

Constitution Committee Agenda
Apr. 22, 2016
9:45 a.m. – Tigert 239A

1. **Approval of February 2016 minutes**
2. **Election of [Constitution Committee Chair for 2016—2017](#)**
In the list of members, please note that Zong Su replaced Sophia Acord for one year. Dr. Acord will return 2016-2017.
3. **Discussion of committee-member-replacement issue**
4. **Compatibility of faculty titles in Senate documents (Bylaw 21(A)(1), Constitution III(1)) with UF Regulations 7.003 & 7.004(4)**
5. **Discussion of whether to meet in May 2016**

University Constitution Committee Minutes (DRAFT)
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.

From: [Kwolek-Folland,Angel](#)
To: [Alvers,Susan M](#); [Grosser,David Joel](#)
Cc: [Spiguel, Ana Claudia](#)
Subject: RE: Appointment titles
Date: Tuesday, April 12, 2016 1:01:50 PM

All--

The modifier "Research" is still used. We do have a Scientist title, and an Engineer title, that are similar to titles in the TEAMS universe. That's not what makes someone faculty. Faculty status is part title and part pay plan. We can distinguish between the TEAMS and faculty holders by looking at the pay plan. (We're in the process of phasing out the TEAMS title in any event.)

The order of the modifiers is, likewise, not a big deal. Further, we have one title--Assistant In series--which has to be interrogated each fall because the people who hold the title sometimes do not have faculty responsibilities and are not on the faculty pay plan. Sue and HR routinely handle this.

That said, we do sometimes reconfigure modifiers, or add new faculty titles (like Professor of Practice), so keeping the list current is an issue.

What the committee might want to discuss is changing to some language that simply references the Regulation on faculty titles, or uses some of the same language (especially around modifiers), and combines that with wording about performing faculty duties.

Angel

-----Original Message-----

From: Alvers,Susan M
Sent: Tuesday, April 12, 2016 11:53 AM
To: Grosser,David Joel <grosser@ufl.edu>
Cc: Kwolek-Folland,Angel <akf@aa.ufl.edu>; Spiguel, Ana Claudia <spiguela@ufl.edu>
Subject: FW: Appointment titles

Hi David,

From your answer, I'm thinking that my email was confusing - or maybe I read your response wrong. The issue is that "Research" is no longer used in titles, so according to Bylaw 21, the "Scientist" series does not qualify as "faculty". This needs to be added to Bylaw 21 (A) Titles. There might be other titles that need to be added, that why I mentioned that the Constitution Committee should look into updating the list.

Thanks and have nice day,
Sue

-----Original Message-----

From: Malphurs,Janet M
Sent: Friday, April 08, 2016 2:28 PM
To: Kwolek-Folland,Angel <akf@aa.ufl.edu>; Lebron,Carolyn <clebron@ufl.edu>
Cc: Alvers,Susan M <salvers@ufl.edu>
Subject: RE: Appointment titles

Good afternoon

Many years ago, there was a title of Assistant Research Scientist series, but with the research modifier, the title no longer exist and was moved to the Assistant Scientist series (ast scientist, aso scientist, scientist).....we still have the job code for the title, but no one should be in that title in PS.

Thanks
Janet

-----Original Message-----

From: Kwolek-Folland,Angel
Sent: Friday, April 08, 2016 2:18 PM
To: Lebron,Carolyn <clebron@ufl.edu>
Cc: Malphurs,Janet M <jmmalph@ufl.edu>; Alvers,Susan M <salvers@ufl.edu>
Subject: RE: Appointment titles

The modifiers get used in all sorts of ways. If the individuals in question are on the faculty pay plan with those titles, then they are faculty. How the Faculty Senate determines what faculty titles qualify is up to Senate. I've copied Sue Alvers and Janet Malphurs. They routinely meet each fall to go over that list and should be able to help you.
Angel

-----Original Message-----

From: Lebron,Carolyn
Sent: Friday, April 08, 2016 1:35 PM
To: Kwolek-Folland,Angel <akf@aa.ufl.edu>
Subject: RE: Appointment titles

Hi!

They are both faculty titles. However, I have been unable to find anyone w the Assistant Research Scientist title. What Vicki basically wants to know is how to handle current existing faculty titles that are omitted from the list.

Carolyn

Carolyn Lebron
HR Manager
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-----Original Message-----

From: Kwolek-Folland,Angel
Sent: Friday, April 08, 2016 1:01 PM
To: Lebron,Carolyn <clebron@ufl.edu>
Subject: RE: Appointment titles

Carolyn--

If Faculty Senate does not include them it's probably because that's a TEAMS title--there is one that is similar to the faculty title. I would suggest they find out which pay plan they are in.
Angel

-----Original Message-----

From: Lebron,Carolyn
Sent: Friday, April 08, 2016 8:46 AM
To: Kwolek-Folland,Angel <akf@aa.ufl.edu>
Subject: FW: Appointment titles

Hi!

Please see the email below from Vicki Sarajedini. Could you address her inquiry?

PS - I checked PeopleSoft and was able to find Research Assistant Scientist w Research as a modifier, but not Assistant Research Scientist. Regulation 7.003 1 a 12 (page 3) - <http://regulations.ufl.edu/wp-content/uploads/2015/04/7003-2015.pdf> lists the Scientist series title and the research modifier is listed under the modifier section (page 13).

Regards,
Carolyn

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-----Original Message-----

From: Sarajedini,Vicki Lynn
Sent: Thursday, April 07, 2016 8:19 PM
To: Lebron,Carolyn <clebron@ufl.edu>
Subject: Appointment titles

Hello Carolyn,

I was recently asked to give the names of people in our department who could be nominated to serve on various committees such as the Faculty Senate. I had suggested a few people, including Peter Barnes, as someone who might be nominated since I had understood that people with the appointment of scientist or lecturer were considered faculty. It has come to our attention that the Faculty Senate does not consider the title of Assistant Scientist as part of the faculty according to the senate bylaws - they include only Assistant Research Scientists. Since his title does not include "research", he is not considered faculty by their bylaws.

I was checking the UF faculty handbook (Rules of the University of Florida, 6C1-7.004, attached here) and found that the titles of academic ranks include Assistant Research Scientist but do not appear to include the rank of Assistant Scientist, which is Peter's rank. Is the rank of Assistant Scientist (without the word "research" included in the title) one that is allowed under UF policy (see item 4 - Delegation of Appointment Authority).

Thanks for your help to understand this.

Vicki Sarajedini