

University Constitution Committee Minutes
February 19, 2016
9:45 AM – Tigert 239A

Attendees:

David Groisser (Chair), Maureen Long (by phone), Heather Ray (by phone) , Richard Scholtz, Christine Fruin, Zhong Su (by phone), Sue Alvers, Ana Spiguel, and Ryan Fuller (guest presenter)

David called the meeting to order at 9:48 a.m. The January minutes were approved with the addition of Christine Fruin's attendance.

Steering Committee responses to proposed Constitution and Bylaw changes

David Groisser reported that the Steering Committee approved the committee's Constitutional recommendations. The Steering Committee disagreed with the suggested Bylaw change and asked that the Constitution Committee revisit the issue. The Steering Committee's concern was that the proposed wording could prevent faculty from serving successive terms on Senate and Joint committees. Richard Scholtz made a motion, seconded by Maureen Long, to table the suggested Bylaw change until the next meeting. The motion passed.

Proposed amendment(s) to UF Regulations

Ana Spiguel gave background information on the process by which regulation-changes are proposed, written, reviewed, and approved. Usually once a year, the General Counsel's office sends out a call for changes to the regulations. Units around the university then send in their recommendations for changes. The General Counsel's office researches the legalities and finalizes wording of the proposed changes. The proposed changes are then posted on the University of Florida website, with a 14-day comment-period, before going before the Board of Trustees (the only entity with authority to approve UF regulations). The General Counsel's office apprises the Constitution Committee of the proposed regulation-changes prior to their being posted (with occasional exceptions for technical reasons; for example this year's new Regulation 7.061 needed to be posted earlier to allow construction to begin on time). The Constitution Committee then reviews the proposed changes and adopts recommendations in the form of red, yellow, or green lights, and presents its recommendations to the Faculty Senate. Whenever possible, this presentation is made at a Faculty Senate meeting at least several days before the expiration of the comment-period. When this is not possible, the recommendations are presented by email.

This year, presenting at a Faculty Senate meeting is not feasible because of the combined timing of the proposed-change announcements (today, Feb. 19), the intended date of posting (Mar. 1), the subsequent Faculty Senate meeting (Mar. 17, after expiration of the 14-day comment-period), and the Board of Trustees meeting at which the proposed changes will be voted upon (Mar. 31). On Feb. 18, Senate Chair Paul Davenport asked David Groisser to have the Constitution Committee assign lights at the Feb. 19 meeting. Prior to today, David and at least two other committee members had expressed hope that the Committee would be able to view the proposed changes before the meeting at which the Committee assigned its lights. However, the document with the proposed changes was not finalized by the General Counsel's office until the morning of today's meeting. There being only one week left

before UF's Spring Break (Feb. 27 – Mar. 6), David felt it unfeasible to schedule an extra Constitution Committee meeting to make recommendations for the proposed regulation-changes. Accordingly, the Constitution Committee is assigning lights at today's meeting (at which it is seeing the proposed changes for the first time), after which David will notify the faculty by email of the proposed regulation-changes and the Committee's recommendations. Time permitting, this notification will include summaries by Ana of the proposed changes. Faculty will then be able to make comments during the 14-day window.

Ryan Fuller, from the General Counsel's Office, presented the proposed changes to regulations 7.003, 7.041, and 7.042. The proposed change to 7.003 is the adoption of a "Professor of Practice" faculty title, for which Bylaw wording was discussed by the Constitution Committee last spring. Regulations 7.041 and 7.042 concern grievance-procedures. Ryan's recommendation was that the Committee red-light all of these proposed changes since they would potentially affect many faculty members.

Ana Spiguel presented the remainder of the proposed regulation-changes.

After each proposed change was presented, the Chair asked for discussion, and the Committee voted on its "lights" assignment. The results were as follows:

- **RED** – These regulation-changes have elements that may affect many faculty members and/or may be controversial.
 - **7.003** – [Academic Personnel Employment Plan: Academic Appointments, Types of Appointments, Appointment Status Modifiers, Academic-Administrative Classification Titles, and Faculty Award Titles.](#)
 - **7.041** – [Methods for Review and Resolution of Faculty Grievances](#)
 - **7.042** – [University Grievance Procedure for Faculty and Postdoctoral Associates: Definitions, General Information, and Procedures](#)
- **YELLOW** – These regulation-changes have elements that are likely to concern a limited number of faculty.
 - **2.019** – [Alcoholic Beverages](#)
- **GREEN** – These regulation-changes seem acceptable and of little consequence to faculty.
 - **1.006** – [Non-Discrimination/Harassment/Invasion of Privacy](#)
 - **2.004** – [Use of University Facilities; Definitions; Priorities in Use; General Restrictions Use](#)
 - **2.016** – [University of Florida; Public Functions Policy; Use of Campus Lands; Camping.](#)
 - **3.025** – [Lease of Space](#)

- **3.054** - [Appointment; Technical, Executive, Administrative, and Managerial Support and University Support Personnel System Staff.](#)
- **7.061** – [Educational, Research and Service Sites](#)

At the beginning and end of the meeting, there was some discussion of this year's inconvenient timing. Ana hopes in the future to encourage the General Counsel's office to finalize the proposed regulation-changes earlier. David stated that he does not think it is fair to have the 14-day comment-period overlap Spring Break. He also mentioned that last year's Senate President, Pradeep Kumar, succeeded in getting the comment-period extended by a week, enabling the Constitution Committee to view the proposed changes several days before voting on them, and to make the presentation of its recommendations at a Faculty Senate meeting before the comment-period expired.

Update on “temporary replacement” issue

David Groisser met with Paul Davenport, Faculty Senate Chair, about the temporary-replacement issue. Dr. Davenport stated that the issue of temporary replacements has not come up this year. If it does, he plans to follow the Constitution.

Proposed referencing in Constitution Article V(2)(A): continuation of discussion

Maureen Long emphasized that this issue was discussed and voted on at the October Constitution Committee meeting, and should now go forward to the Steering Committee. The committee agreed.

Meeting adjourned at 11:00 a.m.