

THE CONSTITUTION AND BY-LAWS OF THE
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY

The Constitution and By-Laws Committee

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THE CONSTITUTION OF THE
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY

Preamble

The survival of every civilization depends upon the development and dissemination of new knowledge and that knowledge and wisdom only flourish in an environment of mutual respect, creativity, and open discourse. The very best systems of governance differentiate among the various roles and responsibilities of the governed, and value the contributions of all, balancing the need for reflection with the need for timeliness.

The governance of the Florida Agricultural and Mechanical University is vested, by law, in the Board of Governors and the Florida Agricultural and Mechanical University Board of Trustees and the President as the chief executive officer of the University.

The administrative authority of the President as the chief executive officer of the University, the governance of the University shall incorporate the broadest feasible representation and feasible participation of the University community. The President is ultimately responsible for the daily operations and administration of the University. It is anticipated that the President's use of the power to act shall be exercised judiciously, after the various units of the University have been heard.

The Faculty Senate shall be advisory to the President.

It is in this conceptual framework that this Constitution is developed and adopted in order to provide guidelines and procedures for the implementation of the principles of shared governance in the university.

Article I. ADMINISTRATION OF THE UNIVERSITY

Paragraph 01 Responsibility for the administration of the University, is vested in the University President, the Provost and Vice-President for Academic Affairs, and such Vice-Presidents as appointed by the President.

Paragraph 02 The Florida Agricultural and Mechanical University shall does not discriminate, on the basis of including but not limited to race, color, gender, religion, creed, national origin, disability, marital status, veteran status, or membership or non-membership in an organization or union.

Article II. PRESIDENTIAL COUNCILS, COMMITTEES, AND BUREAUS

Paragraph 01 The President of the University shall have the authority to appoint and to constitute councils, committees, advisory bodies, bureaus, or other units necessary and desirable for the effective administration and operation of the University.

Article III. THE UNIVERSITY FACULTY

Paragraph 01 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 Institution and the State of Florida.

Paragraph 02 General Membership. The Faculty shall consist of those members of the teaching, research, and/or public service faculty holding the rank of professor, associate professor, assistant professor, , instructor librarian, assistant university librarian, associate university librarian and university librarian, or instructor 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.

Paragraph 03 Specific Membership. The Voting Faculty shall consist of those full-time members of the teaching, research, and/or public service faculty holding the rank of professor, associate professor, assistant professor, instructor librarian, assistant university librarian, associate university librarian and university librarian, or instructor in one of the colleges, schools or other academic units of the University. Visiting faculty, or adjunct faculty, or those members of the Administrative or Professional (A&P) staff who are assigned to one of those ranks are not members of the Voting Faculty. Specific voting procedures will be addressed in the By-Laws.

Paragraph 04 Appointment of Faculty Members. Since the acquisition of a highly educated faculty is paramount to the future of the University, it is necessary that the process of appointment be open, and that the faculty have significant participation in the selection process.

Paragraph 05 Promotion of Faculty Members. The success of the University is tied to the quality of the Faculty, through teaching, research, and service. Promotion shall be granted in accordance with the regulations, policies and procedures of the University and/or any relevant collective bargaining agreement.

Paragraph 06 Tenure of Faculty Members. A faculty member who has been granted tenure shall have the status of permanent member of the faculty and be in continuing employment of the University.

Paragraph 07 Academic Freedom and Responsibility.

Section a. Faculty shall have the freedom to speak, to investigate, to draw conclusions, to choose instructional materials, and to express in their teaching, research, and creative activities, opinions regarding controversies in their field of study, without designed intent to indoctrinate. Each faculty member shall exercise self-discipline and sound judgment in transmitting, utilizing, and extending knowledge.

Section b. The policy of this University shall be to maintain and to encourage academic freedom, and to protect the faculty against forces and efforts from within and without the University that seek to curb this freedom.

Section c. Faculty who believes that their academic freedom has been jeopardized or inhibited shall be entitled to utilize the established procedures to seek relief.

Article IV. FACULTY SENATE

Paragraph 01 Function. The Faculty Senate shall be the highest academic legislative body in the University, and shall advise the President on academic matters and other concerns affecting more than one school or college.

Paragraph 02 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 the By-Laws of the University. The President of the Faculty Senate shall be the presiding officer.

Paragraph 03 Jurisdiction. The Faculty Senate shall consider, legislate, and advise on all matters of general University interest. Through the Faculty Senate the University administration and faculty shall be collegially involved in the decision making process. Its agenda shall include consideration of all matters properly communicated to it pursuant to the By-laws and operating rules of the Senate. All committees and councils of the University shall have at least two representatives selected by the Faculty Senate from among its members. Such representatives shall be timely notified of meetings of committees or councils, and shall report to the full Senate the outcomes of meetings on a regular basis.

Article V. ORGANIZATION AND ADMINISTRATION OF COLLEGES AND SCHOOLS

Paragraph 01 Organization. The organization of the University shall consist of colleges, schools, divisions, departments, centers, institutes, and other specialized units designed for carrying out the mission of the institution.

Paragraph 02 Administration. The chief administrative officers for academic units shall be as follows: School or college, dean; division, center, institute or other specialized unit, director; department, chairperson. Other administrative titles may be designated by the President as needed.

Paragraph 03 Reorganization of Colleges and Schools shall be reviewed by the Faculty Senate before such reorganization occurs.

Article VI. AMENDMENTS

Paragraph 01 This Constitution may be amended, by a majority of voting membership, at any regular meeting of the Faculty Senate, in accordance with the following procedure.

Section a. Any member of the Voting Faculty may submit to the Faculty Senate President, in writing, a proposed amendment.

Section b. The Faculty Senate Steering Committee will consider the Amendment, and upon a majority vote will place it on the Faculty Senate Agenda.

Section c. Copies of the proposed amendment will be provided to all Senators at least 30 days before such amendment will be considered.

Paragraph 02 Amendments to this Constitution must be ratified by the General Faculty during the regular academic year.

Paragraph 03 Any part of this Constitution that is in conflict with the laws of the State of Florida, and the current BOT/UFF agreement shall be null and void.

BY-LAWS OF
FLORIDA A&M UNIVERSITY

ARTICLE I

ADMINISTRATION OF THE UNIVERSITY

Paragraph 1. 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 President shall be appointed by the Board of Trustees. 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 for Administrative Affairs shall act as the chief administrative officer.

Paragraph 2. The Provost and Vice-President for Academic Affairs. The Provost and Vice-President for Academic Affairs shall be the chief academic officer of the University and shall coordinate academic functions in consultation with the Academic Council and in cooperation with the Faculty Senate, and shall perform other such duties as the President may designate.

Paragraph 3. The Vice-President for Administrative Affairs. The Vice-President for Administrative Affairs 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.

Paragraph 4. 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.

Paragraph 5. The Vice-President for University Relations. The Vice-President for University Relations shall be the chief fundraiser and the officer responsible for institutional development and enhancement. She/he shall be responsible for maintaining public awareness and approval for the University activities through media presentations and other direct and indirect communication with the community at large.

Paragraph 6. The University Executive Council. The University Executive Council 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, and the Executive Council shall serve as an advisory body to the President on policy and other matters of University concern.

Paragraph 7. The Academic Council: The Academic Council shall consist of the Provost and Vice-President for Academic Affairs, who shall serve as presiding officer, Deans of Academic Units, Vice-President for Student Affairs, Director of Academic Computing, Director of Continuing Education, Director of Admissions, Registrar, Director of Libraries, Director of Counseling Center, Director of Instructional Media Center, two

representatives elected from 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. The Council shall advise the Provost and Vice-President for Academic Affairs on policy and other matters related to academic affairs.

Paragraph 8. The Budget Committee. The Budget Committee shall consist of the President, all Vice-Presidents, the Comptroller, 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 his designee. The President, or at his discretion, the Vice-President for Administrative Affairs shall serve as chairperson. The Budget Committee shall be responsible for recommending the policies and procedures to be followed by the University in the budgetary process. It may recommend to the President such additional standing and special committees as it deems necessary for the implementation of its policies and procedures.

Paragraph 9. Other Administrative Officers, Councils and Committees. The President at his discretion shall establish such councils and committees, or establish other officers, as are consistent with the effective operation of the University. His principal agency in nominating faculty membership for various councils and committees shall be the Committee on Committees of the Faculty Senate.

ARTICLE II

OTHER PRESIDENTIAL COUNCILS, COMMITTEES AND BUREAUS

Paragraph 1. The Admissions Committee. (a) The Admissions Committee shall consist of the Registrar and the Director of Admissions as ex-officio nonvoting members, a faculty representative from each college and school, and two student representatives appointed by the President upon recommendation of the Student Government Association. Faculty representatives shall serve for two-year staggered terms. (b) The Committee shall suggest policy and make recommendations relative to admission standards to the Provost and Vice-President for Academic Affairs for presentation to the Faculty Senate, and shall make decisions regarding early admissions of undergraduate applicants, transfer student admissions and applications for exceptions to admissions standards.

Paragraph 2. The Graduate Council. (a) 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 students, 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. (b) 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.

Paragraph 3. The Athletic Committee.

Section a. 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 Student Government Association. Total voting membership shall not exceed nine, but the President may appoint other non-voting members as he sees fit.

Section b. 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 approve all athletic budgets. The Committee shall monitor all athletic programs so that they adhere to established policies and procedures.

Paragraph 4. The Adjudication and Corrections Committee.

Section a. The Adjudication and Corrections Committee shall consist of one faculty representative elected from each college and school to serve two-year terms, and five students appointed by the President, one from each undergraduate class and one graduate student for two-year terms upon the recommendation of the Student Government Association.

Section b. The Committee shall hear and make recommendations for actions regarding any alleged student violations of law, University policy, and the student conduct code that are referred to it by the Office of the Vice President for Student Affairs and other authorized university personnel. All proceedings of this committee shall be in accord with the established policies of the Board of Trustees and the University.

Paragraph 5. The Faculty Development Committee.

Section a. The Faculty Development Committee shall consist of one representative from each college, or school with the rank of assistant professor or higher appointed by the President for two-year terms. The Provost and Vice-President for Academic Affairs and the Director of Sponsored Research shall be a-officio members. The Committee shall make recommendations regarding sabbatical leaves, professional development leaves, and other matters pertaining to the improvement of the University faculty. Such considerations shall include, but not be limited to, recommendations regarding compensation, travel, research, and other professional activities that may ultimately benefit the faculty member and the University.

Section b. The Committee shall make every reasonable effort to assure that its recommendations are equitably balanced by merit, rank, instructional unit, discipline, race and gender.

Paragraph 6. The Promotion and Tenure Committee.

Section a. 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 promotions committee. Tenured faculty members at any rank may be elected to the tenure committee.

Section b. Promotion and Tenure 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.

Paragraph 7. The Faculty Professional Relations Committee.

Section a. The Faculty Professional Relations Committee shall consist of one tenured faculty representative from each college and school elected by their respective units for two-year terms, and two faculty members, one tenured and one non-tenured, appointed for two-year staggered terms by the President.

Section b. The Committee shall meet regularly and as otherwise necessary to consider all matters of university policy and operation concerned with professional relations, ethics, conditions of employment, and that affect the general welfare of faculty members. The Committee shall make recommendations to the Faculty Senate or to any other appropriate administrative officer, including the President, regarding matters within its purview. All proceedings of this committee shall adhere to Board of Trustees and University policies and the current BOT/UFF agreement.

Paragraph 8. The Housing Committee.

Section a. The Housing Committee shall consist of six members, including two representatives from the faculty, two from the non-instructional professional staff, and two students recommended by the Student Government Association all to serve two-year staggered terms. The Director of Housing and the Director of Business and Financial Services and any other personnel deemed necessary by the President, shall serve as a-officio members of this committee.

Section b. This committee shall systematically review policies to provide housing that is safe, attractive, and reasonably priced for students residing in University residence halls and family units. It shall maintain current lists of acceptable off-campus housing facilities for students, faculty and staff. It shall periodically inspect existing and prospective housing facilities for use by the University community. It shall hear and make recommendations regarding complaints related to university housing.

Paragraph 9. The Research Committee.

Section a. The Research Committee shall consist of one faculty representative elected by the faculty of each college, or school and shall serve for two-year terms. - The Committee shall elect its own chair from amongst its members. The dean of the School of Graduate Studies, the Director of Sponsored Research, the Director of the Academic Computer Center, and the editor of the Research Bulletin shall be voting a ex-officio members.

Section b. The Committee shall develop policies and procedures to encourage research and creative activity among the faculty. It shall budget and allocate funds provided for such activity by the University as well as any other funds that may be forthcoming from other funds and resources secured from grants and other sources. The Committee shall serve in an advisory capacity to the editor of the University Research Bulletin. The Committee shall evaluate proposals for research grants that are referred to it, and shall make recommendations regarding acceptance, modification, or other disposition.

Paragraph 10. Institutional Review Board. (a) The Institutional Review Board (IRB) shall consist of at least five members. The members shall be appointed by the President and serve a two-year staggered term. The President shall choose members who reflect: diversity of racial and cultural backgrounds; professional and research competence, and the ability to review proposals in terms of applicable law, standards of conduct and community attitudes. At least one member of the IRB shall be a person who is not affiliated with the University. (Note: this outside member must not have relatives employed at the University). (b) Consistent with United States Government mandate, the IRB shall review all research (i.e., any systematic investigation designed to develop or contribute to general knowledge) involving human subjects (i.e., living individual about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual, or identifiable privation information), where the subject is “at risk” (i.e., where human subjects may experience harm) sponsored or conducted by the University. The IRB shall take steps to evaluate new research and conduct continuing (at least annually) review of research and report any serious or continuing noncompliance to the President and the funding agency, where applicable.

Paragraph 11. Health and Clinical Services Committee.

Section a. The Health and Clinical Services Committee shall consist of the Director of the Student Health Clinic, the Director of Counseling Services, the Dean of the School of Nursing, the Dean of the College of Pharmacy and Pharmaceutical Sciences, the Dean of the School of Allied Health Sciences, the University Chaplain, the Vice President for Student Affairs, four faculty members from non-health related disciplines, and four students appointed by the President upon recommendation from the Student Government Association. At least one member of the Health and Clinical Services Committee shall be a local health professional who is not affiliated with the University. The faculty and student members of the Committee shall serve two-year staggered terms.

Section b. The Committee shall assess health problems, develop policies, establish guidelines and procedures to maintain a health environment and climate for students and all other members of the University community. Its activities shall include, but not be limited to, a mental health clinic, on-campus infirmary, in-patient and out-patient care, and other matters that fall within its areas of responsibility.

Paragraph 12. The Traffic Committee.

Section a. The Traffic Committee shall consist of five faculty members, two University Support Personnel System (USPS) staff, and four students appointed by the President upon the recommendation of the Student Government Association. The Comptroller, the Director of Physical Plant, and the Director of Campus Security shall serve as ex-officio, non-voting members. The Committee shall establish policies and procedures regarding the movement, parking, and security, of vehicles on university property, including an established procedure for on-campus hearing and adjudication of citations and other alleged, non-criminal traffic violations. The Committee shall also make recommendations regarding the use of parking fines and any other funds accruing to it for the development and improvement of parking, traffic flow, and the public safety.

Paragraph 13. The University Planning and Development Committee.

Section a. The University Planning and Development Committee shall consist of the President, all Vice-Presidents, the Director of University Development, the Director of Institutional Research, the Director of the Office of Campus Planning, the Director of the Office of Public Relations, the Director of Alumni Affairs as ex-officio members and a faculty representative of each college or school, appointed by the President, and four students appointed by the President upon the recommendation of the Student Government Association. Appointed members shall serve two-year staggered terms.

Section b. The Committee shall establish policy and procedures for the development of the University, including, but not limited to, planning, public relations, and fund-raising activities. It shall develop and maintain channels of communication within the University, and among the public, and all levels of government and the private sector and foundations. It shall assist the colleges, schools, institutes, centers and other programs of the University in the procurement of funds for equipment, buildings, research, salaries, and other aspects of development. It shall create subcommittees as necessary and desirable and shall file reports as appropriate on all such matters within its jurisdiction. When appropriate it may seek the advice of qualified professions in the design, construction, and planning in any area where such consultation may prove beneficial.

Paragraph 14. The University Direct Action Council.

Section a. The University Direct Action Council shall consist of the President, all Vice-Presidents, including representatives from the Offices of Counseling Services, Student Life and Services and the Comptroller, the Director of Physical Plant, Director of Admissions and Records, and Director of Libraries, and chair of the Adjudications and Corrections Committee and the University General Counsel as ex-officio members. The Committee shall also include five faculty members and five students appointed by the President and five students appointed by the president of the Student Government Association for two-year staggered terms.

Section b. The Council shall hear complaints and proposals from students and shall address other problems that exist between student concerns and university policy. It shall address other related problems in terms of their scope and urgency and possible solution and all resources of the University to bring about their resolution. It shall make recommendations regarding the courses of action to the appropriate university official(s) for implementation. In carrying out its assigned responsibilities, the Council may conduct hearings, take testimony, and utilize the services of qualified professionals not directly connected with the University. The President, the Provost and Vice-President for Academic Affairs, the Vice-President for Student Affairs or the Vice-President for Administrative Affairs, or the Vice-President for University Relations, in that order, shall preside over meetings.

Paragraph 15. The Inter-Area Council for Teacher Education. The Inter-Area Council for Teacher Education shall consist of at least one faculty representative of each college or school that has teacher education as one of its instructional components appointed by the President upon the recommendation of the dean of each such college or school. The President shall also appoint additional ex-officio, non-voting members to the Council as deemed necessary for optimum functioning. The dean of the College of Education shall preside over the Council with faculty representatives and other deans constituting the voting membership. The Council shall develop, recommend, and

monitor policies and procedures pertaining to teacher education programs to insure articulation and coordination with the various academic units and to maintain adherence to policies of the appropriate accrediting units and Florida certification requirements.

Paragraph 16. Constitution and By-Laws Committee. The Faculty Senate President shall constitute a Constitution and By-Laws Committee consisting of members who shall be knowledgeable about legal policies and collegial relationships in the effective functioning of the University. The University President shall formally appoint the members to serve terms not to be less than two years for each person. The President shall include other representatives from across the University and shall name the chair of the Committee.

The Constitution and By-Laws Committee shall meet periodically, at intervals not to exceed one year, to evaluate the effectiveness of the current Constitution and By-Laws and to determine the compatibility of the existing document with changes in Florida Statutes, BOT and BOG_Rules, University Policies, and collective bargaining requirements. As appropriate, the Constitution and By-Laws Committee shall make recommendations for the revision and/or amendment to the Constitution and By-Laws that shall be considered and approved in accordance with the amendment process stipulated elsewhere in this document. A representative of the Office of the University General Counsel shall be an ex-officio, voting member of the Constitution and By-Laws Committee.

Paragraph 17. Other Presidential Councils, Committees, and Bureaus. The President shall establish other such councils, committees and advisory bodies as are consistent with the effective operation of the University. In constituting these additional bodies, the President shall act with the advice and consent of the Faculty Senate Committee on Committees and appropriate officials of the Student Government Association.

ARTICLE III

THE UNIVERSITY FACULTY

Paragraph 1. General Membership. The Faculty shall consist of those members of the teaching, research, and/or public service faculty holding the rank of professor, associate professor, assistant professor, instructor librarian, assistant university librarian, associate university librarian and university librarian, or instructor 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.

Paragraph 2. Specific Membership. The Voting Faculty shall consist of those full-time members of the teaching, research, and/or public service faculty holding the rank of professor, associate professor, assistant professor, instructor librarian, assistant university librarian, associate university librarian and university librarian, or instructor in one of the colleges, schools or other academic units of the University. Visiting faculty, or adjunct faculty, or those members of the Administrative or Professional (A&P) staff who are assigned to one of those ranks are not members of the Voting Faculty.

Paragraph 3. Meetings. 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 percent of its membership. The Provost and Vice-President for Academic Affairs or his or her designee shall preside at all meetings of the general faculty.

Paragraph 4. Appointment of Faculty Members.

Section a. Appointments to any faculty ranks may be initiated by the department chair or other officer in charge of the academic unit. Recommendations shall be made after formal consultation with the tenured faculty of the departmental or equivalent unit, with all evaluations being transmitted. The dean or director shall then make recommendations to the Provost and Vice-President for Academic Affairs who in turn shall make recommendations to the President.

Section b. All appointments to the faculty shall be confirmed by the President 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 potential faculty member by the Provost, as soon as possible, with notification to the dean or director no later than one day prior to the first day on which the faculty member is to begin work.

Section c. Temporary appointments may be made to the faculty and shall be classified by rank and may be designated as regular, visiting, adjunct, courtesy, lecturer, or other appropriate designations as permitted by Board of Trustees and University policies. Temporary appointments shall not be tenure-earning.

Section d. Persons employed under grants in either of the categories in a or b above, shall receive the same rights and privileges as members of the regular faculty, and may receive credit toward tenure for grant time upon appointment to the regular faculty.

Section e. Normally, new appointments to the University shall be probationary for six years of employment unless otherwise negotiated in the contract or letter of appointment.

Paragraph 4. Leaves of Absence.

Section a. All leaves will be granted in accordance with federal law, state law, DOE, BOG, and BOT rules and regulations and the current collective bargaining agreement.

Section b. Vice-Presidents, deans, directors, and chairpersons shall normally be granted leaves of absence not to exceed one year.

Paragraph 5. Evaluation. Each faculty member shall be evaluated annually in accordance with Florida statutes, Board of Trustees and University rules, and as stipulated in applicable collective bargaining agreements.

Paragraph 6. Promotion of Faculty Members.

Section a. Applications for promotion shall originate with each faculty member and shall be transmitted to his department chair or equivalent unit head.

Section b. Each college or school, including the Developmental Research School, shall elect a committee on promotion and tenure from its professorial ranks to serve in an advisory capacity to the dean or director, and make recommendations regarding promotions. Each department or unit within the college/school shall have a representative on this committee.

Section c. Recommendations for promotion shall be accompanied by evaluations of the faculty member's training, productivity, research and creative activities, outstanding university services, public service, and standing in his/her professional field.

Section d. The written opinions of the tenured faculty members of the department or equivalent unit shall be considered by the college or school committee on promotions and tenure in making its recommendations.

Section e. All documents pertaining to the applicant's request for promotion shall be transmitted from the department chair or equivalent unit head to the appropriate dean or director. After considering the evaluations and recommendations by the college or school committee on promotions and tenure, the dean or director shall make a written recommendation. Both recommendations regarding the applicant's request for promotion to the Provost and Vice President for Academic Affairs.

Section f. The Provost and Vice-President for Academic Affairs shall, without recommendation or comment, transmit the applicant's entire documentary file to the University-wide Committee on Promotions and Tenure for review and recommendation to him/her. The Provost and Vice-President for Academic Affairs shall then transmit his/her recommendation regarding the applicant's request for promotion to the President for final disposition.

Section g. The President shall, within ten days of his reception of the recommendation of the Provost and Vice-President for Academic Affairs, notify the applicant for promotion and all of the other principals in the application process of his approval or disapproval of the request with specifications for the reason for disapproval. The entire process from the applicant's initiation of his/her request of promotion until notification of final action by the President shall not exceed 90 days.

Paragraph 7. Tenure.

Section a. Tenure in the University. A faculty member who has been granted tenure by the Board of Trustees shall have the status of permanent member of the faculty and shall normally retain this status in the University until:

- (1) He/She voluntarily leaves the employment of the University.
- (2) He/She voluntarily retires.
- (3) He/She is dismissed for cause under the provisions of the Board of Trustees' or University's policies or the current collective bargaining agreement which states the provisions for termination of faculty employment.
- (4) His/Her position is discontinued within the University as provided in Board of Trustees and University rules.
- (5) He/She is permanently unable to work.

Section b. Eligibility for Tenure. Eligibility for tenure shall begin at the time that a faculty member is employed in the rank of assistant professor or higher to a tenure-earning position. The rules of the Board of Trustees, University policies, and stipulations of the current collective bargaining agreement shall be fully adhered to in earning a faculty member's eligibility for tenure.

Section c. Granting of Tenure.

- (1) Tenure may be granted only upon nomination of the President, and approval by the Board of Trustees.
- (2) Recommendations for tenure shall be accompanied by evaluations of the faculty member's training, productivity, research and creative activities, outstanding university services, public service, and standing in his/her professional field.
- (3) The written opinions of the tenured faculty members of the department or equivalent unit shall be considered by the college or school committee on promotions and tenure in making its recommendation.
- (4) All documents, including the written opinions of the tenured faculty members, pertaining to the applicant's request for tenure, shall be transmitted from the department

chair or equivalent unit head to the appropriate dean or director. The dean or director transmits the complete application file to the college or school committee on promotion and tenure for review and recommendation. After considering the application and recommendations by the college or school committee on promotion and tenure, the dean or director shall make a written recommendation regarding the applicant's request for tenure to the Provost and Vice-President for Academic Affairs.

(5) The Provost and Vice-President for Academic Affairs, without recommendation or comment, shall transmit the complete file of the applicant's request for tenure to the University-wide Committee on Promotions and Tenure for evaluation and recommendation to him/her.

(6) Upon receipt of the recommendation of the University-wide Committee on Promotion and Tenure, the Provost and Vice President for Academic Affairs shall recommend approval or disapproval of the applicant's request for tenure to the President of the University for final disposition. The President shall, within ten days of his/her reception of the recommendation of the Provost and Vice-President for Academic Affairs, notify the applicant, and all other principals in the tenure-earning process, of his/her recommendation to the Board of Trustees with specification or reasons for denial.

The entire process, from the initiation of the application for tenure, until its final action by the President shall not exceed ninety days.

Paragraph 8. Redress of Grievances. All members of the voting faculty shall have the right to file grievances and to seek redress in accordance with BOT rules, University policies, and the current collective bargaining agreement.

Paragraph 9. Non-Renewal or Termination, Suspension and Resignation of Employment.

Section a. Non-Renewal or Termination of Non-Tenured Faculty Employment.

(1) The President may, at his/her discretion, with appropriate justification, discontinue 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 Board of Trustees rules, University policies, and the current collective bargaining agreement

(2) 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 Board of Trustees rules, University policies, and the current collective bargaining agreement.

(3) All terminations of non-tenured faculty members shall be in accordance with the Board of Trustees rules, University policies, and the current collective bargaining agreement.

Section b. Termination of Tenured Faculty Employment

(1) A tenured faculty member may be terminated at any time for just and established cause. Just cause shall include, but not be limited to, incompetence, felony conviction, or other misconduct that violates law, Board of Trustees rules, University policies, and ethical standards. In all cases, and at all levels of procedure in the termination of a tenured faculty member, the allegations and factual presentations shall be communicated, in writing, to the faculty member being considered for terminated at least ten days before the proposed action is taken.

(2) All terminations of tenured faculty members shall be in accordance with United States constitutional guarantees, legal requirements, Board of Trustees rules, University policies, and the current collective bargaining agreement.

(3) The President may utilize the Faculty Professional Relations Committee to investigate, deliberate, and make written recommendations regarding the termination of any tenured faculty member.

Section c. Suspension Pending the Outcome of Formal Inquiry.

(1) The President may suspend any faculty member, at any time, for just and established cause, pending formal inquiry and its findings with regard to allegations lodged against the faculty member.

(2) Such suspension shall be given, in writing, to the alleged offender and may be with or without, continuing compensation, pending validation, or non-validation of the charges against the faculty member.

(3) A copy of the notification of suspension, and all other written relevant materials, shall be promptly filed with the Chancellor of the University System.

(4) All suspensions shall be in accordance with Board of Trustees rules, University policies, and the current collective bargaining agreement.

Section d. Resignation. Any faculty member who desires to resign from the University shall notify his/her department chair or other officer in charge of his/her unit at least 90 days prior to the effective dates of the resignation.

Paragraph 10. Academic Freedom and Responsibility.

Section a. Academic freedom and responsibility are absolutely essential for the University to carry out its essential functions of instruction, research, creativity, and public service. The Faculty Senate shall be the highest legislative body within the University, and shall advise the President of academic matters and other concerns affecting more than one school or college.

Section b. The University shall actively and consistently strive to protect the academic freedom of its faculty members, including the provision of its legal counsel or other outside resources.

ARTICLE IV
FACULTY SENATE

Paragraph 1. Function and Responsibility. The Faculty Senate shall be the highest legislative body within the University and shall serve in a collegial advisory capacity to the President.

Paragraph. 2. Membership.

Section a. Elected Faculty Members.

(1) Each college or school or equivalent academic unit shall be entitled to voting representation in the Faculty Senate according to the following formula:

$$\begin{array}{l} \text{Number of Voting} \\ \text{Representatives} \end{array} = \frac{\text{Number of Eligible Faculty} \\ \text{Members in College of School}}{\text{Number of Schools and Colleges} \\ \text{in the University}}$$

(2) A fraction of five-tenths 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.

(3) Only full-time Voting Faculty shall be eligible for election to the Faculty Senate. Should an eligible faculty member have assigned duties in more than one college or school or equivalent academic unit, s/he shall be regarded, for purposes of faculty representations as being a member of the unit in which s/he hold professorial rank.

(4) The Provost and Vice President for Academic Affairs shall, before March 1 of each year, inform each college or school equivalent unit as to the total number of full-time faculty assigned to it who hold the rank of assistant professor or higher. (NOTE: This determination shall include persons holding these ranks while serving on grants.)

(5) 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.

(6) In the event that a vacancy occurs during the term of any incumbent senator, the dean or equivalent academic unit head shall recommend a replacement to the Provost and Vice President for Academic Affairs who shall make the appointment to the Senate.

(7) Eligible faculty members may be elected to successive two-year terms in the Faculty Senate.

Section b. Ex-Officio Members. Ex-Officio members shall include the President, all vice-presidents, all academic deans, and heads of equivalent academic units, the University Registrar, the Comptroller, the Director of University Libraries, the Director of Health, Director of Personnel Affairs, the Director of Security, the University General Counsel, and the Director of Physical Plant. The President may recommend, for approval by the Faculty Senate, additional persons as ex-officio members of the Faculty Senate as conditions warrant. Five ex-officio members of the Faculty Senate shall have voting rights, and these shall be determined by the Provost and Vice-President for Academic Affairs who shall also establish the procedure for their selection as voting members.

Section c. Student Members. Four full-time students, including undergraduates and graduates, shall be elected to the Faculty Senate for one year terms, by procedures established by the Student Government Association. Two of these students shall have all Senate privileges, including full voting rights, and two shall be ex-officio, non-voting members.

Section d. Access by Others.

(1) All members of the general faculty and non-academic staff of the University shall have the right to address, without voting privileges, the Faculty Senate in accordance with the rules and procedures promulgated by that body.

(2) Persons not employed by the University shall have no rights to participate in any Faculty Senate proceedings, but may be invited to speak by the President of the Faculty Senate.

Paragraph 2. Officers.

Section a. President

(1) There shall be a Faculty Senate President elected by a majority of voting senators present at the March meeting of odd numbered years beginning in March of 2007. If no candidate for President 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.

(2) The President shall perform the leadership functions of the Senate, including, but not limited to, presiding at Senate meetings, serving as an ex-officio member of all Senate committees and carrying forward the policies, initiatives, and directives of the Senate.

Section b Vice-President.

(1) There shall be a Faculty Senate Vice-President elected by a majority of voting senators present at the March meeting of odd numbered years beginning in March of 2007, utilizing the same election procedure as that of the Faculty Senate President. The Vice President of the Faculty Senate shall assume all duties and responsibilities of the Senate President in his/her absence.

Section c. Secretary.

(1) The Secretary of the Senate shall be elected by a majority of voting senators present at the March meeting of odd numbered years beginning in March of 2007, and shall serve for a two-year term. The Secretary shall record all proceedings of the Senate when it is in formal session and provide minutes of each meeting to the entire Senate membership.

Section d. Terms of Office of the Faculty Senate Officers

(1) The President and Vice-President shall be elected for a two-year term and may be re-elected for one successive term. After serving successive terms, neither the President nor the Vice-President may be elected until one year has elapsed after his/her previous terms in office.

(2) The term of office shall start on the first day of the Fall contract period of the following academic year.

(3) Transitional Period. A transitional period shall be provided from the end of the spring semester to the beginning of the Fall contract period upon the election of a new President. The period is hereby provided for the outgoing and incoming President to reconcile files and records, to provide briefings on important matters of the organization, and for the transfer all records, books, property and papers belonging to the organization to the incoming President.

Section e. Balloting Procedure. All Faculty Senate Officers shall be elected by secret ballot.

Paragraph 3. A quorum of the Senate shall consist of one-half of the voting membership plus one additional senator.

Paragraph 4. Rules of Operation. The Faculty Senate shall establish, by democratic procedures, its own rules of operation which shall be widely disseminated among its membership and the general faculty, and that shall include electronic participation.

Paragraph 5. Jurisdiction.

Section a. The Faculty Senate shall be the supreme legislative body on internal policy and other matters within the University and shall be the principal advisory body to the President on all matters external to the University per se.

Section b. 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 not be 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.

Section c. The University President shall have the authority to veto or overrule Faculty Senate decision. Such veto or overruling shall be communicated in writing with reasons therefore, to the secretary of the Senate as promptly as possible but not to exceed 10 days after such action has been taken.

Paragraph 6. Committees.

Section a. The Steering Committee.

(1) 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. The Chair of the Steering Committee shall be the President of the Faculty Senate. In consultation with the Faculty Senate President, the Steering Committee shall arrange the agenda for meeting, 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.

(2) The Steering Committee shall meet at least monthly, and shall conduct its business in accordance with this Constitution and By-Laws, and established rules of the Faculty Senate.

Section b. Committee on Committees. The Committee on Committees shall consist of one senator from each college and school, or equivalent unit, and two at-large senators elected by the Senate from its voting membership for two-year staggered terms at its October meeting. The Committee on committees shall elect a chairperson at its first fall meeting convened by the Senate President. It shall appoint all Faculty Senate Committees and shall recommend to the President nominees for appointment to all non-elective, University-wide committees, and other bodies as determined by the President of the University.

Section c. The Curriculum Committee.

(1) The Curriculum Committee shall consist of two members from each college and school or other academic unit, appointed by the President from nominees submitted by the Committee on Committees, for two-year staggered terms. Ex-officio members of the Curriculum Committee shall be the Provost and Vice-President for Academic Affairs, all academic deans, and the University Registrar.

(2) 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. It shall also have the responsibility for making recommendations regarding course/program duplications with the University and planning for the improvement and development of all curricula. 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.

Section d. The Library Committee.

(1) 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 Student Government Association, and appointed for one-year terms. The Director of Libraries shall be an ex-officio, non-voting member of this committee.

(2) 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 e. Other Standing and Ad Hoc Committees. The Faculty Senate may establish additional standing or ad hoc committees, as it deems necessary, for any purpose within its jurisdiction, in accordance with this Constitution and By-Laws and operating rules of the Faculty Senate.

Section f. Participation on Committees. No member of the Faculty Senate shall normally serve on more than three standing committees of the Faculty Senate. Unless otherwise specified in this Constitution and By-Laws, any member of the general faculty may be elected or appointed to serve on Faculty Senate committees regardless of whether or not he/she is an elected senator.

Section g. Presidential Involvement. The President shall be an ex-officio, non-voting member of all standing and ad hoc committees of the Faculty Senate.

Paragraph. 7. Proxies and Alternates. There shall be no proxies or alternates in the Faculty Senate voting membership.

Paragraph 8. Meetings.

Section a. The Faculty Senate shall meet in regular session once each month during the academic year and in special session at any time, as needed, with three business days notification.

Section b. Special meetings of the Faculty Senate may be called by the President of the Faculty Senate or by one-fifth of the total voting membership.

Section c. All meetings of the Faculty Senate shall be open to all members of the general faculty and non-academic staff who shall have the right to address the body upon written request to the Steering Committee in accordance with this Constitution and By-Laws and the operating- rules of the Senate.

Paragraph 9. Procedure The Faculty Senate shall adhere to its established rules of procedure but may, at its discretion, by vote of a majority of a quorum, waive one or more such rules when such action is essential to the conduct of business.

ARTICLE V

ORGANIZATION OF THE UNIVERSITY

Paragraph 1. Academic Affairs.

Section 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, and the Board of Trustees.

(1) The College. 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.

(a) 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 work loads and responsibility, committee assignments, and research support.

(b) The Faculty. As defined in the Constitution, the faculty of the College shall consist of those persons holding academic rank who are employed in the departments or other equivalent units of the college.

(c) Administration. The chief administrative officer of the college shall be the dean who holds professorial rank in one of the departments or other units of the college. 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 college faculty elected by the faculty of the college. If the nominations of the Provost and Vice-President for Academic Affairs are not concurred in by the search committee, its dissenting report shall be forwarded to the President along with all other pertinent information related to the nominations.

The dean shall be appointed by the President. In the event of resignation, removal, incapacitating illness, or death, the President, upon recommendation of the Vice-President for Academic Affairs, shall make an interim appointment of acting dean until selection and approval of a permanent dean is made.

The dean shall be the executive officer of the college who administers affairs under policy determined by the faculty of the college, as long as 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 to the President for all of the academic and budgetary affairs of the college. The dean shall forward nominations for employment of academic personnel to Provost and Vice-President for Academic Affairs, based upon prior recommendation of the chairman of the departments of the college. He may recommend for appointment such administrative assistants as are required.

The President, at his discretion, may remove a dean from his/her deanship, without affecting the faculty rank and tenure status of the dean in accordance with this Constitution and By-Laws, other University policies, and Board of Trustees rules.

(2) The School. 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, and may have degree-granting status on a par with the college.

(a) Jurisdiction. 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.

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 By-Laws, University policies, and Board of Trustees rules. All other facets of the jurisdiction of a school are the same as those of the college.

(b) 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.

(c) Administration. The chief administrative officer of a subordinate school within a college shall be the director who shall hold professorial rank in one of the departments or other units of the school. The director shall be nominated by the dean of the college, after consideration of the opinions of the tenured faculty members in the school to the Provost and Vice President for Academic, and in turn to the President. If the nomination by the dean is not concurred in, by the tenured faculty members of the school, their dissenting opinions shall be forwarded to the Vice-President in writing, along with all other pertinent information related to the nomination. The director of the school shall be subject to the administrative supervision of the dean of the college in which the school is located.

The President, at his/her discretion, and in accordance with this Constitution and By-Laws, University policy, and Board of Trustees rules, may remove a director from his/her directorship without any affect on his/her professorial rank and tenure status in the school. The administrative head of a school that is an autonomous unit, shall be a dean, and the procedure for his/her appointment, administrative jurisdiction, and removal are the same as that of a dean of a college.

Section b. The Division. The Division shall be the basic academic and administrative unit within the college or school that is comprised of two or more departments or equivalent units that are related by subject matter proximity and special program emphases. Institutes, centers, and other special academic programs may be administered through a division.

(1) Jurisdiction. The principal functions of the division 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 for the stimulation of, excellence in teaching, research, public service, faculty and staff recruitment and development, and other professional participations.

(2) Administration. The chief administrative officer of a division shall be director who shall hold professorial rank in the department of his academic specialty. The division director shall be nominated by the dean of the college or school after receipt of two or more recommendations from a faculty committee consisting of an elected tenured member from each department within the division. Upon approval by the Provost and Vice-President for Academic Affairs, the President, normally will appoint the nominee as, division head to a specified term of three years.

The method of selection of 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 make an interim appointment of acting division director. Such interim status should remain no longer than two consecutive semesters.

If the director is appointed for a specified term, the President may reappoint her/him for successive terms. Though much of the work of a division director is administrative, s/he shall be expected normally to teach at least one course in one of the three semesters of the regular academic year. The President, at his discretion, and in accordance with this Constitution and By-Laws, may remove a division director from his/her directorship without affect upon the academic rank and, tenure status of the director.

Section c. The Department. 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.

(1) Jurisdiction. Each department shall be situated in only one college or school, and shall have the primary responsibility to provide instruction in its own subject matter fields for its majors and minors, as well as 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 be in coordination with other departments within and outside the college or school in which the department is located.

(2) Administration. The chairperson shall be recommended to the 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.

If the nomination of the dean is not concurred in by the departmental committee, its dissenting report shall be forwarded, in writing, to the Vice-President for Academic Affairs along with all pertinent information, including the nomination made by the dean.

Normally, upon proper approval of the Provost and Vice-President for Academic Affairs, the chairperson shall be appointed by the President for a three year term. The President, at his option, may allow the faculty of the department to rotate the chairmanship among its tenured members on a two-year basis, upon recommendation of an appropriate departmental committee.

The method of selection of the chairperson adopted by the faculty, may also apply in the event of resignation, incapacitating illness, or death of the incumbent chairman during a term of employment. Upon approval of the vice-President for Academic Affairs, the dean may make an interim appointment of acting chairperson until such time as the selection and approval of a chairman is made.

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 an 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 of the University may, at his/her discretion, remove a departmental chairperson from his/her chairmanship without affect upon his/her professorial rank or tenure status in accordance with this Constitution and By-Laws, other University policies, and Board of Trustees rules.

The chairperson shall be responsible in general for all of the activities of the department. The chairperson shall administer the academic affairs of the department as long as such policies are consistent with that of the college or school and the University.

The chairperson may recommend for appointment such administrative assistants as are, required, with the approval of the dean, the Provost and Vice-President for Academic Affairs, and the President.

Upon recommendation by the faculty, the chairperson shall forward to the dean nominations for employment of all academic personnel. Furthermore, he/she shall include with a nomination any promises, commitments, or qualifying conditions which have been stated or made to the nominee during the course of recruitment.

(3) Faculty Assignment. Faculty who hold professorial rank in one department may be assigned duties in another department within or outside his/her own college or school, upon mutual agreement of both chairpersons and both deans.

(4) 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, the dean, or in the case of transfer, of the deans of the units concerned and the Board of Trustees.

Section d. Institutes. 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.

An institute shall 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.

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.

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 e. Specialized Academic Units. Academic units, including the University Libraries, Office of the Registrar, Instructional Media Center, Cooperative Education, Small Business Development Center, and all other University wide academic units shall be administered by the Provost and Vice-President for Academic Affairs. After consultation with the appropriate committees of the Faculty Senate, and with Faculty Senate concurrence, the Provost and Vice-President for Academic Affairs shall recommend all administrative officers of these units for appointment by the President, with approval of the Board of Trustees.

(1) The University Libraries. The University Libraries shall consist of the central unit and its several branches. These will be administered by a director who shall normally be a member of the faculty with professorial rank. The director shall recommend the appointment of such library staff as deemed necessary, shall assign appropriate duties, and make recommendations for academic rank when appropriate. The professional staff shall be members of the faculty and budgeted to the Library on a full- or part-time basis.

The Director shall periodically consult with appropriately designated committees of the Faculty Senate.

(2) Instructional Media Center. The Instructional Media Center shall be administered by a director who shall be a member of the faculty with professorial rank. The director shall recommend the appointment of such assistants as deemed necessary and shall assign appropriate duties. The professional staff shall be members of the faculty, budgeted to the Center on a full- or part-time basis.

The Center shall, serve to improve the academic program of the University. It shall serve as an adjunct to the colleges and schools, providing services in support of their teaching programs, and applying research findings to academic problems. Its services shall include specific provisions for instructional media, evaluation services, and research into instructional and curriculum problems. The Director shall regularly consult the Research Committee and appropriately designated committees of the faculty Senate on matters of policy, procedure, and the allocation of funds.

(3) Office of the Registrar. The Office of the Registrar shall be responsible for the academic records of all students enrolled in the University including admissions, credits and grades, the granting of degrees, and official transcripts. The Office shall assist the Provost and Vice-President for Academic Affairs, the Vice-President for Student Affairs, and other offices and committees by providing services related to the academic program in such matters as the computation of grade averages, preparation of class schedules, and registration. The Office shall be administered by a director who may have professorial rank and who shall recommend for appointment such assistants as deemed necessary. The director shall consult regularly with the Admissions Committee and appropriately designated committees of the Faculty Senate on matters of policy and procedure.

(4) Other Academic Units. Proposals for other all-University academic units shall be referred to the Faculty Senate for study and advisement. The establishment, abolishment and modification of such units shall require consultation with the Faculty Senate, and the recommendation of the Vice-President for Academic Affairs, the President, and when appropriate, approval by the Board of Trustees.

Paragraph 2. Administrative and Fiscal Affairs. The fiscal and non-academic business affairs of the University shall be administered by the Vice-President for Administrative Affairs. The spheres of administration by the Vice-President for Administrative Affairs shall include, but not be limited to, Office of the Comptrollers the Administrative Computer Center, the University Personnel Relations Office, the Department of Physical Plant, Office of Business and Financial Services, and other such functions that may be deemed necessary by the President.

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 for Administrative Affairs, the President, and when appropriate, the Board of Trustees.

Paragraph 3. Student Affairs. 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, Student Government Association policies and jurisdiction, counseling and guidance services, student housing facilities, student living programs, Office of Financial Aid, co-curricular

activities, veterans and foreign student affairs, commuting and part-time student affairs, student disciplinary policies, and other relevant functions as deemed necessary by the President.

Paragraph 4. University Relations and Development. The Vice-President for University Relations shall, administer all activities, programs, projects, and other operations that relate to the presentation of positive imagery for the University, maintenance of good public relations, and programs for the continued development of the University through the procurement of funds, facilities, and other resources. The responsibility of the Vice-President for University Relations shall include, but not be limited to, publicity and public relations, alumni-affairs, fundraising and other relevant functions and projects that may be deemed necessary by the President.

Paragraph 5. Evaluation. –

Section a. Each faculty member, administrator and supporting staff person shall be evaluated annually in accordance with Florida Statutes, Board of Trustees Rules, University Policies, and current collective bargaining agreements.

Section 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, BOT Rules and University policy.

ARTICLE VI

Paragraph 1. The Faculty Senate. - - The By-Laws may be amended by a majority vote of the members present and voting at any regular meeting of the Faculty Senate held during the academic year, or special meeting called for that purpose provided that the text of the proposed amendment has been submitted in writing to members of the Senate at least thirty days prior to being voted upon, and that notice of its intended consideration has appeared on the agenda circulated with the call to the meeting.

Paragraph 2. The General Faculty. Upon approval by the Faculty Senate, amendments shall be ratified by a majority vote of the members of the General Faculty. The vote on ratification shall be taken during the regular academic year not earlier than thirty days after circulation of the Senate minutes in which the amendment approved by the Senate is recorded.

Paragraph 3. The President. The President shall present to the Board of Trustees, at the earliest opportunity, and no later than thirty days after ratification, amendments adopted by the Senate and ratified by the General Faculty.

ACCESS TO THE CONSTITUTION AND BY-LAWS -

This Constitution and By-Laws shall be continually available on the FAMU.edu web site as well as in the reference department of the Coleman Library. Branch libraries may also keep additional copies.