

THE CONSTITUTION OF THE FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY¹

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APPROVED BY THE FACULTY SENATE

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RATIFIED BY THE FACULTY

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¹ This Constitution neither binds nor infringes on the right and authority of the Florida Agricultural and Mechanical Board of Trustees, and/or the Board of Governors. This Constitution reflects the general philosophy of shared governance between the Administration and the Faculty Senate regarding the organization and operation of the University. This Constitution is not a contractual agreement between the BOT and the Faculty Senate and does not supplant any of the BOT's rights set forth by the Florida Legislature, University rules and regulations and the Collective Bargaining Agreement.

CONSTITUTION OF FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY

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PREAMBLE

Our Founding Fathers understood the importance of education as one of the cornerstones to the survival of the new democracy they had established. The survival of every civilization depends upon the development and dissemination of new knowledge. That knowledge and wisdom will only flourish in an environment of mutual respect, creativity, and open discourse. The very best governance systems differentiate among the various roles and responsibilities of the governed, and valued contributions of all, balancing the need for reflection with timeliness.

Florida Agricultural and Mechanical University (FAMU) is an 1890 land-grant state educational institution of the State of Florida. FAMU is an institution dedicated to advancing knowledge through innovative teaching, research, service, and engaging cooperative extension. While the University continues its historic mission of educating African Americans, FAMU embraces persons of all races, gender, sexual orientation, religion, ethnic origins, disability, marital status, veteran status, nationalities, or membership or non-membership in an organization or union as life-long members of the university community.

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 creation of new, a vehicle for that society's improvement by providing for the capacity for enlightened and responsible self-criticism, which prevents that society from losing its dynamic character and falling victim to intellectual and moral decay.

A university functions best through the principles of shared governance between the administration and the faculty. Consequently, the purpose of the Constitution is to provide a framework for shared governance, permitting the administration and faculty to work together in partnership for the good of the institution.

Article I. GOVERNANCE OF THE UNIVERSITY

FAMU is a public educational institution of the State of Florida. The provisions of the University Constitution are governed by and subordinate to Florida law, the regulations, of the Florida Board of Governors (BOG), the FAMU Board of Trustees (BOT), FAMU regulations, and the Collective Bargaining Agreement (CBA).

Governance shall be shared between the University administration and the faculty as represented in the Faculty Senate. 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 by creating a partnership based on mutual respect, collegiality, 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

Responsibility for the University's administration is vested in the University president, the provost and vice president for Academic Affairs, and such vice presidents and officers as appointed by the president.

Section 2.01 THE PRESIDENT

The president shall be the chief administrative officer and agency head of the University and shall have full authority and responsibility for its operation. The Board of Trustees shall appoint the president, subject to confirmation of the candidate by the Board of Governors. The Faculty Senate will appoint a steering committee to submit recommendations to the Board of Trustees through the Faculty Senate President. In the absence of the president, or in the case of incapacitating illness, resignation, retirement, or death, the provost and vice president for Academic Affairs shall assume all the authority and responsibility of the president. In the absence of the president and the provost and vice president for Academic Affairs, the vice president/CFO for Finance and Administration shall act as the chief administrative officer.

The University president shall have veto power over all actions of committees, college faculties, and the Faculty Senate councils, which power shall be exercised by sending a written notification to the body concerned. In all matters not otherwise provided for in the Constitution and Bylaws, the president shall have plenary power under the Board of Trustees.

Section 2.02 State of the University Address.

The general faculty shall meet in regular session twice during each academic year and in special session as called by the president or upon written request of at least twenty-five (25) percent of its membership. The provost and vice president for Academic Affairs or their designee shall preside at all meetings of the general faculty.

Section 2.03 THE PROVOST AND VICE PRESIDENT FOR ACADEMIC AFFAIRS

The provost and vice president for Academic Affairs shall be the University's chief academic officer and shall coordinate academic functions in consultation with the University Academic Council and in cooperation with the Faculty Senate and shall perform other such duties as the president may designate.

The provost 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 the Board of Trustees makes formal provisions.

Section 2.04 VICE PRESIDENT/CFO FINANCE AND ADMINISTRATION

The vice president/CFO for Finance and Administration shall be the chief officer responsible for fiscal, personnel, and physical operations of the University and shall perform such other duties as the president may designate.

In the absence, incapacitating illness, or death of the president and the provost and vice president for Academic Affairs, the vice president/CFO for Finance and Administration shall act as the chief administrative officer until the Board of Trustees makes formal provisions.

Section 2.05 THE VICE PRESIDENT FOR STUDENT AFFAIRS

The vice president for Student Affairs shall be the chief officer responsible for matters pertaining to student welfare and student activities and shall perform such other duties as the president may designate.

Section 2.06 OTHER ADMINISTRATIVE OFFICERS

The University president shall have the authority to designate other administrative officers with the duties assigned to them by the president.

Section 2.07 PRESIDENTIAL DELEGATION

The University 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 2.08 PRESIDENTIAL COUNCILS AND COMMITTEES

The University president shall have the authority to appoint and to constitute councils, committees, advisory bodies, or other units necessary and desirable for the effective administration and operation of the University.

Article III. THE UNIVERSITY FACULTY

Section 3.01 The Faculty

The faculty is the cornerstone of the University. It shall be responsible for instruction, research, and public service, and shall promote the educational mission and goals of the University and the State of Florida.

Section 3.02 Academic Freedom and Responsibility

The policy for academic freedom and responsibility at FAMU is defined in Article 5 of the Collective Bargaining Agreement and University Regulation 10.203:

- (a) “The University believes that academic freedom and responsibility are essential to the full development of a true university, and such freedom and responsibility applies to teaching, research, service, and creativity. Consistent with the exercise of academic responsibility, a teacher must have freedom in the classroom in discussing academic subjects. 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.
- (b) The established policy of the University continues to be that the faculty employee must fulfill their responsibility to society and to their profession by manifesting academic competence, scholarly discretion, and good citizenship. The faculty is a citizen, a member of a learned profession, and an academic officer of the University. The faculty 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.”

Section 3.03 General Faculty

The general faculty shall consist of those persons employed by the University during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely teaching, research, and service. Titles of those persons include professor, associate professor, assistant professor, university librarian, associate university librarian, assistant university librarian, instructor librarian, instructor, associate instructor, university instructor, or research associate in one of the colleges, schools, or other academic units of the University, and those members of the administrative or professional staff who are employed in one of those ranks. This definition includes both part-time and full-time employees.

Section 3.04 Voting Faculty

The voting faculty shall consist of those persons employed by the University during the regular academic year whose primary assignment is to carry out the academic mission of the University, namely teaching, research, and service. Titles of those persons include professor, associate professor, assistant professor, university librarian, associate university librarian, assistant university librarian, instructor librarian, instructor, associate instructor, university instructor, or research associate.

Visiting faculty, part-time or adjunct faculty, or those members of the Administrative and Professional (A&P) staff assigned to one of those ranks are not members of the voting faculty. Persons holding administrative positions, including, but not limited to, deans, directors, and department chairs are not voting faculty during the period of their administrative service.

Section 3.05 Appointment of Faculty Members.

- (a) Since the acquisition of a highly educated faculty is paramount to the University's future, it is necessary that the appointment process adheres to the recruitment policies and procedures of the University, and that the faculty have significant participation in the selection process. Applicants for faculty positions should not be appointed to an academic unit over the opposition of the faculty of the relevant unit, expressed by the unit's academic or procedural standards.
- (b) Nominations for faculty members' appointments shall be initiated by the department chair or other officer in charge of the academic unit. After a formal consultation with the departmental or equivalent unit's full-time faculty,² the dean or director shall make recommendations to the provost and vice president for Academic Affairs, who shall make recommendations to the president.
- (c) The president or provost and vice president for Academic Affairs shall confirm all appointments to the faculty in a written contract or letter of appointment specifying rank, salary, tenure status, and other relevant terms of the appointment. The contract or letter of appointment shall be delivered to the provost's potential faculty member, as soon as possible, with notification to the dean or director no later than one day before the first day on which the faculty member begins work.

² In some units the procedure may be different.

Section 3.06 Promotion of Faculty Members

- (a) The University's success is associated with the quality of the faculty, through teaching, research, and service. Promotion shall be granted per University regulations, criteria of the colleges or units, and the collective bargaining agreement.
- (b) Recommendations for the promotion of faculty members shall be based upon criteria specified by the University and colleges/schools. 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 department's individual faculty members or unit holding rank superior to that of the promotion candidate.
- (c) The University's success is associated with the quality of the instructor through teaching and service. To be successful Instructor candidates are required to demonstrate dedication and vigor for exemplary teaching, continuous engagement in professional development activity, and active participation in significant service to the university, the academy and the community at large. It is also the expectation that after promotion is granted that successful Instructor candidates will continue to satisfy these requirements as they progress at the University.
- (d) The University president has the final authority to approve or disapprove promotion.

Section 3.07 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 continuing employment by the institution.
- (b) **Eligibility for Tenure.** Faculty members with the rank of assistant professor, associate professor, professor, and other faculty members the Board of Trustees may designate (such as assistant librarians, and associate librarians) shall be eligible for tenure. Tenure does not extend to administrative appointments.
- (c) **Granting of Tenure.** Upon nomination by the president and approval by the Board of Trustees, tenure will be granted.
- (d) **Redress of Tenure Decision Grievances.** All general faculty members shall have the right to file grievances and to seek redress in accordance with the current collective bargaining agreement and University regulations.

Section 3.08 Non-Renewal or Termination of Non-Tenured Faculty Employment

- (a) The University president may discontinue the employment of a non-tenured faculty member. Notice of non-reappointment or termination of a non-tenured faculty member shall be given in writing, in accordance with the current collective bargaining agreement or University regulations.
- (b) The president shall not renew the employment of any eligible faculty member in a tenure-earning position who has not been granted tenure by the close of the sixth year of continuous employment. The faculty member shall be given notice of such non-renewal in accordance with the current collective bargaining agreement.
- (c) All terminations of non-tenured faculty members shall be in accordance with the current collective bargaining agreement or University regulations.

Section 3.09 Termination of Tenured Faculty Employment

- (a) Employment of a tenured faculty member may be terminated for just cause. Just cause shall be defined as incompetence or misconduct.
- (b) All terminations of tenured faculty members shall be in accordance with University Regulation 10.205 and the current collective bargaining agreement.
- (c) The University president must appoint a committee to investigate, deliberate, and make written recommendations regarding any tenured faculty member's termination.

Section 3.10 Resignation

- (a) Any faculty member who desires to resign from the University shall provide notice according to the collective bargaining agreement's procedures.

Article IV. FACULTY SENATE

Section 4.01 Function

- (a) The Faculty Senate shall be the highest academic legislative body in the University and shall serve in a collegial advisory capacity to the president of the University. The Faculty Senate shall advise the president on academic matters and on other issues of general university concern, both internal and external.

Section 4.02 Jurisdiction

- (a) The Faculty Senate shall have jurisdiction over all internal matters, academic and non-academic, that are not reserved exclusively to the president. Its spheres of interests and concern shall include, but are not limited to, academics, resources, faculty development, admissions, grading standards, appeal and grievance procedures, professional courtesies and amenities, relations with legislative bodies and government, as well as any other programs and efforts to enhance the health, safety, and general welfare of the University community.
- (b) **Faculty Senate Committee Representation.** All presidential, administrative, or joint committees of the University shall have at least two representatives selected by the Faculty Senate.³ Faculty Senate committee representatives shall provide reports to the Faculty Senate about their assigned University committees' activities consistent with the process specified in the Bylaws.

Section 4.03 Membership

- (a) **General.** The Faculty Senate shall consist of elected voting members, ex-officio voting members, and student voting members.
 - (i) The provost and vice president for Academic Affairs shall, before March 1 of each year, inform the deans of each college or school and the library equivalent unit as to the total number of voting full-time faculty as defined in Section 3.04 of the Constitution assigned to it. (NOTE: This determination shall include persons holding these ranks while serving on grants.)
 - (ii) Each unit shall elect its representatives, normally, for two-year staggered terms during the first two weeks of March of each year. Senators elected in March of each academic year shall take office at the initial fall meeting of the Faculty Senate.

³ See Article V Council and Committees of the Constitution.

- (b) **Voting Members.** Each college or school or equivalent academic unit shall be entitled to voting representation in the Faculty Senate according to the following formula:

$$\text{Number of Voting Members} = \frac{\text{number of eligible faculty members in college or school}}{\text{Number of colleges and schools in the University}}$$

- (i) A fraction of one-half ($\frac{1}{2}$) or more of a person, according to the above formula, shall be construed as a whole person and shall entitle the academic unit to an additional voting senator. Regardless of formula applicability, each college or school or equivalent academic unit shall be entitled to no less than two voting senators.
- (ii) As defined in Article III, Section 3.04 above, only full-time voting faculty are eligible for election to the Faculty Senate. A voting faculty member elected to the Faculty Senate who has assigned duties in more than one college, school, or equivalent academic unit shall be regarded as a member of the unit in which the voting faculty member holds academic rank. Eligible faculty members may be elected to successive two-year terms in the Faculty Senate.
- (c) **Ex-Officio Voting Members.** The administration shall choose two ex-officio members to serve in the Faculty Senate as voting members. The provost and vice president for Academic Affairs shall establish the procedure for selecting the ex-officio members.
- (d) **Student Voting Members.** Four full-time students, including undergraduates and graduates, shall be elected to the Faculty Senate for one-year terms according to procedures established by the Student Government Association (SGA). Two of these student members shall have all senate privileges, including full voting rights. Two of the student members shall serve as ex-officio, non-voting members.
- (e) **Administrative Liaison Personnel.** Administrative liaison personnel shall include the president, vice presidents, deans, heads of equivalent academic units, university registrar, comptroller, dean of libraries, director of health, director of personnel affairs, director of security, and director of physical plant. The president may recommend for approval by the Faculty Senate of additional administrative liaison personnel. All administrative liaison personnel shall be provided notice of the Faculty Senate's meetings and shall have the privilege of being recognized to speak.

Section 4.04 Responsibilities of Members

- (a) Senators are expected to attend all the senate's regularly scheduled meetings during the academic year and make every effort to attend special meetings. Absence from two consecutive senate meetings constitutes resignation from the senate, except that a temporary senator may replace a senator whose term is interrupted by a brief absence from the University.
- (b) Senators are ordinarily expected to serve as members of senate committees to which they may be elected or appointed.
- (c) Vacancies shall be filled as prescribed in the Bylaws.

Section 4.05 Elected Officers

The Faculty Senate shall have a president, a vice president, and a secretary elected by senators from among its members in accordance with this Constitution and Bylaws of the Faculty Senate. Each elected officer must be a senator in good standing,⁴ meaning their term is operational at the time of the election and not upon taking office. The president of the Faculty Senate shall be the presiding officer. The advisor to the senate shall be a parliamentarian who shall be appointed according to the Bylaws.

Officers shall be elected by a majority of voting senators present at the April meeting of odd numbered years. If no candidate receives a majority vote on the first ballot, then a second ballot shall be held among the candidates who received the highest number of votes on the first ballot.

- (a) **President.** The duties and functions of the president are as follows:
 - (i) to preside at Faculty Senate meetings;
 - (ii) to serve as chair of the Senate Steering Committee;
 - (iii) to represent the Faculty Senate on any matter within the senate's jurisdiction or as requested by the Board of Trustees or University president;
 - (iv) to serve as a full voting member of the Advisory Council of Faculty Senates;
 - (v) to serve as an ex-officio voting member of the Board of Trustees; and
 - (vi) to perform such other duties as may be directed by the senate.

⁴ **Good Standing:** a senator is regarded in good standing when their term as a senator has not expired in their school, college, or unit. For the officers' election (president, vice president, and secretary), the senator's term must be current and not expired in the odd years.

- (b) **Vice President.** The duties and functions of the vice president are as follows:
 - (i) to act as chair in the event the president is absent or otherwise unable to act;
 - (ii) to serve on the Senate Committee on Committees; and
 - (iii) to perform such other duties as may be directed by the senate.
- (c) **Secretary.** The duties and functions of the secretary are as follows:
 - (i) to keep the minutes of the meetings of the Faculty Senate and transmit all notices required under this Constitution and Bylaws of the Faculty Senate;
 - (ii) to maintain copies of all records of the senate and amendments adopted by the Faculty Senate and provide original copies to the administrative office of the Faculty Senate; and
 - (iii) to perform such other duties as may be directed by the senate.
- (d) **Parliamentarian.** The duties and functions of the parliamentarian are as follows:
 - (i) to attend all Faculty Senate meetings and serve as an impartial arbiter;
 - (ii) to advise on parliamentary procedure;
 - (iii) to interpret and apply the rules of order for meetings;
 - (iv) to assist in interpreting the Bylaws; and
 - (v) to assist in drafting the Bylaws.

Section 4.06 Meetings

- (a) 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.

Section 4.07 Quorum

- (a) A quorum for any meeting of the senate shall consist of the members present and voting as defined in the Bylaws.

Section 4.08 Voting Procedures

- (a) The Senate Steering Committee shall be responsible for establishing the procedure for voting.

Section 4.09 Proxies

- (a) No proxies shall be recognized.

Article V. COUNCILS AND COMMITTEES

Section 5.01 Definitions

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 at FAMU: senate operations committees, senate standing committees, presidential committees, administrative committees, and joint committees. Each of these councils or committees should have at least two faculty representatives chosen by the Faculty Senate as set forth in the Bylaws. The creation or dissolution of any senate operations committee, or other senate standing committee, must be approved by the Faculty Senate using the procedure set forth in the Bylaws. Presidential committees are established or dissolved by the president. Administrative committees are established or dissolved by the respective vice president. Joint committees are established or dissolved jointly by the president and the Faculty Senate as prescribed in the 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 5.02 Senate Operations Committees

Senate Operations Committees. Operational committees are permanent committees of the Faculty Senate designed to assist in conducting the day-to-day business of the senate. They assist the senate to organize, select its own officers, committees and councils, and adopt rules for the conduct of its business.

- (a) **The Steering Committee.** The Chair of the Steering Committee shall be the president of the Faculty Senate. The Steering Committee is the executive committee of the Faculty Senate. It advises the Faculty Senate's president 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 one person from each college and school or academic unit elected from and by the Faculty Senate, at its October meeting. In consultation with the Faculty Senate president, the Steering Committee shall determine the agenda for each meeting of the senate including the reporting to the Faculty Senate by the president, other administrative officers, and standing and special committees, and other appropriate individuals who have requested or have been invited to appear before the senate. The Steering Committee shall, within forty-eight (48) hours, inform the person who submitted the item as to its disposition. The senate secretary and senate parliamentarian serve as staff to the Steering Committee.

- (b) **Committee on Committees.** The Committee on Committees shall be composed of one senator from each college and school or equivalent unit elected by the senate from its voting membership for two-year staggered terms at its October meeting. The Committee on Committees shall elect a chair at its first fall meeting convened by the senate president. It shall appoint all Faculty Senate committees and recommend to the Faculty Senate president nominees for appointment to all non-elective, university-wide committees, and other bodies as determined by the University's president. Periodically, the committee shall conduct a review of all senate committees, which will consider the selection process for members, the committees' purpose, and attendance at committee meetings.

Section 5.03 Senate Standing and Ad Hoc Committees

The Faculty Senate may establish standing or ad hoc committees, as it deems necessary, for any purpose within its jurisdiction, in accordance with this Constitution and Bylaws and operating rules of the Faculty Senate.

The Faculty Senate president shall be ex-officio, non-voting member of all standing and ad hoc committees of the Faculty Senate.

- (a) **The Curriculum Committee.** The Curriculum Committee shall consist of no more than two members from each college and school or other academic unit, appointed by the unit, two faculty senators nominated by the Committee on Committees, for two-year staggered terms and confirmed by the Faculty Senate president, and one student, nominated by the SGA, and appointed for a one-year term. Ex-officio members of the Curriculum Committee shall be the chair of the University Program Authorization Review Committee, and the University registrar.
 - (i) The Curriculum Committee shall review and make recommendations to the Faculty Senate for the approval or disapproval of new degree programs and the continuation, modification, or termination of existing academic degree programs. The Curriculum Committee shall also review all new, modified, or terminated course requests and make recommendations to the Faculty Senate. The Curriculum Committee shall respond to requests referred to it by the Faculty Senate from colleges and schools, or equivalent academic units and shall have the authority to initiate appropriate curriculum activities based upon its own determination.
- (b) **The Library Committee.** The Library Committee shall consist of two faculty members from each college and school, or equivalent academic unit, and appointed by the president from nominees submitted by the Committee on Committees for two-year

staggered terms, and four students, nominated by the SGA, and appointed for one-year terms. The dean of libraries shall be ex-officio, non-voting member of this committee.

- (i) The committee shall evaluate library holdings, facilities, services, equipment, and procedures, and shall recommend to the Faculty Senate plans, activities, and strategies for the improvement of all libraries and library holdings throughout the University.

Section 5.04 Presidential Committees

Presidential committees aid the University president in the performance of their 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.

- (a) **The University Executive Council.** The Executive Council, also known as the Senior Leadership Team, shall serve as an advisory body to the president on policy and other matters of university concern. It shall consist of the president, all vice presidents, two faculty representatives elected by the Faculty Senate from its voting membership for two-year staggered terms, and other persons from the University community selected by the president. The president shall preside at the meetings.
- (b) **The University Budget Council.** The University Budget Council shall be responsible for recommending the University's policies and procedures in the budgetary process. The Budget Committee shall consist of the provost and vice president for Academic Affairs, vice president/CFO Finance and Administration, budget director, two faculty representatives elected by the Faculty Senate from its voting membership for two-year staggered terms, and other persons selected by the president or their designee. It may recommend to the president such additional standing and special committees as it deems necessary to implement its policies and procedures.

Section 5.05 Administrative Committees

Administrative committees assist senior administrators in the performance of their duties as chief administrators of the University. Administrative committees are created by, report to, and have membership appointed by the respective administrator. A list of administrative committees and their responsibilities will be published annually by the provost.

- (a) **The University Academic Council.** The University Academic Council, also known as the Council of Academic Deans or Deans' Council, shall advise the provost and vice president for Academic Affairs on policy and other matters related to academic affairs. The University Academic Council shall consist of the provost and vice president for

Academic Affairs, who shall serve as presiding officer, deans of academic units, director of Continuing Education, registrar, dean of libraries, two faculty representatives elected by the Faculty Senate from its voting membership for two-year staggered terms, and other persons from the University community selected at the discretion of the provost and vice president for Academic Affairs.

Section 5.06 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 addressed by joint committees. These committees are established and dissolved jointly by the University president and the senate and include members appointed by the president and members elected by the senate to represent the faculty. 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 Faculty Senate may evaluate the effectiveness of Joint Committees in conjunction with the Committee on Committees.

(a) The Graduate Council.

- (i) The Graduate Council shall consist of at least one graduate faculty member from each of the colleges and schools with existing or evolving graduate programs. Council members shall hold graduate faculty status and shall be selected by their respective schools/colleges. Two graduate students, selected by the Graduate Student Association, shall be voting members of the council. Ex-officio non-voting members of the council shall include appropriate deans, the director of Admissions, the registrar, and the director of Financial Aid. The dean of the School of Graduate Studies, Research, and Continuing Education shall be the presiding officer of the council.
- (ii) The council shall review and recommend policy and procedures on such matters pertaining to (1) admissions and retention, (2) scholarship and research, (3) degree requirements, (4) graduate faculty standards, (5) course offerings, (6) financial aid, and other matters relevant to the development of high-quality programs of graduate study.

(b) The Athletic Committee.

- (i) The Athletic Committee shall consist of a total of six members from the general faculty and other members of the University appointed by the president, who shall serve for two-year staggered terms, and three student members appointed by the president for two-year staggered terms upon the recommendation of the SGA. Total voting

membership shall not exceed nine, but the president may appoint other non-voting members as deemed necessary.

- (ii) The committee shall recommend, and continually review all policies pertaining to the athletic program at the University. Furthermore, it shall make recommendations for new policies to the president when such recommendations are in the best interest of both athletics and the University. The committee shall review and recommend all athletic contracts to the president and shall approve schedules and participation by athletic teams and individual athletes. The committee shall recommend the standards and frequency of participation by athletes and shall be particularly alert for those cases wherein continued participation is incongruent with an athlete's normal progress toward completion of an academic program. The committee shall review and recommend all athletic budgets. The committee shall monitor all athletic programs to ensure they adhere to established policies and procedures.

(c) The Promotion and Tenure Committee.

- (i) The University Promotion and Tenure Committees shall consist of one faculty representative for every forty (40) faculty members, or part thereof, in an academic unit. Said representatives shall be elected by the faculty members within each school or college or equivalent academic unit and shall serve a two-year term. Only tenured associate and full professors shall be elected to the promotion committee. Tenured faculty members at any rank may be elected to the tenure committee.
- (ii) The committee shall evaluate all applications for promotion or tenure that are referred to them by the Office of the Provost and Vice President for Academic Affairs and shall make recommendations regarding each application to the provost and vice president for Academic Affairs, in accordance with approved criteria.

(d) Constitution Committee.

- (i) The Faculty Senate president in consultation with the University president shall form a Constitution Committee consisting of members of the Faculty Senate and those appointed by the University president.
- (ii) The Constitution Committee shall meet periodically, at intervals not to exceed five years, to evaluate the effectiveness of the current Constitution. The committee will examine and determine whether the existing documents are compatible with changes to the Florida Statutes, the Board of Trustees and/or Board of Governors rules and regulations, University policies, and collective bargaining requirements. When appropriate, the Constitution Committee shall make recommendations for the revision

and/or amendment to the Constitution, which shall be considered and approved according to the amendment process stipulated in Article VII of the Constitution. A representative of the University general counsel's office shall be ex-officio, voting member of the Constitution Committee.

Section 5.07 University Committee Reports.

- (a) 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 Faculty Senate. Such reports shall not include confidential material protected by law.

Article VI. ORGANIZATIONAL UNITS OF THE UNIVERSITY

Section 6.01 Academic Affairs

- (a) **Colleges and Schools.** Colleges and schools shall be comprehensive academic units within the University, and may consist of divisions, departments, institutes, centers, and other such specialized units as are necessary and desirable. The establishment or abolition of a college or school shall be based upon appropriate study and recommendations with the approval of the provost and vice president for Academic Affairs, the president, Faculty Senate, and the Board of Trustees.
 - (i) **Administration.** The chief administrative officers for academic units shall be as follows: school or college, dean; division, center, institute, or other specialized unit, director; and department chair. Other administrative titles may be designated by the president as needed.
 - (ii) **Reorganization of Colleges and Schools.** Reorganization of academic units shall be reviewed by the Faculty Senate before such reorganization occurs.
- (b) **The College.**
 - (i) The college shall be the major degree-granting unit of the University that is established to develop academic programs, plan curricula and courses of study, and conduct instruction, research, and public service.
 - (ii) **Jurisdiction.** In accordance with approval procedures and policies of the Faculty Senate, the provost and vice president for Academic Affairs, the president, and the Board of Trustees, the faculty of each college shall engage in all activities that are appropriate to its mission, including but not limited to, requirements for admission, retention, and graduation, curriculum development and maintenance, employment, promotion and tenure recommendations, cooperation and coordination with the academic units, determination of faculty workloads and responsibility, committee assignments, and research support.
 - (iii) **The Faculty.** As defined in the Constitution, the college faculty shall consist of those persons holding academic rank employed in the departments or other equivalent units of the college.

(iv) **Administration.**

- 1) The college's chief administrative officer shall be the dean who holds professorial rank in one of the departments or other college units. The dean shall be nominated to the University president by the provost and vice president for Academic Affairs upon recommendation by a search committee that shall include, but not be limited to, three tenured or tenure-earning members of the college faculty. If the nominations of the provost and vice president for Academic Affairs are not concurred by the search committee, a dissenting report shall be forwarded to the University president and all other pertinent information related to the nominations.
- 2) The president shall appoint the dean. In the event of resignation, removal, incapacitating illness, or death, the president, upon recommendation of the provost and vice president for Academic Affairs, shall make an interim appointment until the permanent dean's selection and approval are confirmed.
- 3) The dean shall be the college chief administrative officer who administers affairs under policy determined by the college faculty if such policy is consistent with the University-wide academic policies. The dean shall be responsible to the provost and vice president for Academic Affairs and the president for all the college's academic and budgetary affairs. The dean shall forward nominations for the employment of academic personnel to the provost and vice president for Academic Affairs, based upon the chair's prior recommendation of the departments of the college. Administrative assistants may be recommended for an appointment as are required.
- 4) The president may remove a dean from their deanship, without affecting the faculty rank and tenure status of the dean in accordance with this Constitution and Bylaws, other University policies, and Board of Trustees regulations.

(c) **The School**

- (i) The school shall be a comprehensive academic unit of the University within a college, or an autonomous unit organized for special academic programs, curricula and courses of study, instruction, research and public service. It may have degree-granting status on a par with the college.

(ii) **Jurisdiction**

- 1) When the school is a unit within a college, its faculty shall determine its internal policies and exercise control of academic affairs of the school subject to approval of the dean of the college.⁵

⁵ An example of a school within a college: if the University wanted to elevate a program or department to a separate school or college because it would provide a competitive advantage, it may occur when the University

- 2) When a school is an autonomous unit, with degree-granting status, organized for special academic programs, the faculty shall determine its internal policies and shall exercise control of its academic affairs in accordance with this Constitution and Bylaws, University policies, and Board of Trustees regulations. All other facets of the jurisdiction of a school are the same as those of the college.
- (iii) **The Faculty.** As defined in the Constitution, the faculty of a school shall consist of those persons holding academic rank, who are employed in the departments or other units of the school.

(iv) **Administration**

- 1) The school's chief administrative officer shall be the dean who holds professorial rank in one of the departments or other school units. The dean shall be nominated to the president by the provost and vice president for Academic Affairs upon recommendation by a search committee that shall include, but not be limited to, three tenured members of the school faculty. If the nominations of the provost and vice president for Academic Affairs are not concurred by the search committee, a dissenting report shall be forwarded to the University president and all other pertinent information related to the nominations.
- 2) The president may remove a dean from their deanship, without affecting the faculty rank and tenure status of the dean in accordance with this Constitution and Bylaws, other University policies, and Board of Trustees regulations.

(d) The Division

- (i) The Division shall be the primary academic and administrative unit within the college or school comprised of two or more departments or equivalent units related by subject matter proximity and special program emphases. Institutes, centers, and other special academic programs may be administered through a division.

(ii) **Jurisdiction.**

- 1) The division's principal functions include the coordination and articulation of the academic programs of the various departments, budget preparation and fiscal responsibility for departments, and the maintenance of curriculum continuity and complementary program planning, development, and evaluation of the departments. Working with the dean and other divisions in the college or school, the division shall pursue mutually supportive relationships and strategies to stimulate excellence in

does not have sufficient resources to fully establish a stand-alone school or college; then it may be designated a school within the college.

teaching, research, public service, faculty and staff recruitment and development, and other professional participation.

(iii) **Administration**

- 1) The chief administrative officer of a division shall be a director who shall hold professorial rank in their academic specialty department. The division director shall be nominated by the dean of the college or school after receiving two or more recommendations from a faculty committee consisting of tenured and tenure-earning members from each department within the division. Upon approval by the provost and vice president for Academic Affairs, the president may appoint the nominee as division head to a specified term of three years.
- 2) The method of selecting the division head adopted by the faculty shall apply in the event of resignation, retirement, incapacitating illness, or death of the incumbent division head during a term of appointment. Upon approval of the provost and vice president for Academic Affairs, the dean may appoint an interim acting division director. Such interim status should remain no longer than two consecutive semesters.
- 3) If the director is appointed for a specified term, the president may reappoint them for successive terms. Though much of a division director's responsibilities are administrative, they shall typically be expected to teach at least one course in one of the three semesters of the regular academic year. At the discretion of the president, and according to this Constitution and Bylaws, a division director may be removed from their directorship without affecting the director's academic rank and tenure status.

(e) **The Department**

- (i) The department shall be the basic unit of academic organization within the colleges and schools, and shall have teaching, research, public service, and other academic functions.
- (ii) **Jurisdiction.** Each department shall be located in only one college or school. The primary responsibility is to provide instruction in its subject matter fields for its majors and minors and students from any other colleges, schools, divisions, institutes, or centers that may require such instruction and service. Curriculum planning and development, course offerings, and the scheduling of classes by any department shall coordinate with other departments within and outside the college or school in which the department is located.

(iii) **Administration**

- 1) The chair shall be recommended to the provost and vice president for Academic Affairs by the dean upon the nomination of two or more persons from the faculty. The nominees shall be elected by secret ballot.
- 2) If the nomination of the dean is not concurred in by the departmental committee, its dissenting report shall be forwarded, in writing, to the provost and vice president for Academic Affairs along with all pertinent information, including the nomination made by the dean.
- 3) Upon proper approval of the provost and vice president for Academic Affairs, the chair shall be appointed by the president for a three-year term. At the option of the president, faculty of the department may rotate the chair among its tenured members on a two-year basis, upon recommendation of an appropriate departmental committee.
- 4) The method of selection of the chair adopted by the faculty, may also apply in the event of resignation, incapacitating illness, or death of the incumbent chair during a term of employment. Upon approval of the provost and vice president for Academic Affairs, the dean may make an interim appointment of acting chair until such time as the selection and approval of a chair is made.
- 5) The dean or a majority of faculty of a department may request consideration of nominees from outside the University. In such cases, the departmental search committee shall include faculty representatives and the dean of the college or school as ex-officio member and shall present its selection for approval by the total faculty of the department. The choice of the departmental faculty shall be recommended to the original elected department committee which shall, in turn, make a recommendation to the dean. The president may, remove a departmental chair from their position of chair without affecting their professorial rank or tenure status in accordance with this Constitution and other University regulations.
- 6) The chair shall be responsible in general for all the activities of the department. The chair shall administer the department's academic affairs if such policies are consistent with that of the college or school and the University.
- 7) The chair may recommend an administrative assistant appointment with the dean's approval, the provost and vice president for Academic Affairs, and the president.
- 8) Upon recommendation by the faculty, the chair shall forward to the dean nominations for all academic personnel's employment. Furthermore, the chair shall include with a nomination any promises, commitments, or qualifying conditions that have been stated or made to the nominee during the course of recruitment.

- (iv) **Faculty Assignment.** Faculty who hold professorial rank in one department may be assigned duties in another department within or outside their own college or school, upon mutual agreement of both chairs and both deans.
 - (v) **Formation and Transfer.** The formation of a new department or a new curriculum within a department, the consolidation of the department, the transfer of a department from one college or school to another, or any other move which alters the original character of a department, shall require the approval of the Faculty Senate, the provost and vice president for Academic Affairs, and the dean, or in the case of transfer, of the deans of the units concerned.
- (f) **Institutes**
- (i) Institutes shall be units devoted primarily to specified areas of research or instruction and may or may not have separate budgetary support from that of schools and colleges.
 - (ii) An institute shall normally be administered by a faculty member holding professorial rank serving as director. The director of an intra-college institute shall be appointed by the dean of the college. The director of an inter-college institute shall be appointed by the provost and vice president for Academic Affairs, based on a consensual recommendation from the deans.
 - (iii) The Faculty Senate shall approve the establishment of institutes on petition from the appropriate colleges or schools, with the approval of the provost and vice president for Academic Affairs, the president, and the Board of Trustees. The president may abolish an institute after due consultation with relevant faculty members and administrators involved.
 - (iv) The academic or research staff of an institute ordinarily shall be members of the University faculty and staff. The program of an institute shall be administered in the same manner as a departmental program.

Section 6.02 Division of Finance and Administration

- (a) The fiscal and non-academic business affairs of the University shall be administered by the vice president/CFO for Finance and Administration. The spheres of administration by the vice president/CFO for Finance and Administration shall include, but not be limited to, Business and Auxiliary Services, Office of Information Technology, Office of the Controller, Human Resources, Facilities, Planning, Construction and Safety, and Budget Office, and other such functions deemed necessary by the president.

- (b) Proposals for specialized administrative and fiscal units shall be referred to an appropriate university committee for advisement by the president. The establishment, abolishment, and modification of such units shall require approval of the vice president/CFO for Finance and Administration, the president, and when appropriate, the Board of Trustees.

Section 6.03 Division of Student Affairs

- (a) The vice president for Student Affairs shall administer all programs, services, and activities in connection with student welfare and student activities. The responsibilities of the office shall include, but not be limited to, Admissions, Diversity and Inclusion, Enrollment Management, Campus Safety and Security, Parking Services, Financial Aid, New Student Orientation, Welcome Center, Ombudsman, IGNITE Transfer Program, Campus Recreation, Career Center, Educational Research Center for Child Development (ERCCD), Residential Life, Efferson Student Union and Activities, SGA, Center for Disability Access and Resources (CeDAR), Counseling Center, Student Conduct and Conflict Resolution, Student Health Services, TRIO (Student Support Services, Educational Talent Search, Educational Opportunity Center, Upward Bound Math & Science), and Military and Veteran Affairs, and other relevant functions as deemed necessary by the president.

Section 6.04 Evaluation

- (a) Each faculty member, administrator, and supporting staff person shall be evaluated annually in accordance with Florida Statutes, the current collective bargaining agreement and University regulations.
- (b) All programs, services, activities, and operations of all academic units, administrative offices, and other functions of the University shall be evaluated at regular intervals but in periods not to exceed five years in accordance with Florida Statutes, Board of Trustees, and University regulations.

Article VII. AMENDMENTS OR REVISIONS

An amendment is defined as altering or adding only one provision to the constitution. A revision is defined as revising multiple provisions or the whole constitution.

Section 7.01 Procedure for Amending or Revising the Constitution

- (a) This Constitution may be amended or revised, in accordance with the following procedure.
- (b) Any member of the Faculty Senate, the University president, or the provost and vice president for Academic Affairs may submit to the Faculty Senate president, in writing, a request to amend or revise the constitution.
- (c) The Faculty Senate Steering Committee will consider the request to amend or revise the constitution, and upon a majority vote of this committee, the request will be placed on the Faculty Senate agenda.
- (d) If the request is approved by the majority of the Faculty Senate, the senate president in consultation with the University president shall form a Constitution Committee.
- (e) Once the Constitution Committee completes its review, its recommendation will be submitted to the University president for approval. Upon approval of the recommendations, the Faculty Senate president will submit the recommendations to the Faculty Senators for review.
- (f) Copies of the proposed amendment or revision to the Constitution will be provided to all senators, in writing, at least 30 days prior to the next regularly scheduled Faculty Senate meeting.
- (g) If any changes are made because of comments from the senators, the constitution will be sent back to the president for final review and approval.
- (h) The Constitution may be amended or revised by a majority vote of the voting members present at any regular Faculty Senate meeting held during the regular academic year.