

Constitution Committee Agenda
January 22, 2016
9:15 a.m. – Tigert 239A

- 1. Approval of November 2015 minutes**
- 2. Review of Constitution Committee's proposed changes — David Groisser**
- 3. Update on "temporary replacements" issue — David Groisser**

University Constitution Committee Minutes (DRAFT)
November 13, 2015
9:45 AM – Tigert 239A

Attendees:

David Groisser (Chair), Maureen Long, Heather Ray, Richard Scholtz, Sue Alvers and Ana Spiguel

David called the meeting to order at 9:49 a.m. The October minutes were approved.

Revision of April 2015 minutes

Consideration of the revised April minutes had previously been tabled pending Angel Kwolek-Folland's review of a part pertaining to her. Angel was not in attendance, but prior to the meeting had told David by email that the relevant information in the revised minutes was correct. Committee approved the revised version of the April minutes.

Proposed amendment(s) to UF Regulations ("lights" review)

Ana Spiguel explained that proposed regulation-amendments used to be presented to the BOT several times a year. However, now the General Counsel's office has them ready annually, usually in March. She mentioned that there are a couple of exceptions like fee increases (Regulation 3.0372, whose proposed amendment is currently in its 14-day comment-period) and tuition increases (usually proposed in June). Both of these regulations are amended annually to agree with the revised state language. Ana suggested that as Chair of the Constitution Committee, David send a note to the senators and faculty providing them with notice of the proposed amendment and opportunity to comment. David will write a message to faculty and Sue will send it out this afternoon.

Omission in Constitution subsection IV(3)(A)

The Committee discussed the inconsistency in Subsection IV(3)(A). This subsection's first sentence omits "Parliamentarian" from the list of officers, but "Parliamentarian" is included afterwards in Subsection IV(3)(A)(4). Maureen Long pointed out that, in parliamentary bodies, a parliamentarian is usually considered an advisor, not an officer. After discussion, Heather Ray made a motion, with Richard Scholtz seconding, to recommend expanding Subsection IV(3)(A) by doing the following:

- Change the title from "Officers" to "*Officers and Advisors*".
- Change the sentence for Subsection IV (3)(A) (currently "The Faculty Senate officers shall be the Chair, the Chair Elect, the Past Chair and the Secretary") to two new sentences: *The Faculty Senate officers shall be the Chair, the Chair Elect, and the Past Chair. The Advisors shall be the Parliamentarian and Secretary.*
- Change Subsection IV(3)(B) title from "Terms of Office and Selection of Officers" to "*Terms of Office and Selection of Officers and Advisors.*"
 - The Committee approved unanimously.

Title of Constitution Section V(8)

After a bit of a discussion, the Committee recommends unanimously that the title of Section V(8) be changed from "Terms of Service and Election of Committee Chairs" to "*Membership Terms of Service; Election of Chairs*". Heather Ray made the motion, with Maureen Long seconding.

It was pointed out that in Section V(8)(A) the last sentence, "Members who miss three consecutive unexcused meetings shall be replaced," should not contain the phrase "unexcused meetings"; what the sentence is trying to address are unexcused *absences*. There was also concern about the notification process if a senator cannot attend a meeting. Richard Scholtz made a motion, with Maureen Long seconding, to recommend that the last sentence be changed to: "*Members who miss three consecutive meetings without proper and timely notification shall be replaced.*" The motion was approved unanimously.

Discussion turned to the lack of definition, in the Constitution and Bylaws, of what constitutes a quorum for meetings of committees and councils. Heather Ray made a motion, with Maureen Long seconding, to *ask the Steering Committee to refer the quorum issue to the Committee on Committees with a recommendation that clarification be included in both documents.* The motion was approved unanimously.

Spring Meetings

David polled the members attending on what days and times would be best to meet during spring term. At the moment, it looks like Friday at the same time works best for those present. A Doodle poll will be sent later to confirm.

Meeting was adjourned at 11:32 a.m.

Constitution of the University of Florida

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The Constitution includes amendments adopted by the Faculty Senate through April 16, 2015.

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PREAMBLE

Believing that a society establishes institutions of higher learning, particularly universities, because such institutions serve the higher ends of that society;

Believing that a university serves these higher ends by being a beacon of learning, a fountainhead of dedicated and unselfish service, a focus for research and creative scholarship, a means for the transmittal and extension of old knowledge and the creating of new, a vehicle for that society's improvement by providing for that society the capacity for enlightened and responsible self-criticism which will prevent that society from losing its dynamic character and falling victim to intellectual and moral decay;

Believing that a university, like all complex human institutions, functions best to serve its assigned purposes under orderly processes of organization and government;

We, the Senate of the University of Florida, do hereby enact this Constitution.

February 6, 1964

This Constitution includes amendments adopted by the Faculty Senate through April 16, 2015.

Article I
THE GOVERNANCE OF THE UNIVERSITY

The University of Florida is a state educational institution of the State of Florida. The provisions of this Constitution are governed by and subordinate to Florida law, the policies and directives of the Florida Board of Governors, and the University of Florida Board of Trustees, University of Florida regulations and the Collective Bargaining Agreement for those faculty and staff in the bargaining unit.

Where, in this Constitution, power to act is recognized as vested in the Board of Trustees of the University of Florida, such power shall normally be exercised only after reasonable notice of such proposed action to the faculty, unit, department, school, or agency affected and an opportunity to be heard thereunto. Governance shall be shared between the administration of the University and the faculty as represented in the Faculty Senate.

Such shared governance is a system of dual authority and responsibility, constitutionally created, in which administrators and faculty participate in the decision and policy making process. The purpose of shared governance is to provide avenues to University improvement and productivity through the creation of a partnership based on mutual respect and collaboration. Faculty and administrators at all organizational levels of the university shall facilitate the implementation of shared governance.

Article II
ADMINISTRATION OF THE UNIVERSITY

Section 1. THE PRESIDENT-The President shall be the chief executive officer of the University and shall exercise general supervision over all its activities. The President shall be appointed by the Board of Trustees. Upon the resignation, retirement, or death of the President, the Senate Steering Committee shall be available to the Board of Trustees for the purpose of consulting in the selection of a nominee for President. The President shall have a veto power over all actions of committees, college faculties and the councils of the Faculty Senate, which power shall be exercised by sending a written executive order to the body concerned. In all matters not otherwise provided for in the Constitution and Bylaws, the President shall, under the Board of Trustees, have plenary power.

Section 2. THE PROVOST-The Provost shall be the principal executive officer under the President and shall exercise the functions of the President in the President's absence. In the case of death or incapacitating illness of the President, the Provost shall exercise such functions until formal provisions are made by the Board of Trustees. The Provost shall assist the President in such ways as the latter may designate. The Provost shall be appointed by the President.

Section 3. OTHER ADMINISTRATIVE OFFICERS-There shall be such other administrative officers as the President may designate. They shall have such duties

as the President may assign them. In the case of the absence, death, or incapacitating illness of the President and the Provost, the senior administrative officer, previously designated by the President and recorded with the office of the Board of Trustees, shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees.

Section 4. PRESIDENTIAL DELEGATION. The President shall have the power to delegate any authority of the President as set forth in this Constitution to an appropriate administrative officer or officers of the University.

Section 5. PRESIDENTIAL COMMITTEES-The President shall have the authority to appoint such committees and other groups as are deemed necessary to aid in the performance of presidential duties.

Section 6. ACADEMIC AND PROFESSIONAL ASSEMBLY-The Academic and Professional Assembly (APA) shall be the organizational representative of the University's academic and professional staff not represented in the Faculty Senate. The APA shall have the authority to define its membership, to approve its own bylaws, to appoint committees and other groups as are deemed necessary to aid in the performance of its mission, and to serve in an advisory capacity to the President and the Faculty Senate.

Article III THE FACULTY

Section 1. FACULTY DEFINED-The faculty of the University of Florida are those persons employed by the University of Florida during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely, teaching, research and academic service. Titles of these persons shall be set forth in the Senate Bylaws. Questions about the faculty status of an individual shall be resolved by a committee charged with evaluating academic qualifications in the college in which the individual is appointed. The committee shall determine status based on whether the primary assignment is the carrying out of the academic mission of the University.

Section 2. ACADEMIC FREEDOM-The policy of academic freedom and responsibilities governing the University of Florida is as set forth in the University's policy statement reprinted in full in University of Florida regulations. The following principles are quoted therefrom: "The University believes that academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research and creativity. In the development of knowledge, research endeavors and creative activities, a university faculty and student body must be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence. A similar atmosphere is required for university teaching. Consistent with the exercise of academic

responsibility, a teacher must have freedom in the classroom in discussing academic subjects, selecting instructional materials and determining grades. The university student must likewise have the opportunity to study a full spectrum of ideas, opinions and beliefs, so that the student may acquire maturity for analysis and judgment. Objective and skillful exposition of such matters is the duty of every instructor.”

“The established policy of the University continues to be that the faculty member must fulfill his/her responsibility to society and to his/her profession by manifesting academic competence, scholarly discretion and good citizenship. The university instructor is a citizen, a member of a learned profession and an academic officer of an educational institution. The instructor should be constantly mindful that these roles may be inseparable in the public view, and should therefore at all times exercise appropriate restraint and good judgment.”

A faculty member who believes that he/she does not enjoy the academic freedom that it is the policy of the University to maintain and encourage shall be entitled on written request to a hearing before the Academic Freedom, Tenure, Professional Relations and Standards Committee or utilize other procedures available.

Section 3. ACADEMIC RANKS-Ranks shall include assistant professor, associate professor, professor or above, and other ranks prescribed by University regulations. Appropriate academic rank and title, with the rights and privileges pertaining thereto, may be accorded to persons engaged in instruction, administration, research and extension.

Section 4. APPOINTMENT OF FACULTY MEMBERS-Nominations for the appointment of faculty members shall be made by the chair of the department or, in units of the University not organized in departments, by the officers in charge of the work concerned, and shall be submitted to the appropriate administrative officers for approval or rejection and, in the event of approval, for transmission to the President or designee. Appointments to the faculty shall be made by the President or designee.

Section 5. PROMOTION OF FACULTY MEMBERS-Recommendations for the promotion of faculty members shall be based upon criteria specified by the University. Only those faculty holding rank superior to that of the candidate may participate in the assessment. Promotion review shall originate in academic departments or units. The department chair or administrator of the academic department or unit concerned shall obtain the votes of the individual faculty members of the department or unit holding rank superior to that of the candidate for promotion. Nominations for the title of distinguished professor shall be made by the department chair or unit administrator, and accompanied by the votes of the individual faculty members of the department or unit in the ranks of full professor

or above, or the equivalent in academic ranks. The President shall make the final decision to approve or disapprove promotion.

Section 6. TENURE-

- (A) Definition of Tenure. A faculty member who has been granted tenure by the Board of Trustees shall have the status of permanent member of the faculty and be in the continuing employment of the institution until the:
1. faculty member voluntarily leaves the employment of the institution;
 2. faculty member voluntarily retires;
 3. faculty member is dismissed for cause by the President; or
 4. faculty member's position is discontinued pursuant to the layoff provision of the Board of Trustees.
- (B) Granting of Tenure. Upon nomination of the President and approval by the Board of Trustees, tenure will be granted. Each nomination for tenure shall be acted upon with careful consideration being given to the qualifications of the faculty member, including evaluations by colleagues and immediate superior. When one of the duties of the faculty member being nominated is teaching, the quality of teaching shall be gauged through appropriate devices and may include evaluations by present and former students. Nomination of a faculty member for tenure shall signify the President is satisfied that a high degree of competence has been demonstrated and continuing employment of the faculty member will serve the best interests of the institution and the University System.
- (C) Eligibility for Tenure.
1. Eligibility for tenure for faculty members in the ranks of assistant professor, associate professor, professor or above, or the equivalent in academic ranks, shall normally begin on the faculty member's hire date in a tenure-eligible appointment. The length of the probationary period for those in tenure-accruing positions is set forth in University policies.
 2. The decision to recommend a faculty member for tenure must be made by the end of probationary period, including, any approved extension thereof.

3. Instructional and research faculty at the University of Florida appointed to administrative positions shall retain tenure in the faculty classification, but not in the administrative position.
 4. County extension faculty normally shall be eligible to receive permanent status at the end of the seventh year of employment.
- (D) Transfer of Tenure. Tenure is granted by the Board of Trustees and is an obligation of the University as a whole. While no department or other budgetary unit of the University is obliged to accept the transfer of a faculty member from another unit or units, if a department or other unit accepts such a transfer, it must recognize the tenure status already attained by the transferring faculty member.
- (E) Procedure for Granting Tenure. The procedure to be followed when a faculty member applies for tenure shall be:
1. Tenure review should originate in academic departments or units. The department chair or administrator of the academic department or unit concerned, shall obtain the votes of the tenured members of the department or unit by a secret ballot, the results of which shall be forwarded with the tenure application to the appropriate college, and the President. The Board of Trustees grants tenure.
 2. Only faculty with tenure may participate in the assessment.
 3. The faculty member shall be notified immediately in writing by the President of the final action taken on the faculty member's application for tenure.
- (F) Nonrenewal and Termination of Faculty Appointments. The President or the President's designee, in accordance with the institution's evaluation system, may choose not to renew the employment of a nontenured faculty member. The decision not to renew a faculty member's appointment may not be based on constitutionally impermissible grounds. Notice of nonreappointment, or of intention not to reappoint, shall be given in writing in accordance with University policies.
- (G) Termination of Faculty Appointments for Cause by Preferment of Charges.
1. Justifiable cause for termination of appointment is defined as incompetence or misconduct.
 2. After considering charges or evidence against a faculty member, the President or the President's designee shall make a careful preliminary inquiry into the validity of the charges and evidence

and shall make efforts to bring about a satisfactory adjustment of the matter, which efforts shall include informing the faculty member in writing of specific charges. At any stage of inquiry, the President or the President's designee may seek the assistance of the University staff or may employ such assistance from other sources.

3. If, in the view of the President, or the President's designee, there is a *prima facie* case against the faculty member, the President or the President's designee may refer the charges to the Senate Academic Freedom, Tenure, Professional Relations and Standards Committee, with instructions to investigate all charges and to submit a transcript of all proceedings and a written report of their findings and recommendations for appropriate action. This in no way precludes the President or the President's designee from taking any further investigative action deemed necessary.

(H) Suspension of Faculty Pending the Outcome of Investigation.

1. If it appears that a faculty member's actions would adversely affect the orderly conduct and processes of the University or jeopardize the safety and welfare of the faculty member, colleagues, or students, the President or designee may, after considering charges or evidence against the faculty member, regardless of tenure status, immediately suspend the faculty member with pay from the performance of duties pending investigation by the President, the President's designee and/or the Senate Academic Freedom, Tenure, Professional Relations and Standards Committee.
2. The faculty member shall have the opportunity to be provided a written statement of the reason for the proposed disciplinary action to be taken and shall be given at least ten working days in which to respond in writing and/or orally to the President or designee before any final determination regarding an action to be taken is effective.
3. The faculty member who is suspended from the performance of duties may exercise the right of appeal under the procedure elected in accordance with the rules of the University.
4. The President or the President's designee shall give the faculty member written notice of any proposed suspension without pay or termination. The faculty member will be allowed 10 days, excluding Saturdays, Sundays and University holidays, following receipt of the notice to respond in writing to the President or the President's designee regarding the reasons set forth in the notice. Within the 10- day period, the faculty member may schedule a

meeting with the President or the President's designee to present any matter that should be brought to the attention of the President or the President's designee regarding the proposed suspension or termination.

5. Termination or suspension without pay shall take effect on the date set forth in the notice of termination or suspension, except that if the faculty member timely files a grievance concerning the termination or suspension, the faculty member shall not be deprived of pay and benefits until the grievance process ends with an outcome that allows the discipline.

Section 7. RESIGNATIONS-If a member of the faculty of the University desires to obtain release from a position, the faculty member must offer a resignation to the next superior administrative officer. The resignation shall be transmitted through the appropriate administrative officials to the President.

Section 8. THE GENERAL ASSEMBLY-

- (A) Membership. In order to permit general communication, there shall be a General Assembly, consisting of all members of the University faculty of the rank of lecturer and above. This assembly shall have no legislative or executive power.
- (B) Officers. The presiding officer shall be the President or, in the President's absence, the Provost. The Registrar shall be the Secretary.
- (C) Meetings. Meetings shall be held at the call of the President.

Article IV THE FACULTY SENATE

Section 1. FUNCTIONS-The Faculty Senate shall be the legislative body of the University thereby providing a forum for mutual exchange of ideas between senior officers and faculty. In this capacity, the Senate shall take cognizance of, and may legislate with respect to matters that concern more than one college, school, or other major academic unit, or that are otherwise of general university interest. In exercising its legislative function, the Senate shall make such rules, regulations, and Bylaws as it may deem advisable for the fulfillment of its duties.

Senate Bylaws may be proposed on the Senate floor and referred to an appropriate committee. Proposed Bylaws shall be reported out by appropriate committees, with the content submitted in writing to the Senate at least two weeks prior to the meeting. Bylaws adoption requires a favorable majority of those present and voting.

The Senate agenda prepared by the Senate Steering Committee shall consist of three parts: (a) reports of the President, Provost, and Faculty Senate Chair (b) information items, such as reports of general decisions or summaries from committees or others as appropriate; and (c) action items containing matters to be decided at current meetings and proposals for action at subsequent meetings.

Section 2. MEMBERSHIP-The Senate shall consist of elected voting members, ex officio non-voting members, and student non-voting members. The elected voting membership of the Faculty Senate shall be apportioned equitably among the Academic Units based on a membership of one hundred fifty (150) members. Academic Units, which form the basis for representation, shall be: the Institute of Food and Agricultural Sciences (IFAS), the University Libraries, the Florida Museum of Natural History, each college (except the College of Agriculture, which is represented in IFAS), and one unit representing all Faculty not otherwise represented in a college or other unit. Each year prior to the Senate elections the Academic Units will be notified by the President, or the President's designee, of the number of faculty eligible for election.

The number of elected members of the Senate will be apportioned among the Academic Units based on the number of faculty in each unit with each Academic Unit having at least two elected voting members. The remaining seats shall be apportioned among the Academic Units based on the number of faculty members in each unit, with the restriction that no Academic Unit will have a number of voting elected members larger than one-sixth of the elected voting membership of the Faculty Senate. The specific quotas shall be computed as set forth in the Senate Bylaws.

Only faculty as defined in Article III, Section 1, of this Constitution are eligible to be counted in determining the proportional representation of Academic Units within the Faculty Senate, to be elected to the Faculty Senate, and to vote for members of the Faculty Senate.

(A) Voting members. One hundred fifty (150) faculty members shall be elected voting members of the Senate. Any faculty member in an Academic Unit shall be eligible for election to the Senate. The members shall be elected by secret ballot by the faculty members of their respective Academic Units. Elected members shall serve three-year terms commencing the first day of the fall term following their election the previous spring term. They shall not be eligible for re-election following their second consecutive term for a period of three years following such term. The terms shall be staggered so that one-third of the Senate's elected members are elected each fall. Provisions for nomination and election may be established by the Faculty of the individual Academic Units unless otherwise specified in Senate Bylaws.

(B) Non-voting Members

1. Ex-officio members. Members of the Senate Steering Committee and the chairs of other constitutionally specified committees and councils elected by the Senate as described in Article V, Sections 2, 3, and 4, shall be ex-officio non-voting members if they are not otherwise elected members of the Senate.
2. Student members. Five student non-voting members shall be chosen annually for one-year terms by a procedure established by student government. In addition, three student non-voting members shall be selected annually from the Graduate School and one student non-voting member shall be selected annually from each of the following colleges: Dentistry, Law, Medicine, and Veterinary Medicine.

(C) Faculty Senate administrative liaison personnel. The following liaison personnel shall be provided notice of the meetings of the Faculty Senate and shall have the right of the floor: the president, provost, and vice presidents of the University, full deans of the Academic Units and the Registrar.

(D) Responsibilities of Members

1. Senators are expected to attend all the regularly scheduled meetings of the Senate during the academic year and to make every effort to attend special meetings. Absence from three consecutive meetings of the Senate constitutes resignation from the Senate, except that a Senator whose term is interrupted by a temporary absence from the University may be replaced by a temporary senator.
- ~~2. Members of councils, standing committees and joint committees are expected to attend all regularly scheduled meetings during the academic year and to make every effort to attend special meetings. Unexcused absence from three consecutive council or committee meetings constitutes resignation from the council or committee, except that a member whose term is interrupted by a temporary absence may be replaced on a temporary basis during that absence.~~
3. A senator who accepts a position having Faculty Senate liaison status as set forth in Section 1(C) of this Article concomitantly vacates the elected senate seat.

4. Senators are ordinarily expected to serve as members of Senate Councils and committees to which they may be elected or appointed.
5. Vacancies shall be filled as prescribed in the Bylaws.

Section 3. OFFICERS AND ADVISOR(S)

- (A) The Faculty Senate officers shall be the Chair, the Chair Elect, and the Past Chair, ~~;~~ Advisor(s) shall be~~and~~ the Secretary and Parliamentarian.
1. Chair. The duties and functions of the Chair are:
 - a. to preside at Faculty Senate meetings;
 - b. to serve as Chair of the Senate Steering Committee;
 - c. to represent the Faculty Senate on any matter within the Senate's jurisdiction or as requested by the Board of Trustees or President;
 - d. to serve as a full voting member of the Advisory Council of Faculty Senates;
 - e. to serve as an ex-officio voting member of the Board of Trustees; and
 - f. to perform such other duties as may be directed by the Senate.
 2. Chair Elect. The duties and functions of the Chair Elect are:
 - a. to act as Chair in the event the Chair is absent or otherwise unable to act;
 - b. to serve on the Senate Steering Committee;
 - c. to serve as a full voting member of the Advisory Council of Faculty Senates; and
 - d. to perform such other duties as may be directed by the Senate.
 3. Past Chair. The duties and functions of the Past Chair are:
 - a. to act as Chair in the event both the Chair and Chair Elect are absent or otherwise unable to act;
 - b. to serve on the Senate Steering Committee; and
 - c. to perform such other duties as may be directed by the Senate.
 4. Parliamentarian. The duties and functions of the Parliamentarian are:
 - a. to attend all Faculty Senate meetings;
 - b. to advise the Chair on application and interpretation of rules of procedure for the Faculty Senate;

- c. to offer advice, when requested, to any member desiring help on motions or other parliamentary procedures.
 - 5. Secretary. The duties and functions of the Secretary are:
 - a. to keep the minutes of the meetings of the Faculty Senate and transmit all notices required under this Constitution and the Bylaws of the Senate;
 - b. to maintain all records of the Senate; and
 - c. to perform such other duties as may be directed by the Senate.
- (B) Terms of Office and Selection of Officers and Advisor(s).
- 1. Each of the officers has a one-year term, beginning on June 1 each year.
 - 2. At the April meeting of the Senate, the Senate shall elect from its voting membership by majority vote a Chair Elect for a term beginning the forthcoming June 1.
 - 3. On June 1, the Chair Elect in the prior academic year shall become the Chair, succeeding to all the duties and functions of the Chair, and the Chair shall become the Past Chair. In the case of the death or resignation of the Chair, the Chair Elect shall serve as Chair for the remainder of his or her term.
 - 4. The Parliamentarian shall be selected by the Chair of the Faculty Senate.
 - 5. The Senate Steering Committee shall appoint a Senate Secretary.

Section 4. MEETINGS-The Faculty Senate shall normally meet at least once during each calendar month of the academic year or as specified by the Bylaws of the Senate. Special meetings of the Senate may be called upon due notice at such times as the Chair or President may designate or upon petition of twenty-five members of the Senate.

Section 5. QUORUM-A quorum for any meeting of the Senate shall consist of ~~a majority of~~ the members present and voting.

Section 6. VOTING PROCEDURES-The Senate Steering Committee shall be responsible for establishing the procedure for voting.

Section 7. PROXIES-No proxies shall be recognized.

Section 8. VOTING PRIVILEGES-Any member of the faculty shall have the right to attend meetings of the Senate, but shall not be entitled to a vote or to have the floor unless reporting at the request of the Senate. Members of committees elected by the Senate, but who are not members thereof, may have the privilege of the floor, but shall not vote.

Article V
COUNCILS AND COMMITTEES

Section 1. PURPOSE AND CLASSIFICATION. Service on University councils and committees is the primary means of direct participation in University governance by faculty. There are five classes of University councils and committees: Senate Operations Committees, Senate Policy Councils, Senate Committees, Joint Committees, and Presidential Committees. Councils and committees are the vehicles for providing, directly or through the Faculty Senate, faculty determinations, recommendations, or consultations as appropriate. The creation or dissolution of any Senate Policy Council, Senate Operations Committee, or other Senate Standing Committee, must be approved by the Senate using the procedure set forth in Article VIII of this Constitution. Presidential Committees are established or dissolved by the President. Joint Committees are established or dissolved jointly by the President and the Senate as prescribed in Article VIII of this Constitution. Senate and Joint Committee purviews, structures and procedures may be more fully set forth in the Senate Bylaws. *Ad hoc* Senate committees may be established by the Senate, by a Senate Council, or by the Steering Committee. Any committee, council, or task force denominated as “joint” shall report to both the Senate and the President.

Section 2. SENATE OPERATIONS COMMITTEES. Operational committees support the conduct of the business of the Faculty Senate. They assist the Senate to organize, to select its own officers, committees and councils, and to adopt rules for the conduct of its business.

The Senate Operations Committees are:

- (A) Steering Committee. The Steering Committee is the executive committee of the Faculty Senate. It advises the Chair of the Faculty Senate on all matters, including issues brought to its attention from outside the Senate’s or administration’s formal structures. The Steering Committee shall consist of 11 persons. The Chair of the Senate, the Chair Elect of the Senate and the Past Chair of the Senate shall be members. Three at large members, who at the time of their election shall be voting members of the Senate, shall serve for staggered three-year terms with one or more persons being elected annually. The chairs of the five Senate Policy Councils shall serve as members of the Steering Committee. The University President and Provost shall receive notice of, and have the right of the floor at all

Steering Committee meetings. The Secretary of the Senate and Senate Parliamentarian serve as staff to the Steering Committee. The Chair of the Senate shall be the chair of the Steering Committee. The Senate Steering Committee shall appoint a Senate Secretary.

The Steering Committee shall determine the agenda for each meeting of the Senate. It shall provide for reporting to the Senate by administrative officers, by the chair(s) of councils and committees, and by individuals. It coordinates, reviews, and refers actions and proposals from Senate and Joint Committees and from the Administration. The Steering Committee also refers matters to the Senate Policy Councils and accepts reports and recommendations from the Senate Policy Councils and committees for Senate action. Where appropriate, the Steering Committee can direct a matter to the combined attention of two or more Senate Policy Councils. It shall select an alternate member of the Advisory Council of Faculty Senates from among its members, excluding the Chair, Chair Elect, and Past Chair of the Senate. The Senate Steering Committee shall be responsible for establishing the procedure for voting.

- (B) Committee on Committees. The Committee on Committees shall be composed of six members elected by the Faculty Senate from the faculty at large. The members serve staggered three-year terms. The chair is elected by the Committee. On an annual basis, the Committee shall conduct a review of all Senate committees, which will consider the selection process for members, the purpose of the committees, and attendance at committee meetings. The Committee shall have the responsibility of recommending to the Senate the addition, reclassification, or dissolution of any Senate Committee, transformation of existing Presidential Committees into Joint Committees, or vice versa, and assignments of committees to Senate Policy Councils as Contributing or Related Committees. The Committee on Committees is also responsible for recommending any special qualifications for members of Senate Councils and Senate Committees to the Faculty Senate. Such special qualifications shall be as set forth in this Constitution and in the Senate Bylaw. The Committee shall report to the Senate at least twice a year.

- (C) University Constitution and Regulations Committee. This committee is comprised of six members elected by the Faculty Senate from the faculty at large. The members serve staggered three-year terms. The Chair is elected by the Committee. It is charged with the review of the provisions of the University Constitution and with making recommendations in connection therewith to the Faculty Senate. Changes to the Constitution that are proposed to the Senate shall be referred to the Constitution Committee for consideration and recommendation to the Senate. The Constitution Committee acts as an agent of the Senate to interpret the

meaning of any provision in the Constitution. It edits and prepares for publication revised editions of the Constitution. It advises the Faculty Senate on regulation changes and administration.

- (D) Senate Nominating Committee. The Faculty Senate shall elect six members of the faculty-at-large to serve staggered terms and the President shall appoint three members. The Committee shall elect its chair. The Committee shall nominate, for the Faculty Senate's elections, members of all Senate Policy Councils and Committees and Joint Committees. Upon the President's request, the Committee shall make recommendations for presidential appointments. For nominations, the Committee shall consider diverse representation from the entire University from all appropriate ranks and with special qualifications where required. A major goal is to foster a faculty fully committed to the service component of its teaching, research and service mission.

Section 3. THE SENATE POLICY COUNCILS. Five Senate Policy Councils are charged with making policy recommendations and facilitating faculty participation in shared governance in their assigned areas.

- (A) The Policy Councils are:
 - (1) Academic Policy: This council's area encompasses educational policy, including the creation, modification, or deletion of academic programs and units; curriculum; academic standing; relationship of academic units to each other; general policies concerning student instruction; and academic merits of candidates for administrative positions of academic significance.
 - (2) Faculty Welfare: This council's area encompasses matters that support, encourage, define, and evaluate the quality of the faculty and retention of faculty members, including faculty rights and academic freedom; faculty support programs, such as fringe benefit packages; faculty diversity; and programs that improve the quality of faculty life.
 - (3) Budget: This council's area encompasses budget and fiscal matters as they involve the academic mission of the University, including the recommendation of budget priorities involving academics and research, the fiscal implications of the creation, modification or deletion of academic programs, the collection and dissemination of information about University budgeting and planning; and monitoring whether the allocation of resources is consistent with Faculty Senate actions and the University's long-term and short-term strategic plans.

- (4) Research and Scholarship: This council's area encompasses University policies and procedures relating to research and scholarship, including university-wide research and scholarship initiatives and strategies; research grants and contracts; research infrastructure; and other matters relating to funding or producing scholarship.
 - (5) Academic Infrastructure: This council's area encompasses the University's infrastructure supporting the University's academic mission, including the provision of physical facilities and other physical resources; libraries; information technology; the campus master plan; and the availability of adequate computer, classroom, laboratory and other resources.
- (B) Responsibilities of Policy Councils. The councils make recommendations to the Senate, facilitate the implementation of policy, and serve as liaisons between the Senate and the administration within their areas. Each policy council oversees, coordinates and facilitates the work of committees that are assigned to that respective council. However, the councils have no authority to review the decisions of any committee except insofar as such decisions may be the bases of policy recommendations. The Senate Steering Committee coordinates the referring of matters to, and the receipt of recommendations from, the Senate Policy Councils.
- (1) The Committee on Committees may assign Senate committees and joint committees to Senate policy councils as "contributing committees" or "related committees." Contributing committees have charges of central importance to the work of that council. Related committees have charges of peripheral concern to the council or operate in areas over which faculty governance responsibility is highly limited. Presidential committees, as well as Senate and joint committees, may also be assigned to councils as related committees. A committee may be assigned to one council as a contributing committee and to one or more as a related committee.
 - (2) Each Senate policy council may refer business to its contributing and related committees; direct two or more Committees to work together when appropriate; create, if necessary, ad hoc committees or task forces to deal with matters within its purview; act as a council on business within its purview for which a committee is neither available nor necessary; and initiate and participate in cooperative action with other councils.

- (C) **Membership of Councils:** Voting members of each council shall consist of six (6) members elected by the Senate from the Senate membership and the chair of each contributing committee. Each council shall have one non-voting student member. If the chair of a contributing committee is an appointed member of the committee, then the members of the committee shall choose from among the elected faculty members a representative to serve on the council. The chairs of related committees to a council shall serve as non-voting members of those councils with the right to propose inquiries and other actions.

Council members elected by the Senate serve three-year staggered terms. If an elected council member's Senate term expires before the council term, the member will continue to serve on the council until the end of the three-year Council term.

- (D) **Chair:** Each policy council elects its own chair from its membership, for a one year, repeatable term. The Chair also serves on the Senate Steering Committee.
- (E) **Election of members:** Nominations for election of members of each council will be made pursuant to Article V, Section 7(B) of the Constitution. The two nominees for each council who receive the highest number of votes will be elected to three year terms.

Section 4. OTHER SENATE STANDING COMMITTEES. In addition to Senate Operations Committees, several other Committees are elected from the faculty wholly by the Senate or, where specifically indicated, by other means. These are:

- (A) **Academic Freedom, Tenure, Professional Relations and Standards.** The Academic Freedom, Tenure, Professional Relations and Standards Committee shall be composed of fifteen members elected by the Faculty Senate who will serve staggered three-year terms. Nominees for membership on this committee shall be tenured faculty holding the rank of professor (or equivalent) or above. The Chair is elected by the Committee. It shall be the duty of the Committee to conduct hearings on charges involving University practices bearing upon tenure or academic freedom or matters involving University practices generally applicable to faculty members bearing on professional ethics and the general welfare of the faculty.
- (B) **Honorary Degrees, Distinguished Alumnus Awards and Memorials Committee.** Eight faculty members elected by the Faculty Senate for staggered three-year terms comprise this committee. Members, selected from diverse fields, shall hold the rank of professor (or its equivalent) or above and shall have strong records of teaching and research. The Chair is

elected by the Committee. The Committee shall formulate principles covering the conferring of honorary degrees by the University and shall initiate or entertain suggestions as to individuals to whom honorary degrees shall be granted.

- (C) University Libraries Committee. The University Libraries Committee shall be composed of nine (9) faculty members and four (4) students. Faculty members shall be elected by the Senate for staggered three-year terms. The faculty members on the Committee shall include at least one (1) Assistant Professor, one (1) Associate Professor, and one (1) Professor, and no more than two members from any academic unit. Two (2) graduate students shall be selected for one-year terms by the Graduate Student Council, and two (2) undergraduate students shall be selected for one-year terms by Student Government. The Chair shall be elected by the Committee. The Committee shall assist the Director of University Libraries in maintaining and promoting the welfare of the University Libraries. It shall meet with the Director of University Libraries to review and formulate library policies to serve the needs and concerns of the faculty and students. It shall also serve as an advocate for the University Libraries to the University community. The Director shall present matters of policy to the Committee in a timely manner, provide the Committee with pertinent information about library operations and services, meet with the Committee frequently, and report to the Committee on actions taken in response to the Committee's recommendations. The Committee shall advise the Faculty Senate about the state of the Libraries and the Committee's position on policy matters affecting the Libraries. The Committee shall forward an annual report to the Faculty Senate and the University Administration, and provide other reports whenever advisable.
- (D) The Compensation Committee shall have six faculty members who shall represent a broad range of academic disciplines and units. The members shall be elected by the Faculty Senate from the Faculty at large to staggered three year terms. The committee shall elect its own chair. The committee shall have one administrative representative appointed by the President to serve as a liaison able to provide the required information to carry out the committee's responsibilities. The committee shall evaluate and report on compensation relative to peer institutions, raise results and salary structures at the University, and make recommendations with respect to raise procedures at the University.

Section 5. JOINT COMMITTEES. Faculty involvement is important for the disposition of certain key University issues with academic and administrative implications. In the spirit of shared governance, these issues are dealt with by Joint Committees. These committees are established and dissolved jointly by the President and the Senate and include members appointed by the President and members elected by

the Senate to represent the faculty. Typically one half of each Committee's membership is comprised of elected faculty members and one half of appointed faculty members, except as specified otherwise in the Senate Bylaws. Joint Committees report to the President and, to the extent allowed, provide information on committee activities and meeting minutes to the Senate. At any time the President or Senate may evaluate the effectiveness of Joint Committees in conjunction with the Committee on Committees. Through the mechanism established in Article VIII, such committees may be mutually restructured.

The Joint Committees are:

- (1) Academic Assessment Committee
- (2) Academic Personnel Board
- (3) University Curriculum Committee
- (4) General Education Committee
- (5) Graduate Council
- (6) Lakes, Vegetation and Landscape Committee
- (7) Land Use and Facilities Planning Committee
- (8) Parking and Transportation Committee
- (9) Preservation of Historic Buildings and Sites Committee
- (10) Research Policy Committee
- (11) Student Petitions Committee
- (121) Sustainability Committee

Section 6. PRESIDENTIAL COMMITTEES. Presidential committees aid the president in the performance of his or her duties as chief executive of the University. Presidential committees are created by, report to and have membership appointed by the President. A list of Presidential committees and their responsibilities will be published annually by the Provost.

Section 7. MEMBERSHIP ~~ELIGIBILITY AND NOMINATION PROCESS.~~

- (A) Any member of the faculty may be elected by the Senate to serve on Senate or Joint Committees, except that only current members of the Senate may be elected to the Senate Steering Committee and only current members of the Senate may be elected to at large seats on Policy Councils. Steering Committee members whose committee terms run beyond their Senate terms will serve as non-voting members of the Senate. No member of the Senate may be elected to more than two Senate or Joint committees. In some cases special expertise and qualifications are required for nomination to membership on certain committees, and such qualifications shall be set forth in the Constitution or Bylaws.
- (B) The Senate Nominating Committee shall serve as the nominating committee for all Senate Policy Councils and Senate Committees and for

elected members of Joint Committees. The nominating process is intended to insure that all University faculty have the opportunity to recommend themselves or others for committee service and that council and committee elections for each academic year can be completed to assure all councils and committees are in operation at the start of each fall semester. The process will be determined by the Senate and set forth in the Bylaws.

- (C) The President shall and the Faculty Senate Chair may appoint liaisons to provide special expertise on Senate Policy Councils and on Senate and Joint Committees when necessary.
- (D) Members of councils, standing committees and joint committees are expected to attend all regularly scheduled meetings during the academic year and to make every effort to attend special meetings. Unexcused absence from three consecutive council or committee meetings constitutes resignation from the council or committee, except that a member whose term is interrupted by a temporary absence may be replaced on a temporary basis during that absence.

Section 8. TERMS OF SERVICE OF COMMITTEE MEMBERS; ~~AND~~-ELECTION OF ~~COMMITTEE~~-CHAIRS.

- (A) Membership terms for elected positions on Senate Policy Councils and Senate or Joint committees shall be three years, beginning on the first day of the fall semester following the election, except for members of the Steering Committee, whose terms begin on June 1 of the calendar year in which they are elected.

Terms on newly established Senate Policy Councils and Senate or Joint committees will be staggered initially to produce, as nearly as possible, equal numbers of members with terms of one, two and three years. Wherever a vacancy occurs other than by expiration of term, the committee chair shall notify the Senate Chair who, in consultation with Senate Steering Committee shall select a replacement until the next annual election of members at which time an individual will be elected to fill the remainder of the term. Members who ~~have~~miss three consecutive unexcused ~~absences~~meetings shall be replaced.

- (B) Except as otherwise provided in this Constitution or the Senate Bylaws, each Senate Policy Council and Senate or Joint Committee shall elect its own chair. This election will take place during the last meeting of the committee in each spring semester so that committee leadership will be in place at the beginning of the following academic year.

Section 9. UNIVERSITY COMMITTEE REPORTS. Chairs of all University councils and committees shall provide timely information on matters of general faculty or Senate interest to the Senate through the Steering Committee and shall report on the disposition of all matters referred by the Senate. Such reports shall not include confidential material that is protected by law.

Article VI
ORGANIZATIONAL UNITS OF THE UNIVERSITY

Section 1. ACADEMIC ORGANIZATION OF THE UNIVERSITY-

- (A) There shall be established such academic and administrative units as are necessary for administering the academic programs of the University.
- (B) The basic degree-granting unit of the University shall be the college. A college may be a fundamental organizational unit or may consist of schools or departments or both.
- (C) Colleges and schools may be established or abolished by the initiative of the Faculty Senate with the approval of the President of the University and the Board of Trustees. The initiative for establishment or abolition of such units may also be exercised by the Board of Trustees.
- (D) Organizational units may have bylaws (or similar governing documents) that implement the principles of shared governance. Such bylaws (or similar governing documents) shall be governed by and subordinate to the Florida law, the policies and directives of the Florida Board of Governors, and the University of Florida Board of Trustees, University of Florida Regulations, the provisions of this Constitution and the Senate Bylaws, and the Collective Bargaining Agreement for those faculty in the bargaining unit.
- (E) Faculty shall have a shared governance role in determining any changes to the structure and character, including but not limited to forming, consolidating, transferring, closing and renaming, of the colleges, schools and departments in which they are appointed. Such changes shall require the approval of the Faculty Senate. Procedures for this process are set forth in the Bylaws.
- (F) Periodic evaluations of academic units shall be conducted in accordance with procedures adopted by the Senate.

Section 2. THE COLLEGES -

- (A) A college shall be a unit of the University organized to conduct curricula of study, research, and service, and to grant degrees.
- (B) The faculty of a college, or appropriate committees thereof, shall exercise control over the academic affairs of the college subject to the approval of the Faculty Senate, the President and the Board of Trustees. The faculty of the college shall establish requirements of the college for entrance and for

graduation, and the form of degrees to be conferred. It shall determine the arrangement and content of the curricula.

- (C) The faculty of a college shall consist of (a) all faculty members in the departments, schools and other units that belong to the college; (b) the deans, associate deans and assistant deans of the college; and (c) the President of the University as an ex-officio member.
- (D) The chief executive and administrative officer of the Graduate School, and of each college shall be a dean. The dean shall be appointed by the President. In making this appointment, the President shall give consideration to the opinion of the faculty of the college concerned by consultation with a special committee of at least three faculty members elected by the faculty of the college. The dean shall be responsible to the President for the administration of the college and shall be the agent of the faculty for the execution of educational policy.

Section 3. THE SCHOOLS

- (A) A school, except for the Graduate School, shall be a unit subordinate to a college organized for a special program of studies. A school may consist of two or more departments or may consist of no departments.
- (B) The members of a school shall consist of all faculty members i) who are appointed to the department or ii) who teach or do research in the department and who are accepted by vote of the faculty.
- (C) The program of a school shall be conducted by the school faculty through a director, who shall have general responsibility for the activities of the school.
- (D) The director shall be nominated by the dean of the college and approved by the President. In making this nomination, the dean shall give consideration to the opinion of the faculty of the school concerned by consultation with a special committee of at least three faculty members elected by the faculty of the school. The director shall be subject to the administrative supervision of the dean of the college in which the school is located. The director may also serve as chair of one or more departments in the school. In those instances where the special committee does not concur in the nominee of the dean(s) of the college(s), the committee's report should be forwarded to the President along with the nomination made by the dean(s).

Section 4. THE DEPARTMENTS-

- (A) A department shall be a unit of academic and administrative organization to one or more colleges and organized for an academic discipline or field of study.
- (B) The members of a department shall consist of all faculty members i) who are appointed to the department or ii) who teach or do research in the department and who are accepted by the vote of the faculty.
- (C) The program of a department shall be conducted by the departmental faculty through a chair or a school director, who shall have general responsibility for the activities of the department.
- (D) The chair shall be nominated by the dean(s) of the college(s) after formal consultation with a committee of the department selected by its tenured members and after consultation with others in related fields outside the department. The nominations shall be forwarded to the President for approval. In those instances where the departmental committee does not concur in the nominee of the dean(s) of the college(s), the committee's report should be forwarded to the President along with the nomination made by the dean(s).

Section 5. GENERAL EDUCATION-The University shall require a program of general education for all students receiving bachelor's degrees, which program shall be under the supervision of the College of Liberal Arts and Sciences. The courses that constitute the general education portion of the baccalaureate degree must be approved by a General Education Council, which shall be composed of representatives from the majority of baccalaureate degree-granting colleges within the University.

Section 6. THE GRADUATE SCHOOL-

- (A) The Graduate School shall exercise general supervision over graduate programs within the University, including the establishment of minimum standards of admission and performance; the recommendation of approval by the Faculty Senate for new graduate education programs or changes to existing graduate education programs; the recommendation of candidates for graduate degrees to the President; the encouragement, financial and other support of graduate study and research where these functions are not otherwise assigned. Responsibility for the operation of the graduate

programs shall be vested in the individual colleges, divisions, departments and institutes.

- (B) General policies and standards of the Graduate School shall be established by the Graduate Faculty, through the Graduate Council.
- (C) Acting as agent of the Graduate Faculty, the Graduate Council assists the dean of the Graduate School in the execution of policy related to graduate study and associated research.
- (D) University of Florida faculty members with tenure or in tenure accruing positions shall be considered members of the graduate faculty, effective at the time of their appointment to the faculty. All other appointments to the Graduate Faculty shall be made by the Dean of the Graduate School upon the approval by a two-thirds vote of all eligible Graduate Faculty in the appointing department and endorsement of the department chair and the dean of the college. Privileges regarding the level of involvement of Graduate Faculty members in supervising students are granted by the dean of the appointing college or other designated officials in consultation with the faculty member and in accordance with criteria established by the appointing unit.

Section 7. INTER-COLLEGE AND INTER-DEPARTMENTAL INSTITUTES OR CENTERS-For the purpose of research or teaching programs at the graduate or undergraduate level, there may be established under a college dean or other administrative official, an institute or center to administer inter-disciplinary research or teaching programs. Such units may be established by the Board of Trustees or its designee upon the recommendation of the President or the Senate and the President. They may be abolished by the same procedure or upon the initiative of the Board of Trustees or its designee. Ordinarily, the academic staff of an institute or center shall be faculty members of a college, school or department.

Section 8. SPECIALIZED UNITS-Special units, such as the Experiment Stations, Research and Education Centers and the Cooperative Extension Service of the Institute of Food and Agricultural Sciences, shall be administered as approved by the President.

Section 9. ALL-UNIVERSITY UNITS—Academic units serving the entire University, such as the University Libraries, the Florida Museum of Natural History and other all-university agencies, shall be administered directly under the President or through such officers of the University as the President may designate.

Article VII RIGHT OF APPEAL

All faculty, staff and students have the right to consideration of all grievances or complaints by the appropriate University authorities. Complaints shall be administered in accordance with University regulations and procedures.

Article VIII
AMENDMENTS

This Constitution may be amended by a two-thirds vote of the voting members present and voting at any regular meeting of the Faculty Senate held during the regular academic year, provided that the text of the proposed amendment has been submitted in writing to members of the Senate at least 30 days prior to the meeting and the notice of its intended consideration has appeared on the agenda circulated with the call to the meeting.

Alvers,Susan M

From: Alvers,Susan M
Sent: Friday, November 13, 2015 1:02 PM
To: Groisser,David Joel
Cc: Davenport,Paul W
Subject: COC minutes
Attachments: SEPT 2015 Minutes COC.pdf

Hi David,

The Committee on Committees recently met and approved the attached minutes. Their vote on the temporary senator issue is in these minutes.

Just an FYI

Thanks

Sue

~~~~~

*Sue Alvers  
Administrative Assistant to Dr. Paul Davenport  
Faculty Senate Chair and UF Trustee  
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**Committee on Committees**  
September 21, 2015  
Woodward Conference Room - 6184  
11:30 a.m.

**Attendees**

Todd Brusko, Jennifer Rea, Paul Davenport, Jose Trevino, Jane Gannon and Sue Alvers

**Call to Order**

Jose Trevino called the meeting to order at 11:34 a.m. and the minutes from December were approved.

Paul Davenport, Faculty Senate Chair, thanked the members for participating in shared governance by sitting on this committee. Paul had several charges that he wanted the committee to address:

- Determine the structure of a new IT Committee. Currently we have an adhoc committee called Faculty IT Subcommittee that advises the CIO. The last four Faculty Senate Chairs wanted this committee to become a standing committee of the Senate.
  - Should this be a joint committee or a senate committee?
  - How many members and length of term?
  - Currently the Faculty IT Subcommittee has a representative from each college. Should this continue or should there be representatives from “areas” so the committee is smaller?
  - This will have to go before the full senate for approval.
  - Jose stated that he will contact Frank Bova (current chair of Faculty IT Subcommittee) and Elias Eldayrie (CIO) to find out the committee’s responsibilities.
  - Sue will keep the Committee on Committee’s informed of communications by ccing the COC members.
- Currently the constitution does not specifically state how to fill temporary vacancies on committees. The Constitution Committee has asked that the COC discuss if there should be a change in the constitution to address this issue? Traditionally the Faculty Senate Chair follows the same procedure to fill temporary committee seats as the senate fills temporary senate seats.
  - After discussion Jane Gannon made a motion to not change the constitution as it pertains to temporary vacancies on committees. Todd Brusko seconded. The motion passed.
- Paul gave a “heads up” that the Constitution Committee might send a request to COC about what constitutes a quorum for joint committees.

Guests for the next COC meeting are: Bradley Walters, Infrastructure Council Chair and Amanda House, Welfare Council Vice Chair.

The committee adjourned the meeting at 12:18 p.m.