities listed, do not hold a student OPS position at the University, and are carrying one or more credits. **GREEN**
- **3.007 – Traffic & Parking: Parking Registration.** The changes clarify what information must be presented by a student purchasing a decal; the license plate number is substituted for the currently-required title or motor vehicle registration. The new decal price for all categories of parking decals are set forth, representing an approximate six percent increase in rates. Gold and Diamond level members of the President’s Council, as determined by the University of Florida Foundation are eligible for a President’s Official Business decal. Approved permits with a Service Area time limit greater than four hours require the payment of \$100. **RED**
- **3.008 – Traffic & Parking: Miscellaneous Provisions.** The amendment allows a retired faculty or staff member to purchase the same parking permit as if still employed by the University. An emeritus faculty or staff member is issued an Official Business decal without charge or may purchase a higher-priced decal by paying the cost of the difference. **GREEN**
- **3.009 – Traffic & Parking: Bus System.** The regulation is amended to set forth the transportation access fee effective the fall semester 2011. The amounts of these fees have already been approved by the Board of Trustees. **GREEN**
- **6C1-3.013 – Traffic & Parking Violations.** The amendment adds to those circumstances when a vehicle can be removed or impounded: when the motor vehicle is parked illegally due to false registration or the improper use of a decal or when the vehicle has been issued a decal or is registered to a person who has issued a return check or invalid check to Transportation and Parking Services for fines and/or fees that remain outstanding. **RED**
- **3.0421 – Employee Debt Collection.** The amendment specifically makes repayment of parental leave and the amounts owed by an employee to offset liabilities incurred by the University because of the employee’s conduct on employee debt covered by this regulation. **RED**

- 4.042 – Student Honor Code and Student Conduct Code: Resolution Options, Procedures for Reviews and Hearings.** This regulation is amended to allow for a faculty member to impose probation as a sanction for a student found to have violated the University’s honor code. This is an additional sanction that a faculty member would be authorized to impose with the agreement of the student. Currently, the regulation allows a faculty to impose a reprimand, grade penalty, or educational assignment to a student. The notice of the charges is to be issued seven rather than ten business days prior to the date of the review or hearing in a conduct proceeding. Information that is not made available at least seven days before the hearing or review may be presented pending agreement by the Student Conduct and Conflict administrator, the chair of the hearing committee, and the student or student organization involved. **RED**
- 4.044 – Student Honor Code and Student Conduct Code: Interim Suspension Pending Investigation and Hearing.** The amendment clarifies that an interim suspension may be effected either as to certain privileges of a student or student organization or as to all privileges, depending upon the nature of the alleged conduct at issue and the threat/safety issue the alleged conduct poses to the University, the student, the student organization, or others. This amendment also clarifies the right of a student or student organization to be heard and present information as to why the student or student organization believes that the interim suspension is not warranted. **YELLOW**
- 5.0764 – College of Medicine Policy on Pharmaceutical, Medical Device and Biotechnology Industry Conflicts of Interest and Industry/Academic Relations.** This regulation sets forth the College of Medicine policy on conflicts of interest with regard to the pharmaceutical, medical device, and biotechnology industries and their representatives (pharmaceutical industry). The policy applies to all employees and appointees of the University of Florida College of Medicine and is supplemental to University Regulation 1.011. In general College of Medicine personnel may not accept gifts from the pharmaceutical industry, including without limitation the receipt of pharmaceutical samples and educational materials. Generally College of Medicine personnel may not accept meals or other gifts of food for themselves or others if sponsored or provided by the pharmaceutical industry and may not accept travel funds from the pharmaceutical industry to attend a meeting or conference except as set forth in the policy. They may not accept scholarships or fellowships directly from the pharmaceutical industry. Access by the pharmaceutical industry to College of Medicine premises is restricted. The conditions under which College of Medicine personnel may participate in pharmaceutical industry-sponsored events, including CME, are set forth. The specific conditions under which College of Medicine personnel may participate in, attend, or be compensated speaker at off-site conferences and meetings sponsored by the pharmaceutical industry are detailed. College of Medicine personnel are not permitted to participate in pharmaceutical industry-sponsored speakers bureaus. Professional presentations and writings must have appropriate authorship attribution. **RED**
- 7.003 – Academic Personnel Employment Plan: Academic Appointments, Types of Appointments, Appointments Status Modifiers, and Academic-Administrative Classification Titles.** The amendment adds the faculty modifier of “Clinical Hospitalist” to apply to those faculty members who conduct teaching, research, or service as hospitalists. **GREEN**

- **6C1-7.019 – Tenure and Promotion: Definition, Eligibility, Granting of Tenure, Criteria, Procedures and Methods of Processing, Confidential Nature of Materials and Discussions, Reports and Appeals, Permanent Status and Sustained Performance Evaluations.** The amendment changes the tenure probationary period in the College of Veterinary Medicine from 6 years to 7 years. **GREEN**

The meeting was adjourned at 4:00 p.m.