

Contains changes to Bylaws 4, 7, 13 and 18 and will be presented to the Faculty Senate as an information item in January of 2009.

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The Faculty Senate Bylaws Relating to the Organization
and Operation of the Senate

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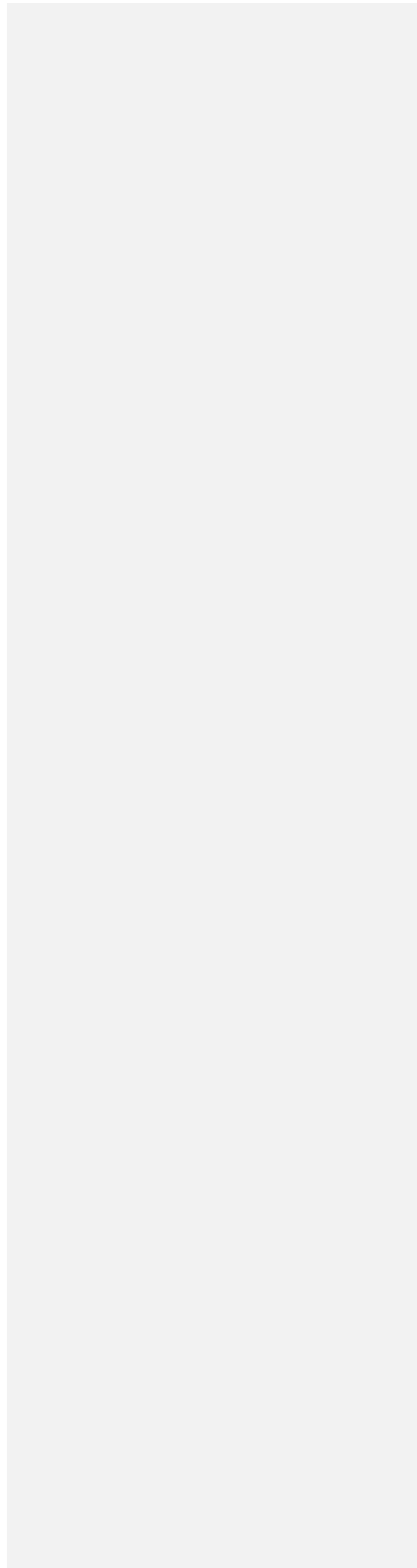
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The Bylaws include amendments adopted by the Faculty Senate through October 19, 2006.

For individuals with hearing and speech impairments, when trying to contact departments that do not list TDD telephone numbers, please use the Florida relay service by calling 1-800-955-8771 (TDD).

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BYLAWS OF THE FACULTY SENATE

SENATE BYLAW 1

Implementing Procedures of the University for the Board of Trustees Policy on Academic Freedom and Responsibility (Senate Bylaw 1, June 18, 1963; Amended 2/73, 11/74, 4/84, 6/95, 12/95 and 4/2002)

Complaints Against Faculty Members

A complaint to be handled under these procedures must be in written format.

Complaints from outside the University shall be addressed or forwarded to either the President or to the Provost. The President will refer complaints to the Provost.

The Provost shall refer any complaint for which he or she is given responsibility to the Dean (or Director) of the college (or school). Where the faculty member is in more than one college, all Deans shall be informed.

Complaints from inside the University shall be made directly to the Dean (or Director) and/or to the appropriate Vice President of the college (or school), who shall inform the Provost of the existence of the complaint.

Unless the complaint is one involving sexual harassment, which shall be handled according to the University policy for complaints of sexual harassment, the college Dean (or Director) shall further refer the complaint to the department chair(s) concerned who will examine the complaint and give a written opinion to the Dean (or Director) and/or to the appropriate Vice President (with a copy to the Provost) either that:

1. the complaint lacks substance and no further action is necessary, or
2. the complaint has substance but remedial action at the department level is sufficient, or
3. the complaint has substance and must be handled further at higher levels.

The Provost shall review the matter and take such action as is necessary to ensure completion of handling the complaint. Where charges are recommended by the college Dean (or Director) and/or appropriate Vice President, the Provost or the Provost's designee shall confer as necessary with those involved and, if the Provost or the Provost designee concurs in the judgment that charges are required, assist in the proper formulation of charges.

These charges may then be heard by the Committee on Academic Freedom, Tenure, Professional Relations and Standards in accordance with the procedures specified in the Constitution of the University and Senate Bylaw 7.

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Complaints by Faculty Members

Any faculty member may complain in writing of an alleged violation of right and responsibilities under the University's rule on Academic Rights and Responsibilities.

Such complaints may be forwarded to the Committee on Academic Freedom, Tenure, Professional Relations and Standards who shall handle the complaint in accordance with the procedures specified in the Constitution of the University and in Senate Bylaw 7.

The committee's report shall be made to the President.

SENATE BYLAW 2
Interpretation Relating to Rank of Instructor
(Senate Bylaw 2, November 19, 1964; Repealed by Action of the Senate 3/89)

SENATE BYLAW 3
Tenure Eligibility of Faculty in University Libraries and
Florida Museum of Natural History
(Senate Bylaw 3, January 21, 1965; Repealed by Action of the Senate 3/89)

SENATE BYLAW 4
The Senate: Organization and Procedure
(Senate Bylaw 4, January 21, 1965; Amended 9/71, 4/84, 6/95, 12/95, 4/2001, 4/2002, 3/2003, 2/2004, 4/2004, 1/2006)

Comment [CM1]: Approved at October 2008 Constitution Committee meeting

(A) Senate Organization and Procedure: Senate Function

As the legislative body of the University, the Senate is directed by the University Constitution to take cognizance of matters which concern more than one college, school, or other major academic unit, or which are otherwise of general University interest; and it is empowered by the University Constitution to legislate with respect to such matters, subject to the approval of the President and in appropriate instances the Board of Trustees and subject to the ~~rule-making~~ regulation procedures of the Florida Board of Governors ~~Florida Administrative Act~~, if applicable. Among such matters are:

- (1) The educational policies of the University
- (2) The creation of new degree programs
- (3) The abolition of degree programs
- (4) Curricula matters affecting more than one college

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- (5) Criteria for faculty appointment, promotion and tenure
- (6) Matters of general professional importance
- (7) Recommendations of candidates for honorary degrees
- (8) The University calendar
- (9) Academic regulations affecting students

(B) Senate Organization and Procedure: Notice of Proposed Bylaws

The constitutional requirement that the proposal for a Bylaw shall be submitted to the Senate at least two weeks prior to action upon it, shall ordinarily be met by including the proposal on the Agenda of two successive meetings of the Senate. In cases of emergency, however, the Secretary of the Senate may either issue the regular Agenda two weeks, rather than the customary one week, in advance of a meeting of the Senate or may make a special advanced mailing of the proposed Bylaw to the members of the Senate.

(C) Senate Organization and Procedure: Senate Agenda

- 1) The Senate Agenda, prepared by the Senate Steering Committee, shall consist of three parts:
 - a. Reports of the President, ~~and~~ Provost, and Chair of the Senate;
 - b. An Information Agenda consisting of information items, such as reports of committees; and
 - c. An Action Agenda, consisting of action items, containing matters to be decided at the current meeting.
- 2) Placing items on the Agenda:
 - a. Items to be included on the Senate Agenda shall be submitted to the Secretary of the Senate.
 - i. Items to be included on the Agenda may be submitted by any member of the Senate, by the chair of any committee or council, _____ by a member of the faculty, or by an administrative officer of the University.
 - ii. Items to be included on the Agenda shall be submitted in writing, in the manner prescribed by the Senate Steering Committee.

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- iii. The Senate Steering Committee shall post the process for submitting items to the Agenda on its website.
 - b. The Senate Steering Committee shall determine whether items should be:
 - i. Referred to a Senate Council or Committee,
 - ii. Placed on the Information Agenda of the Senate,
 - iii. Placed on the Action Agenda of the Senate,
 - iv. Deferred, or
 - v. Declined.
 - c. Ordinarily, the Senate Steering Committee shall refer matters brought to its attention to the appropriate Senate Council or Committee for consideration and report.
 - i. Upon receipt of the report or before, the Steering Committee normally places the item on the Information Agenda prior to its placement on the Action Agenda.
 - ii. The Steering Committee may place an item immediately on the Information Agenda if it feels that no council or committee consideration or report is necessary, or on the Action Agenda in unusual, special or emergency circumstances.
 - d. The Steering Committee shall within 48 hours inform the person who ———submitted the item as to its disposition.
- 3) Distribution of the Agenda: The Secretary of the Senate shall distribute the Agenda, and all materials related to items on the Agenda, to each member of the Senate seven days before the meeting of the Senate.
- 4) The Information Agenda
 - a. Matters appearing on the Information Agenda shall appear in the Agenda and on the Senate website as a brief written report summarizing any longer report.
 - b. Matters appearing on the Information Agenda may be elaborated orally before the Senate.
 - c. After the presentation of an information item, the presiding officer shall inquire whether the Senate wishes to discuss the materials presented in the

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information item. Upon an affirmative indication by ten Senators, the matter shall be opened for discussion.

- d. After presentation of the scheduled information items, any Senator may ask the Senate to add to the Information Agenda of the meeting any item previously submitted to the Steering Committee by the specified deadline that has been deferred or declined by the Steering Committee. Upon majority vote by the Senators present, the item shall be added to the Information Agenda of the meeting.

5) The Action Agenda

- a. Matters appearing on Action Agenda shall be debated and voted on at that meeting of the Senate.
- b. Any Senator may ask the Senate to add to the Action Agenda of the meeting any item on the Information Agenda of the meeting. Upon two thirds –vote by the Senators present, the item shall be added to the Action Agenda of the meeting.
- c. The Senate shall not vote or take other action on any item not on the Action Agenda.

(D) Senate Organization and Procedure: Senate Membership

The membership of the Senate shall include the following:

- (1) Elected members who shall be apportioned among the academic units in proportion to the number of faculty members in each unit, except that no unit is to have fewer than two Senate seats, and no unit is to have more than twenty-five seats (one-sixth of the total number of seats). Apportionment shall be determined as follows:

Step 1. Determine the percentage of faculty members in each unit by dividing the number of faculty members in that unit by the total number of faculty members. Multiply that fraction times the total number of seats in the Senate (150) and round to determine the number of seats each unit is proportionally entitled to. In rounding, standard conventions should be applied, so fractions of .5 or more are rounded up, and fractions less than .5 are rounded down.

Step 2. If any unit receives more than one-sixth (25) of the total seats available in the Senate, that unit is assigned 25 seats.

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- Step 3. If any unit receives fewer than two seats in step one, that unit is assigned two seats.
- Step 4. If the total number of seats assigned in steps 1-3 is less than 150, determine the total number of faculty members in the units which have not been assigned their number of seats in Steps 2 and 3, and determine the remaining number of seats to be assigned.
- Step 5. Determine the proportionate share of each of these units by dividing the number of faculty members in that unit by the number from step 4. Multiply that fraction times the number of seats remaining to be assigned after step 3 and round to determine the number of seats each unit is proportionally entitled to, as in Step 1. If any unit would be assigned more than 25 seats, then it is assigned 25 seats and if any unit would be assigned fewer than 2 seats, it is assigned 2 seats. Steps 4 and 5 are now repeated with the additional units removed.
- Step 6. If, owing to the necessary rounding off procedure, more or less than 150 seats have been awarded in the previous steps, adjust as follows. If more, reduce the number by subtracting one seat from as many units receiving seats through the rounding-off process as necessary, beginning with the smallest fraction that had led to an additional seat, until the total number of seats assigned is 150. If less, increase the number by adding one seat from as many units receiving seats through the rounding-off process as necessary, beginning with the largest fraction that had not led to an additional seat, until the total number of seats assigned is 150.

- (2) ~~Ex officio Non-voting Members. The President of the University and the Provost/Vice President for Academic Affairs shall be voting members of the Senate. The Senate shall also include non-voting members with the right of the floor and the privilege of introducing motions. Administrative ex officio members shall be the other vice presidents of the University, full deans of academic units, directors of schools, the Director of Libraries and the Registrar. Members of the Senate Steering Committee and the chairsperson of other constitutionally specified committees and councils elected by the Senate as described in Article V III, Sections 2, 3 and 4 6, shall be ex officio non-voting members if they are not otherwise elected members of the Senate. Five student ex officio non-voting members shall be chosen annually for one year terms by a procedure established by student government. In addition, three student non-voting members shall be selected annually from the Graduate School and one student non-voting member will be selected annually from each of the following colleges: Dentistry, Law, Medicine and Veterinary Medicine. Non-voting members shall be as set forth in Article IV, Section 2 (B) of the Constitution.~~

Comment [a2]: Approved at November meeting of Constitution Committee. Listed in Constitution already. Duplicative.

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Non-voting members shall have the right of the floor and the privilege of introducing motions.

~~(3) Administrative liaison personnel. The following administrative liaison personnel shall be provided notice of the meetings of the Faculty Senate and shall have the right of the floor: the pPresident, the pProvost, and vVice Ppresidents of the University, dDeans of the academic units and the Registrar. Administrative liaison personnel shall be as set forth in Article IV, Section 2 (C) of the Constitution.~~

Comment [a3]: Approved at November meeting of Constitution Committee. Listed in Constitution already. Duplicative.

(E) Senate Organization and Procedure: Senate Elections

(1) Quotas for Elected Members

- a. Colleges, schools and independent academic units shall be considered in the assigning of quotas for elected members of the Senate. These quotas shall be computed annually by the Secretary of the Senate and the Steering Committee or its designate based on information from the Office of Academic Affairs and distributed to academic units by the end of the fall term.
- b. The Secretary of the Senate shall maintain a publicly available list of those faculty ineligible for election to the Senate by virtue of two successive terms, and the point at which they return to eligibility.
- c. ~~In Spring 2002, two thirds of the senators to be elected will be elected to two year terms, and one third to three year terms. In Spring 2003, two thirds of the senators to be elected will be elected for three year terms, and one third will be elected for two year terms. Thereafter all senators will be elected for three year terms.~~
- d. ~~Eligibility for the different length terms will be spread as evenly as possible by the Secretary of the Senate and the Steering Committee or its designate according to the following guidelines. In Spring 2002, two thirds of the seats allocated to an academic unit should be two year term seats, and one third of the seats allocated to an academic unit should be three year term seats. In Spring 2003, two thirds of the seats allocated to an academic unit should be three year term seats, and one third of the seats allocated to an academic unit should be two year term seats.~~

Comment [CM4]: No longer necessary.

~~In each year, faculty winning seats with higher vote totals should be awarded the three year term seats, and faculty winning seats with lower vote totals should be awarded the two year term seats.~~

(2) Procedures for Elections of Senators

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- (a) As soon as possible after receiving notification of the quota for the unit, the administrative officer of each college, school or independent academic unit shall constitute a nominating committee of ~~full-time tenured or tenure-track faculty~~. If the unit has several elected Senate members, the administrative officer shall see that the nominating committee shall be representative of the ~~full-time tenured or tenure-track faculty~~ faculty in each major area of academic interest within that unit. Proportionate representation of such academic areas shall be considered by the committee in making nominations for the elective Senate seats to be filled that year. The nominating committee shall name twice as many nominees as there are seats to be filled. Upon completion of two consecutive three-year terms in the Senate a faculty member shall be ineligible to serve again for a period of three years.
- (b) Before March 15 of each year, the administrative officer shall circulate the list of nominees and summon all ~~full-time tenured or tenure-track faculty members~~ to a meeting at which nominations shall be called for from the floor.
- (c) All nominations shall be incorporated in a ballot which shall be mailed to all ~~full-time tenured or tenure-track faculty members~~ in each unit by the administrative officer by April 1 of each year. Care shall be taken to ensure secrecy as to the identity of each eligible voter. Voting may be accomplished through electronic means as long as such secrecy is ensured. ~~and All ballots must be returned by April 15 if they are in order to be counted. Tellers, composed of academic faculty, shall~~ may be appointed to record the vote. A plurality shall be sufficient to elect, and tie votes shall be decided by lot.
- (d) The three-year terms of elective Senators shall begin the first day of the fall term following their election.
- (e) When a vacancy in the Senate shall occur because an elected member takes a leave of absence, or because of a temporary but unavoidable professional conflict, or because of the extended illness or death or resignation of any elected member before the expiration of the term as an elected member, the vacancy shall be filled by a temporary Senator. The temporary Senator shall be selected as the candidate on the most recent ballot who received the second most votes or by special election. The temporary Senator shall serve during the absence of the regularly elected member, except if the regularly elected Senator shall be absent for more than one year, the temporary Senator shall serve until the next Senate election.

Comment [CM5]: Faculty defined elsewhere.

Comment [CM6]: Covers paper and electronic balloting

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- (f) The Provost shall publish annually a list of all University Senate, Joint and Presidential Committees, Boards and Councils indicating the membership and responsibilities of each. ~~Unless otherwise provided in the Constitution or Bylaws, the President or designee will designate each committee, board or council as either elective or appointive with regard to the selection of members.~~

Comment [CM7]: Clarification purposes

(F) Senate Organization and Procedures: Chair Elect Nomination and Election Procedures

In February of each year the Senators will be notified that a complete roster of Senate members can be found at the Faculty Senate website. Each will be asked to submit from 1-150 nominations for Chair Elect at a date at least two weeks from the date of the notice to the Chair. All nominees will be notified that they have been nominated and, if they wish to be on the ballot, that they must notify the Chair by submitting a 250-word (maximum) summary of their qualifications and goals by the deadline stated in the Chair's notice. Senators will be notified of the list of the final nominees, and the election by means of a written ballot will be held at the last meeting of the Faculty Senate for the academic year. A majority of those Senators voting shall be necessary for election. The nominee having the greatest number of votes shall be the Chair Elect if such number represents a majority of the Senators voting. If no nominee receives a majority of votes, the Senate shall choose the Chair Elect by means of run-off ballots among nominees with the two highest numbers of votes, until one nominee receives a majority.

(G) Senate Organization and Procedure: Senate Meeting Procedures

(1) Meetings

- (a) The Faculty Senate shall normally meet at least once during each calendar month of the academic year or as specified elsewhere in the Bylaws of the Senate.
- (b) Special meetings of the Senate may be called upon due notice at such times as the Chair or President may designate, or upon petition to the Chair of at least 25 voting members of the Senate.

(2) Conduct of Senate Business

- (a) In the conduct of its business, the Senate shall be guided by the customary rules of parliamentary procedure, insofar as these are not modified by the provisions of the Constitution of the University of Florida or the Bylaws of the Senate. In cases of dispute recourse shall be to Robert's Rules of Order.
- (b) Decisions in the Senate shall be taken by majority vote of the members present and voting, except as provided in the Constitution and Bylaws.

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(3) Voting in the Senate

(a) Except in elections, voting in the Senate shall ordinarily be by voice; but, at the discretion of the presiding officer or upon the request of any member, a vote shall be taken by show of hands; or at the request of 20 members a vote shall be taken by signed written ballot.

(b) In the selection of the elective members of Senate councils and committees, voting shall be by ballots distributed to all voting members of the Senate by the Secretary of the Senate. Such elections may be accomplished through electronic means.

(4) Quorum

A quorum for any meeting of the Senate shall consist of those elected members who are present. In order to facilitate voting, members should sit in seats designated for members by the Senate Steering Committee.

(5) Proxies

No proxies shall be recognized.

SENATE BYLAW 5

Membership of a Department, Detailed

(Senate Bylaw 5, March 25, 1965; Amended 4/84 and 12/95)

Under the University Constitution the members of a department are the budgeted line item members. Members of the department may nominate and elect non-budgeted members, such as courtesy faculty, affiliates, or joint appointees, to departmental membership for any periods they wish. Each individual shall be notified in writing of such election and notified of the term of the appointment or that it is a continuing one. Members so elected shall have all the rights of budgeted line item members as appropriate to the appointment.

SENATE BYLAW 6

Departmental Promotion and Tenure Nomination

Procedures for Chairs

(Senate Bylaw 6, March 25, 1965; Amended 2/73, 4/84 and 12/95)

In the case where a proposal for tenure or promotion of a chair is being voted on, or otherwise handled by the tenured members of a department, the chair's Dean or Director shall be the officer in charge under the terms of the Constitution for these purposes. Where tenure is involved, the appropriate administrator shall obtain the required secret poll of the tenured members of the department; where promotion is involved, the appropriate administrator shall

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solicit the opinions of the faculty in the department holding rank superior to the candidate for promotion.

SENATE BYLAW 7
Appeal Procedures of the Faculty Senate Committee on Academic Freedom, Tenure, Professional Relations and Standards
(Senate Bylaw 7, April 29, 1965; Amended 9/66, 2/73, 1/74, 9/74, 11/74, 4/84, 2/90, 12/95, 4/2001, 4/2002, and 1/2006)

Comment [CM8]: Approved at October 2008 Constitution Committee meeting

(A) ~~Complaints Regarding the Non-renewal of Appointments~~

Comment [CM9]: Outdated procedure, not available, remove per AFT recommendation

~~The Academic Freedom, Tenure, Professional Relations and Standards Committee shall be advisory to the President in connection with complaints by a non-tenured faculty member who, after administrative reconsideration as described above, alleges that:~~

- ~~1. a property right to continuing employment exists, arising from his or her contract, or from assurances by persons authorized to make the same, or from the University's rules, or Bylaw, or that~~
- ~~2. the contract is not being renewed for constitutionally impermissible reasons, or that~~
- ~~3. the nonrenewal is not in compliance with the relevant standards, criteria and/or procedures, and who desires consideration by the committee in order to refute the cause stated for nonrenewal of contract.~~

~~The faculty member should briefly state his or her complaint by letter to the University President who shall submit the complaint to the chairperson of the Academic Freedom, Tenure, Professional Relations and Standards Committee. Upon receipt of the complaint, the Academic Freedom, Tenure, Professional Relations and Standards Committee shall seek to resolve the matter through discussion with the persons involved. If such informal attempts fail, the Committee will then hold formal hearings. If the complaint alleges that a property right to continuing employment exists, there shall be an initial hearing at which it shall be the obligation of the faculty member to prove that a property right of employment exists. If the Committee judges that such a right does exist, it shall, within a reasonable time, hold a hearing to give the faculty member opportunity to refute the cause for nonrenewal.~~

~~In all formal hearings, the Committee shall follow all procedures and rules specified in Senate Bylaw 7.~~

~~Upon completion of its consideration, the Committee shall report its findings and recommendations to the President. The decision of the President in matters relating to continued employment of non-tenured faculty members shall be final.~~

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~~(B)~~—(A) Complaints Involving Academic Freedom, Tenure, Professional Ethics or the General Welfare of the Faculty

This ~~procedure~~ Bylaw establishes informal and formal procedures to resolve charges and complaints brought by faculty members not in the collective bargaining unit involving University practices bearing on academic freedom, tenure, professional ethics or the general welfare of the faculty.

(B) Procedures.

1. Time Limit for Filing and Informal Appeal Procedures: Charges and complaints involving University practices bearing on academic freedom, tenure, professional ethics or the welfare of the faculty should be resolved prior to commencement of formal proceedings whenever possible. However, attempts to informally resolve the charges and complaints do not remove the 30-calendar-day time limit for the filing of charges and complaints stated in section 3 below. If additional time is necessary to reach an informal resolution, an extension must be requested in writing before the 30-calendar-day time limit has expired. The extension shall be requested from, and may be granted by, the University President's designee. Proceedings through the Academic Freedom, Tenure, Professional Standards and Ethics Committee may be denied to any faculty member who fails to comply with the applicable time limits set forth herein.
2. Composition and Jurisdiction: The Committee on Academic Freedom, Tenure, Professional Standards and Ethics shall be a standing committee of the Faculty Senate as set forth in Article ~~VIII~~, Section 46 (AB) of the University Constitution. The Committee shall have jurisdiction to hold hearings and make findings of fact, conclusions of law and recommendations in matters involving University practices bearing upon academic freedom or tenure, and University practices generally applicable to faculty members bearing upon professional ethics or the general welfare of the faculty. Such proceedings may be commenced by the University President through charges filed by the same or by a faculty member individually affected by the alleged practices.
3. Commencement and Pre-Hearing Procedures: (NOTE: All periods of time in this Bylaw refer to calendar days, unless otherwise specified. If any deadline falls on a non-business day, the period shall be extended to 5 p.m. of the next business day.)
 - (a) Commencement of Proceedings by Faculty Members:
 - (1) A faculty member (including any administrator who has faculty status) may commence proceedings before the Committee by filing one or more charges or complaints within 30 days after the complainant knew or should have known of the occurrence of the alleged action(s) on which the claim is based by stating his or her

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charge or complaint in a letter to the University President. A faculty member may request an extension of time from the University President, or the President's designee for such filing. The request must be in writing and it must be received before the 30-day time limit has expired. The granting of the extension of time must be in writing and for a definite time period. Filing of such a letter of complaint or charges (hereafter "letter") shall constitute waiver of all other grievance procedures as provided in ~~Rule Regulation 6C1-7.041, Florida Administrative Code (F.A.C.)~~.

- (2) The letter must state that the faculty member elects to have the Committee investigate the charge(s) or complaint(s) and state that by this election he or she waives all other grievance procedures available within the University system. The letter must assert sufficient facts to reasonably inform the University of the nature of the charge(s) or complaint(s). It is important that the faculty member describe which of his or her rights have been violated, in what manner, and clearly delineate what remedy(s) is sought. Copies of any and all papers, statements, documents or other items in the possession of the faculty member filing the letter that bear upon the matter, together with a list of the names and addresses of all persons believed to have pertinent information, shall be filed with the letter. The University President, or the designee, shall refer to the letter to the Committee Chair, unless the letter is untimely and no extension has been granted.
- (3) If the Committee Chair believes the letter does not meet the requirements of this Bylaw, including whether the charges or complaints fall within the jurisdiction of the Committee, the faculty member may be directed in writing by same to amend his or her charge(s) or complaint(s) within a designated period of time, and failing that, the Committee Chair may dismiss the matter and may advise the faculty member of other grievance procedures that may be available.

The Committee Chair shall, upon receipt of the letter, provide a copy of it to the person(s) against whom the charge(s) or complaint(s) has been lodged. The Committee Chair shall attempt to resolve the matter informally by discussion with the persons involved.

- (4) The Committee Chair shall appoint, within 25 days of receipt of the written complaint or the failure to informally resolve the matter, whichever is later, a three-member Inquiry Panel. Upon appointment, the Inquiry Panel will schedule a meeting which generally should be held within 25 days of the appointment, with at

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least 15 days notice to affected parties. The Inquiry Panel shall investigate the validity of the charges and evaluate the evidence presented to determine probable cause for proceeding to formal hearing by the Committee. Alternatively, the parties may agree upon an expedited process in which the Inquiry Panel will conduct a collegial review of the complaint under the procedures set forth in Section (B) 6 below. The parties must elect the option of an expedited process through a written request signed by all parties addressed to the Committee Chair. The request must be received prior to the first meeting of the Inquiry Panel.

- (5) The Inquiry Panel shall issue a report to the Committee Chair within 25 days after the conclusion of the meeting, which shall be a preliminary hearing if no request for an expedited process has been received unless otherwise agreed by all affected parties. A recommendation to proceed to a formal hearing before the Committee requires that at least two members of the Inquiry Panel find that probable cause exists. If at least two members of the Inquiry Panel conclude that no probable cause exists, the matter shall be considered closed. Copies of the Inquiry Panel probable cause report shall be provided to all affected parties.

Within 25 days after the Inquiry Panel's report finding probable cause to proceed to a formal hearing has been received by the Committee Chair, the charges or complaints shall be referred to a Hearing Panel by the Committee Chair for proceedings in accordance with section 7 hereof.

- (6) At any time prior to the conclusion of the formal hearing, an informal resolution may be reached. If the matter is informally resolved, the terms of any informal agreement shall be put in writing and signed by all parties. The signatures of the parties shall indicate: 1. full resolution of all issues raised by the faculty member commencing the charge(s) or complaint(s), and 2. relinquishment of the right to bring any future action based on any of the issues involved in the charges or complaint.

(b) Commencement of Proceedings by the University:

- (1) The President or the President's designee may commence proceedings by referring matters to, or filing charges with, the Committee on Academic Freedom, Tenure, Professional Relations and Standards. The University shall file charges by providing an original written notice of the issues to the Committee Chair and a copy thereof to the faculty member charged. The notice shall assert sufficient facts to reasonably inform the faculty member of the

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nature of the charge. Copies of any and all papers, statements, documents or other items in the possession of the party commencing the proceedings, bearing upon the charges, together with a list of the names and addresses of all persons believed to have pertinent information, shall be filed with the charges. The Committee Chair shall transmit to the faculty member charged a copy of this Bylaw. At any time prior to the conclusion of the formal hearing, an informal resolution may be reached.

- (2) Upon receipt of charges, the Committee Chair may refer the charges to a three-member Inquiry Panel for investigation. Upon appointment, the panel will schedule a meeting, the preliminary hearing, which generally should be held within 25 days of the appointment, with notice of at least 15 days to affected parties. The panel shall investigate the validity of the charges and evaluate the evidence to determine if there is probable cause for proceeding, seek an informal resolution agreeable to all parties, or allow the University to amend the charges if desired. The Inquiry Panel shall issue a written probable cause report within 25 days after the hearing, which shall be furnished to all affected parties. A recommendation to proceed to a formal hearing requires that at least two members of the Inquiry Panel find that probable cause exists. If at least two members of the Inquiry Panel find no probable cause, the case shall be closed. Copies of the preliminary report shall be provided to all affected parties.
 - (3) Within 25 days after the Inquiry Panel's report finding probable cause to proceed to formal hearings has been received by the Committee Chair, the charges shall thereupon be referred to a Hearing Panel by the Committee Chair for proceedings in accordance with section 7 hereof.
4. Inspection of Evidence. Should an Inquiry Panel be appointed, the Committee Chair shall deliver all papers and other items or information received by him or her to the Presiding Officer of the Inquiry Panel at least 10 days before the first meeting of the panel. The Committee Chair shall notify the party charged of the Committee's custody of such evidence before the first meeting of the Inquiry Panel, and the names and addresses of witnesses obtained by investigation shall be made available to all parties in like manner. No provision hereof shall prevent the introduction of any other evidence, provided that affected parties shall be entitled a reasonable time in which to examine and consider same.
 5. Burden of Proof. The burden of proof shall be on the faculty member bringing the complaint(s) or charge(s), who must support his or her position regarding the matters complained of or charged by a

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preponderance of the evidence, except that if the complaint challenges disciplinary action under ~~Regulation Rule 6C1-7.048, F.A.C.~~, the burden of proof shall be on the University to establish by a preponderance of the evidence that a violation under that rule occurred. Counseling is not considered disciplinary action.

6. Expedited Proceedings. If the parties elect in writing an expedited review process by the Inquiry Panel, the Inquiry Panel shall, generally within 25 days of receiving the request, schedule a meeting with the complainant(s) and the person(s) complained or charged. Notice of at least 15 days shall be given to these affected parties.
 - a. At the meeting the faculty member bringing the complaint(s) or charge(s) shall have the right to present any evidence in support of the complaint(s) or charge(s) to the panel. The person(s) complained of or charged shall have the right to present any evidence in support of his or her position to the committee. The panel may interview other persons and seek other evidence. The review shall be as collegial as possible, yet compatible with formulating a recommended resolution of the charge(s) or complaint(s).
 - b. The Inquiry Panel shall adopt a final report to the President containing findings of fact, conclusions of law, and recommendations on the matters considered. The report, along with all evidence submitted to the panel, should be forwarded to the President, with copies to the parties, within 60 days of the referral of the complaint to the Inquiry Panel for expedited review. The President shall then dispose of the matter pursuant to Section (B) 8 hereof.
7. Formal Hearings of the Academic Freedom, Tenure, Professional Relations and Standards Committee.
 - (a) Composition of Hearing Panels
 - (1) Any formal hearings shall be conducted by a panel of three members of the Academic Freedom, Tenure, Professional Relations and Standards Committee plus at least one alternate (from among the remaining members of the Committee) who shall have a vote only under the conditions specified in ~~paragraph Section (B) 7 (a) (6)~~ below. The Committee Chair shall select the members of the Hearing Panel and designate a Presiding Officer and Vice Presiding Officer under the circumstances

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specified in ~~Sections (B) 33(a)(4) or Section (B) 3(b)(3)~~ above.

- (2) Whenever feasible, at least one panel member shall be a person familiar with due process of law by training or experience, and no member of the Inquiry Panel should be on the Hearing Panel for the same case.
 - (3) In pre-hearing conferences and the formal hearing, a full panel of three members must be present at all times.
 - (4) All parties to the action shall have the right to challenge a panel member's right to serve for cause prior to the presentation of evidence. Members of the Hearing Panel, other than the challenged member, shall determine by a majority vote if a member challenged for cause shall be excused.
 - (5) After the formal hearings of a particular case has begun, any Hearing Panel member shall serve to the conclusion of the case even if his or her term as a Committee member may have expired.
 - (6) If a panel member is not present at a formal hearing session, the remaining members of the panel shall decide by majority vote whether to postpone the session or to remove the absent member from the panel and replace him or her with an alternate. If an alternate is formally seated, he or she will retain the voting status of a regular member of the Hearing Panel for the duration of the case.
- (b) The University President or the President's designee shall appoint an appropriate person to serve as the legal advisor to the Committee, including the Inquiry Panel and the Hearing Panel.
 - (c) Following selection, the Hearing Panel may meet for pre-hearing conferences and schedule a hearing after notice to affected parties. The hearings shall be held no earlier than 15 days after notice to affected parties, unless otherwise agreed by all affected parties.
 - (d) Parties shall have and be informed of the following rights:

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1. To be represented by a colleague authorized in writing by the party to act on his or her behalf or by counsel;
 2. To make an opening statement;
 3. To identify witnesses for the hearing, or when required by circumstances which involve the inability of a witness to appear and testify at the formal hearing, to request that the sworn statement of such witnesses be taken and transcribed;
 4. To examine and cross-examine any witness who may testify;
 5. To offer any relevant material and competent evidence; and
 6. To make a closing statement at hearing.
- (e) Witnesses:
1. The Presiding Officer shall require all witnesses to affirm or swear to tell the truth prior to testifying. The oath or affirmation shall be administered by a notary public or by any other person authorized by law to administer oaths or affirmations.
 2. If requested by any party, any witness shall be excluded from the formal hearing save when giving his or her testimony, except that in any case initiated by a faculty member, the University may have one representative present throughout the hearing, even though the representative may be required to testify.
- (f) Evidence:
1. Admissible evidence shall be any evidence of a type commonly relied upon by a reasonably prudent person in the conduct of his or her affairs; however, hearsay may be used only to supplement or explain other evidence, and shall not be sufficient, in itself, to support a finding.

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2. All rulings as to the admissibility of evidence shall be made by the Presiding Officer of the formal Hearing Panel, subject to objection by any member. Only the majority vote of the formal Hearing Panel, including the Presiding Officer shall overcome the Presiding Officer's ruling.
 - (g) Parties charged shall not be required, either during any investigation or at any hearing or meeting, to make any statement or to testify unless they expressly desire to do so, and in the event that they elect to remain silent, such fact shall not be considered by the Hearing Panel making its report. The term "party charged" shall mean only an individual against whom proceedings have been commenced in his or her individual capacity, and shall not apply to any official or representative capacity in the matters under consideration. The charge shall clearly state the status or capacity in which he or she is alleged to have acted.
 - (h) Within 60 days after conclusion of a formal hearing, the Hearing Panel shall adopt a proposed report containing findings of fact, conclusions of law and recommendations on the matters considered. Copies of same shall be furnished to all parties by the Presiding Officer of the panel. Within 10 days after receipt of such report, the parties shall have the right to submit written exceptions thereto.
 - (i) After consideration by the Hearing Panel of any exceptions to its proposed report, the Hearing Panel, by a majority vote, shall adopt a final report containing findings of fact, conclusions of law, recommendations and the vote on the report. Members in the minority may adopt separate reports, which shall be appended to the majority report. Copies of the final report shall be furnished to all parties.
 - (j) A hearing in which evidence is presented may be recorded by the Hearing Panel.
8. Report to the President:
- (a) Upon completion of the proceedings by the Inquiry Panel under the expedited review process or by the Hearing Panel, the final report and record shall be filed with the President.

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- (b) Within 25 days of receipt of both record and report, or as soon thereafter as is possible, the President shall adopt as is, or modify, and implement as he or she deems appropriate, the conclusions of law and the recommendations contained in the final report, or reject the report in its entirety. In taking action the President may not rely on “ex parte” communications and may not reject or modify findings of fact if they are supported by competent substantial evidence in the records. If the report or recommendations are modified or rejected, affected parties shall be furnished specific reasons therefore, and the President shall meet with the Hearing Panel to discuss the decision.

9. Records:

- (a) The record of the proceedings shall include all physical evidence considered by the Committee along with pleadings, notices, tapes of the hearing and transcripts (if any) and reports.
- (b) The record shall be retained by the Secretary of the Senate for a period of not less than three years after the final resolution of the appeal.

SENATE BYLAW 8

**Tenure Eligibility of Faculty in University Counseling Center
(Senate Bylaw 8, May 27, 1965; Repealed by Action of the Senate on 4/84)**

SENATE BYLAW 9

**Classification of Rank
(Senate Bylaw 9, June 1, 1965; Repealed by Action of the Senate on 3/89)**

SENATE BYLAW 10

**Exception for Faculty Eligible for Permanent Status
(P.K. Yonge Developmental Research School and
County Extension Faculty)
(Senate Bylaw 10, June 17, 1956; Repealed by Action of the Senate 12/95)**

SENATE BYLAW 11

Procedural Tenure Rules

Contains changes to Bylaws 4, 7, 13 and 18 and will be presented to the Faculty Senate as an information item in January of 2009.

(Senate Bylaw 11, March 24, 1966; Repealed by Action of the Senate 12/95)

**SENATE BYLAW 12
Visiting Professors
(Repealed by Action of the Senate on 6/67)**

**SENATE BYLAW 13
College Evaluations
(Senate Bylaw 13, February 27, 1966; Amended 5/74 and 12/95)**

Comment [CM10]: Approved at March 2008 Constitution Committee meeting

1. The Senate recognizes the diversity of the colleges and schools within the University and endorses the position that procedures for evaluating colleges and schools should take these diversities into account. Many of the colleges and schools are evaluated by visiting teams from national accrediting associations. Appropriate advantage should be taken of such evaluations.
2. Evaluations of each college, school or other major academic administrative unit shall normally be conducted at least once every seven years, or more often if deemed desirable by the President of the University.
3. The periodic evaluations shall be conducted by one of the following bodies, as deemed appropriate by the Provost ~~and other Vice Presidents~~ ~~and as appropriate~~ in consultation with the Dean or Director and representative faculty members of the unit being evaluated by:
 - (a) A visitation team representing the national accrediting agency of the unit being evaluated.
 - (b) A special committee appointed by the Provost for purposes of conducting the evaluation.
4. In cases where the evaluation is conducted by a special committee, the following policies and procedures shall be followed:
 - (a) The size of the committee shall be appropriate to the assigned task, but normally should not be less than three nor more than five.
 - (b) A majority of the committee shall, except in unusual circumstances, be specialists who are not members of the University faculty. The other members may be appointed from the University faculty, but a committee not containing any University faculty members may be appointed.
 - (c) The committee shall evaluate the entire program of the unit, giving special attention to the particular needs and problems of the unit and the quality of leadership shown, with particular reference to the procedures set forth in Article

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V of the University Constitution. The report of the committee shall contain appropriate recommendations to the Provost based upon findings of this periodic evaluation, including a specific recommendation concerning the continuation of the Dean or Director in his or her administrative capacity.

- (d) Prior to the visitation of the evaluation committee, the Dean or Director of the unit being evaluated shall prepare and send summary materials to each member of the evaluation committee on the unit's programs of teaching at all appropriate levels, research and extension, and on the faculty.
 - (e) The evaluation committee shall submit a draft of its report to the Dean or Director of the unit being evaluated. The purpose of this draft is to give the Dean or Director an opportunity to review the report for accuracy of factual information. Depending upon the discretion of the evaluation committee, this draft report may or may not contain recommendations. After having received the draft back from the Dean or Director, the evaluation committee shall submit its final report to the President of the University who shall forward it for appropriate action through the appropriate Vice Presidents to the Dean or Director of the unit being evaluated, who, in turn shall distribute copies of the report to the unit's faculty.
5. In cases where the evaluation is conducted by a visitation team representing a national accrediting agency, policies and procedures of the agency for conducting such evaluations shall be accepted. However, the Provost shall, when appropriate, request the accrediting agency visitation team to investigate and report on any specific matters which may normally not be covered by such evaluations. Further, the evaluation report of such teams shall be distributed to members of the faculty of the unit being evaluated unless the policy of the accrediting agency forbids such distribution.
 6. In the event a unit is evaluated by a national accrediting agency and an additional evaluation by a special committee is also deemed necessary, the special committee will make full use of the reports, data, conclusions and recommendations of the accrediting agency evaluation committee in order to prevent unnecessary duplication of activity.
 7. The Provost shall schedule and make arrangements for college evaluations.

SENATE BYLAW 14

Faculty Representation on the Administrative Council

(Senate Bylaw 14, December 3, 1968; Repealed by Action of the Senate 12/95)

SENATE BYLAW 15

Privileges of Non-members at Meetings of the Faculty Senate

(Senate Bylaw 15, February 27, 1969; Amended 9/71, 4/84 and 12/95)

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

1. Representatives of the press, duly accredited by their publications, may attend all open meetings of the Faculty Senate. A maximum number of representatives from each publication may be established by the presiding officer of the Senate.
2. The President of the University or the presiding officer of the Senate may invite as many as ten (10) individuals, not members of the Faculty Senate, to attend specific open meetings of the Senate, but they shall not be entitled to vote, or to have the floor unless reporting at the request of the presiding officer or of the Senate.
3. At the discretion of the President or the presiding officer and insofar as seating capacity permits, students and staff of the University of Florida and the general public may attend open meetings of the Senate. None of these persons shall have the privilege of the floor. In case of disorder, the presiding officer shall order any offending person from the assembly hall.
4. The presiding officer of the Senate, in advance of each meeting, shall designate a part of the assembly hall for the seating of non-members.
5. In case of insufficient seats, the presiding officer of the Senate, in conjunction with the Steering Committee, shall arrange the seating on the following priorities:
 - a. Members of the Senate shall sit in an area designated by the Senate Steering Committee.
 - b. Faculty not members of the Senate.
 - c. Representatives of the press.
 - d. The designees of the President or the presiding officer who have business before the Senate or are otherwise designated to attend a specific meeting.
 - e. Members of the staff and the student body of the University of Florida.
 - f. The general public.

SENATE BYLAW 16
Tenure Eligibility of Members of Veterans Administration Hospital
and University of Florida Health Science Center – Jacksonville
(Senate Bylaw 16, March 30, 1972; Repealed by Action of the Senate 12/95)

Contains changes to Bylaws 4, 7, 13 and 18 and will be presented to the Faculty Senate as an information item in January of 2009.

SENATE BYLAW 17
Appeal Procedures for Non-renewal of Non-tenured Faculty
(Senate Bylaw 17, January 26, 1973; Repealed by Action of the Senate 12/95)

SENATE BYLAW 18
Periodic Departmental Evaluations
(Senate Bylaw 18, March 28, 1974; Amended 12/95)

Comment [a11]: Changes made at the March 2008 meeting of Constitution Committee

1. Departmental evaluations shall normally be conducted at least once every ~~five~~ seven years. More frequent evaluations may be conducted by the department chair, the Dean of the college in which the department resides, the Provost/~~Vice President for Academic Affairs~~ or the President of the University.
2. A committee for conducting the departmental evaluations shall be appointed after consultation with the Vice President for Research, Dean of the college in which the department resides, chair of the department and representative faculty members from the department. This committee usually consists of two or more specialists, not members of the University faculty, invited to the campus to conduct the evaluation. One member shall be designated as chair. The outside specialists should spend at least two days on campus conducting the evaluation, after which they will submit a written report of the evaluation to the ~~Provost Vice President for Academic Affairs~~ with copies to the appropriate administrators. In addition to the outside specialists, the ~~Provost Vice President for Academic Affairs~~, when appropriate, may appoint one or more members of the University of Florida faculty to the Evaluation Committee.
3. Prior to the Evaluation Committee's first meeting, there shall be prepared and sent to it summary materials on the departmental programs of teaching, all appropriate levels, on research and/or extension and concerning the faculty.
4. The Evaluation Committee shall evaluate the entire program of the department and make specific recommendations on the curriculum, content of courses, research, strength of the faculty, quality of leadership and the chair's adherence to the provisions of Article V of the Constitution of the University of Florida. In the course of its investigation, the Committee shall interview faculty members and students of the department and shall provide an opportunity for any faculty member so desiring to present information to the Committee.
5. The results of recent evaluations of the department chair conducted by the ~~Provost Vice President for Academic Affairs~~ shall be made available to the Committee. If, in the opinion of the chair of the Evaluation Committee, the most recent evaluation of the department chair is not sufficiently current, the Provost Vice President for Academic Affairs shall conduct a new evaluation of the department chair prior to the departmental evaluation. In releasing evaluations of the department chair to the Committee, the Provost

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~~Vice President for Academic Affairs~~ shall comply with University and State of Florida Laws and policy regarding limited access and confidentiality of personnel records.

6. The Evaluation Committee shall submit a draft of its report to the department chair(s) of the department(s) being evaluated. The purpose of this draft is to give the department chair an opportunity to review the report for accuracy of factual information. Depending upon the discretion of the Committee, this draft report may or may not contain recommendations. After having received the draft report back from the department chair, the Committee shall submit its report to the ~~Provost Vice President for Academic Affairs~~, who shall forward it to the Dean of the Graduate School, Dean of the college with such comments, recommendations or observations as desired. The Dean of the college shall submit the report to the chair of the department being evaluated for distribution to the faculty members of that department.
7. In those cases where the ~~Provost Vice President for Academic Affairs~~ and the Vice President for Research and/or the Dean or Deans of the college or colleges involved deem appropriate, separate departments in related disciplines may be evaluated at the same time by the same evaluation committee. Such action shall be taken in consultation with the chair and representative faculty of the departments concerned.
8. In cases where a department or departments or a program is evaluated by reviewers appointed by an external agency, the ~~Provost Vice President for Academic Affairs~~ shall consult with the appropriate administrative officers, including the chair or chairs and the faculty of the department. Departments or program concerned to determine whether such external reviews should be used as the periodic departmental evaluations provided for in Article IV, Section 3 of the Constitution of the University of Florida and in Paragraph 1 of this Bylaw.
9. The ~~Provost Vice President for Academic Affairs~~ shall schedule and make arrangements for departmental evaluations. The Provost may delegate his or her authority under this Bylaw to appropriate designees.

SENATE BYLAW 19
Appeal Procedures of the Faculty Senate Committee
on Professional Relations and Standards
(Senate Bylaw 19, October 27, 1988; Repealed by Action of the Senate 12/95)

SENATE BYLAW 20
University Committees
(Senate Bylaw 20, April 11, 2002, 1/2006, 4/2006)

Senate Organization and Procedure: University Committees

- (A) Establishment of Committees

Contains changes to Bylaws 4, 7, 13 and 18 and will be presented to the Faculty Senate as an information item in January of 2009.

1. Senate standing committees must be established by action of the Senate.
2. Special Senate committees may be established either by action of the Senate, or by the Steering Committee acting in consultation with the President.
3. The Committee on Committees shall annually review the list of Senate Committees, and shall recommend to the Senate which Senate committees shall be continued, reclassified, dissolved, or added.
4. When in the study of matters before a committee, it is advisable to bring in special assistance from persons outside the committee, a subcommittee, including such persons, may be named by the committee. Such a subcommittee shall be temporary in nature. It shall be responsible to, and make its report to the committee which appointed it, and it shall not be designated as a Senate committee.

(B) Description of Committees

1. Certain committees shall be designated Senate Operations or Senate Standing Committees and their duties and responsibilities shall be as set forth in the Constitution. These shall include:
 - a. Academic Freedom, Tenure, Professional Relations and Standards Committee.
 - b. Committee on Committees.
 - c. University Constitution and Rules Committee.
 - d. Honorary Degrees, Distinguished Alumnus Awards and Memorials Committee.
 - e. Senate Nominating Committee.
 - f. Senate Steering Committee.
 - g. University Libraries Committee.
2. Certain committees shall be designated as Joint Committees. These shall include:
 - a. Academic Personnel Board. The President will appoint six members, three of whom will be selected from a slate of nominees elected by the Faculty Senate from the faculty at large. All nominees must hold the rank of professor or above with strong teaching and research records, selected from a variety of disciplines. Three times as many nominees as openings

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will be provided annually. The Chair is appointed by the President or the President's designee. The Academic Personnel Board advises the President with respect to promotion and tenure nominations, serving in a fact-finding and consultative role.

- b. Curriculum Committee. The President shall appoint 20 members to this committee, and the Senate will elect three members from the faculty at large. The Chair is appointed by the President or the President's designee. This Committee shall consider all requests for changes in undergraduate curricula or catalog listings, and for the addition of new courses of instruction in any of the colleges, divisions and schools of the University, except the Graduate School. When the question under consideration pertains to a course or courses at the "5000" level, available for graduate major credit, the Committee shall act jointly with the Graduate School. The Committee shall endeavor to eliminate duplication of subject matter between courses and unnecessary proliferation of courses. Ordinarily, the Committee's decisions on proposals to add courses to the curriculum or to delete courses from the curriculum shall be final, but the department which would offer the course, or has been offering it, may appeal the Committee's decision to the Senate. Such an appeal would be addressed to the Curriculum Committee, which might either reverse its earlier decision or ask the Steering Committee to schedule Senate consideration of the appeal. The Committee's decision on proposals to add, delete, or make changes in programs of instruction leading to undergraduate degrees shall not be a final decision, but shall be submitted to the Senate for final action.
- c. General Education Committee. The President shall appoint 13 members to this committee from the majority of baccalaureate degree-granting colleges within the University, and the Senate will elect three members from the faculty at large. The Chair is appointed by the President or the President's designee. The General Education Committee establishes a philosophy of what constitutes the general education component for baccalaureate degrees offered by the University. It reviews, in accordance with established criteria, all courses proposed to fulfill general education and Gordon Rule requirements. It makes recommendations to the Curriculum Committee regarding the continued effectiveness of the general education program.
- d. Graduate Council. The Graduate Council shall assist the Dean in executing the policies of the Graduate Faculty in matters related to graduate study and associated research. It shall be composed of twelve members of the Graduate Faculty, a graduate student elected by the Graduate Student Council, a representative from the Graduate Coordinators' Advisory Council, and the Dean of the Graduate School who shall serve as Chair. In the Dean's absence, an Associate Dean shall

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be designated as the Dean's representative. Six of the twelve faculty members of the Graduate Council shall be elected by the Graduate Faculty for overlapping terms of three years. Each year, the Dean of the Graduate School will appoint a Nominating Committee of no fewer than three members of the Graduate Council. The Nominating Committee will provide a slate of six or more candidates which will be discussed by the members of the Graduate Council who will determine the final slate to be put forth to the Graduate Faculty for a vote. This process will take place before the end of the Spring semester. The entire slate indicating the individuals elected will be presented to the Provost for consideration in making appointments for the other members of the Graduate Council. The graduate student member of the Graduate Council, who must be a doctoral student, serves a two-year term. During the first year, the student serves as a non-voting alternate member who is expected to attend all meetings and participate in the deliberations. During the second year, the student assumes voting privileges, and a new alternate member is elected by the Graduate Student Council to a two-year term. The Graduate Coordinators' Advisory Council representative shall be a current member of that body, elected by its membership to a one-year term on the Graduate Council and eligible for re-election for a second term. The Graduate Council shall establish sub-committees as needed, and shall prepare the Agenda for Graduate Faculty meetings, which shall normally be held at least once a term. Agenda items to be acted upon at Graduate Faculty meetings shall be reported on by the subcommittee responsible. Other motions from the floor shall be referred to the appropriate subcommittee.

- e. Lakes, Vegetation and Landscape Committee. The Lakes Vegetation and Landscape Committee consists of six faculty members, three appointed by the President or the President's designee and three elected by the Senate from the faculty at large, plus one student member. The Chair is elected. This Committee is responsible for items that affect the use of University lakes, including guidelines for use of such lakes in order to preserve their ecological integrity and research capabilities, and the management and well being of natural areas containing non-domesticated plants and animals. It provides recommendations concerning enforcement of policies regarding the removal of trees and other vegetation. It provides input to the University Land Use and Facilities Planning Committee regarding planning of major landscape elements such as green space, open space, and significant architectural features to ensure their compatibility with existing and planned landscaping and master planning. It provides recommendations to the Vice President for Business Affairs about construction on campus, specifically concerning: programming, including general site suitability having an impact on trees, landscape, natural areas and lakes; schematic design, including tree removal, plans for transplants, replacements and/or mitigation based on building footprint, utility corridors and other construction activities; and design development

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including new landscaping, appropriateness and inclusion of any mitigation for tree removal.

- f. Land Use and Facilities Planning Committee. The Land Use and Facilities Planning (LUFP) Committee consists of 20 faculty members, ten appointed by the President or his/her designee and ten elected by the Senate from the faculty at large, plus three student members. The Chair is elected. In conjunction with the Lakes Vegetation and Landscaping Committee, the Preservation of Historic Buildings and Sites Committee, and the Parking and Transportation Committee, this committee will be responsible for providing recommendations on the overall appearance and development of the campus to the Vice President of Finance and Administration. This committee shall also provide recommendations regarding the enforcement of the University of Florida Master Plan policies and guidelines. Its responsibilities are to participate in the development and updating of the University of Florida Master Plan, to recommend policies for land use and facilities development, and to review and recommend approval/denial of all requests for land use changes. The committee will monitor the execution of the University of Florida Master Plan by reviewing and recommending approval/denial of all project sites during the Programming and Schematic Design phases; review and recommend approval/denial of architectural design of buildings and landscaping, building additions/renovations, and utility projects during the design development phase; provide input on minor projects (\$1 M and less) that impact the footprint building exterior of potential historic building's interior; and assist in upholding the policies, procedures and standards set by the University of Florida Master Plan. The committee will work with other committees referenced above in an integrated and holistic approach to campus planning and development.

- g. Parking & Transportation Committee. The Parking & Transportation Committee consists of 14 faculty members, seven appointed by the President or the President's designee and seven elected by the Senate from the faculty at large, plus five student members. The Chair is elected. This committee reviews and recommends rules and regulations of a non-financial nature governing traffic, parking and registration of vehicles, bicycles, scooters and motorcycles and public transportation to and on the campus. It reviews and recommends programs to meet and enhance the parking and transportation on the campus. It reviews and recommends site locations for new parking facilities and parking lot enhancements on the campus. It reviews and recommends special parking requests from University departments, students, staff and faculty. It reviews and recommends any significant findings regarding all parking and transportation matters. It reports to the Vice President for Business Affairs the significant findings of the Committee regarding all parking and transportation matters considered by the Committee.

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- h. Preservation of Historic Buildings & Sites Committee. The Preservation of Historic Buildings and Sites Committee consists of fourteen faculty members, five appointed by the President or his/her designee, the University Historian and the Director of Preservation Programs as voting ex officio members and seven elected by the Senate from the faculty at large, plus two non-voting student members. The Chair is elected. The committee is assisted in its efforts by four University liaisons, the Assistant Director of Architecture and Engineering in the Physical Plant division, the Director of Facilities Planning and construction, the Assistant Director for Planning, and the Assistant Housing Director for Facilities Management. This committee assists the University in implementing its Policy on Historic Preservation, filed with the Florida Secretary of State, as a Programmatic Memorandum of Agreement for Protection of Historical Resources. In support of this Memorandum, it assists the University in fulfilling federal and state obligations with respect to its historic and archeological resources. It reports to the Vice President for Business Affairs the significant findings on all matters considered by the Committee.

- i. Research Policy Committee. The Research Policy Committee shall be composed of fourteen members: ten Deans or Vice Presidents appointed by the Vice President for Research, one ex-officio faculty member (the chair of the Faculty Senate Policy Council on Research and Scholarship), and three faculty members elected by the Senate from the faculty at large. All nominees for election by the Senate should have strong research and scholarly records and they must all be from different colleges or academic units. The Chair shall be the Vice President for Research. The Research Policy Committee shall advise the Vice President for Research on matters of University-wide policies related to the promotion and development of the University's research program. One of the three faculty members elected by the Senate shall be chosen to serve on the Senate Policy Council on Research and Scholarship.

- j. Student Petitions Committee. The Student Petitions Committee shall be composed of six appointed members, three elected members and two students. The Chair is appointed. This committee shall act for the Senate on the petitions of students requesting waivers of University academic regulations except petitions requesting (1) late registration, (2) exceptions to minimum-maximum load regulations, (3) changes of schedule after the date authorized for such changes, and (4) adding of courses after the date set in the University Calendar as the last time for adding courses. These four kinds of petitions shall be acted on by the school or college in which

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the student is enrolled. Petitions approved by the school or college must be reported to the Registrar's Office before the action becomes official.

- k. Sustainability Committee. The Sustainability Committee is an advisory body to encourage application of sustainability principles in all University policies, practices and operations. The Sustainability Committee consists of nineteen members, including eight faculty members elected by the Senate from the faculty at large, seven faculty or staff appointed by the President's designee, and two student members selected by the student government. The director of the Office of Sustainability and an academic officer appointed by the Provost serve as nonvoting *ex officio* members. The Chair is elected by the committee. Sustainability is defined as meeting the needs of the present without compromising the ability of future generations to provide for themselves. Sustainability embraces three interdependent areas of concern: environmental preservation, economic viability, and social justice. A sustainable practice preserves rather than destroys its ecological base, ensures rather than undermines long-term economic benefits, and advances rather than retards matters of equity and diversity. The Sustainability Committee also promotes sustainability within the University and in the University's relations with the larger community and seeks to enhance the University's standing as a global leader in sustainability. It assesses the progress of the University of Florida's sustainability efforts as compared to national and international best practices and pursues their implementation when appropriate. It aids in the development of policy with the Office of Sustainability and participates in the annual evaluations of that Office, its director and academic officer.

(C) Committee Reports

1. Committees shall report to the Senate or to the Senate Steering Committee, orally or in writing, at the request of the Senate or the Steering Committee. Generally such reports will be brief and will be made to inform the Senate concerning committee policies and procedures.
2. Brief summaries of committee reports may be submitted to the Steering Committee in time for inclusion in the Information Agenda.
3. At the request of 10 or more Senators, any committee report which has been submitted to the Senate shall be opened for discussion and for possible transfer to the Action Agenda.
4. The Graduate Council and the University Curriculum Committee shall be required to report to the Senate when either is considering creating a new degree program or abolishing an old one.

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(D) Council and Committee Membership

1. All Senate Policy Council and Senate Standing and Joint Committee members elected by the Senate shall be elected by ballots mailed to all voting members of the Senate by the Secretary of the Senate. Ties in the voting shall be settled by lot.
2. If two or more council or committee members are to be elected for terms of different lengths, the longest term of office shall go to the candidate receiving the most votes, the next longest term shall go to the candidate receiving the second highest number of votes, etc. until all the council or committee vacancies are filled.
3. Unless otherwise provided, membership in the Senate is not prerequisite for election to Senate or Joint committees. Membership in the Senate is a prerequisite for election to Senate Policy Councils.
4. Unless otherwise provided, the members of Senate Policy Councils and Senate and Joint committees shall serve for terms of three years, except that the first time a council or committee is elected there will be as nearly as possible an equal distribution of the members with terms of one, two and three years. The terms of members of special committees may be similarly staggered, and they shall not be for more than three years.
5. Unless otherwise provided, Senate and Joint committee members may be elected for successive terms when their experience or special talents make reappointment advantageous to the University, but as opportunity offers, changes should be made in the elected personnel of every Senate and Joint committee.
6. In January of each year, the chair of each Senate Policy Council and Senate and Joint committee shall advise the President and the Nominating Committee of the names of elected council and committee members whose terms are about to expire, and may suggest suitable nominees for the vacancies. Wherever a vacancy occurs other than by expiration of term in the case of members elected to serve, the council or committee chair shall notify the Senate Chair, who, in consultation with the Senate Steering Committee, shall select a replacement until the next annual election of members at which time an individual will be elected to fill the remainder of the term.

(E) Committee Chair

1. Unless otherwise provided, each Senate committee shall annually elect its own chair at the end of the academic year. In the absence of an elected chair, the Committee on Committees shall designate an acting chair to convene the first meeting for the purpose of electing a chair who shall conduct such other business as may be appropriate.

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2. It shall be the duty of every committee chair to inform the Steering Committee of committee actions and matters under consideration.

SENATE BYLAW 21
Definition of Faculty
(Senate Bylaw 21, April 15, 2004, February 17, 2005)

(A) Titles

1. Persons employed by the University of Florida during the regular academic year are members of the faculty if they hold one of the following academic titles:
 - a. Eminent Scholar
 - b. Graduate Research Professor
 - c. Distinguished Service Professor, Distinguished Research Curator
 - d. Distinguished Professor
 - e. Professor, Associate Professor, or Assistant Professor
 - f. Curator, Associate Curator, or Assistant Curator
 - g. Research Scientist, Associate Research Scientist, or Assistant Research Scientist
 - h. Scholar, Associate Scholar, or Assistant Scholar
 - i. Engineer, Associate Engineer, or Assistant Engineer
 - j. Extension Scientist, Associate Extension Scientist, or Assistant Extension Scientist
 - k. University Librarian, Associate University Librarian, or Assistant University Librarian
 - l. Master Lecturer, Senior Lecturer, or Lecturer
 - m. PKY University Developmental Research School Professor, PKY Associate Professor, PKY Assistant Professor, or PKY Instructor
 - n. County Extension Agent IV, County Extension Agent III, County Extension Agent II, County Extension Agent I
 - o. Any of the above titles modified only by clinical, research, or extension
2. University employees who hold the academic titles of Senior Associate In, Associate In, or Assistant In, are considered members of the faculty unless the appointing College certifies their primary assignment to be in administrative support areas of the University instead of in direct pursuit of the teaching, research and academic service missions of the University.

By December 15 of each academic year, each College shall transmit to the Secretary of the Senate a list of those Senior Associates In, Associates In, or Assistants In whose duties are primarily administrative support and who should be excluded pursuant to this section. A committee in each College, as required in Article III of the Constitution of the University of Florida, shall determine who is

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excluded on the basis of the principle stated in Bylaw 21(B). Any dispute as to exclusion under this section shall be referred to the College Tenure and Promotion Committee for final determination.

(B) Faculty Characteristics

1. The following principle shall be considered in amending the criteria and titles listed above and in resolving ambiguous cases.
2. Members of the faculty share most of the following characteristics.
 - a. They are hired through nationally competitive processes.
 - b. They are retained and promoted using national, peer-reviewed criteria.
 - c. They participate, to some degree, in teaching, research, and service.
 - d. They are eligible for tenure.
 - e. Their primary employer is the University of Florida.
 - f. They hold a terminal degree in their field.
 - g. They are hired by their faculty peers.