

# Constitution of College of Health and Human Performance

## Preamble

Based on our belief that: 1) disease and disability prevention, health enhancement, and effective use of leisure time is of global significance; 2) our college serves our state, country, globe, and its citizens through teaching, research, creative scholarship, and service for the purpose of helping people protect, maintain, and improve their health, fitness, and quality of life; and 3) shared governance<sup>1</sup> is effective through working relationships between administrators and faculty and a mutual respect for the participants' differing roles, responsibilities, and mutual trust in the ability and willingness of the various parties to meet their commitments; We the members of the College of Health and Human Performance do ordain and establish this constitution. This constitution is intended to establish the general principles that shall guide the governance of the College of Health and Human Performance.

## Article I—Governance of the College

This constitution is governed by and subordinate to the University Constitution, the policies and directives of the Florida Board of Governors, the University of Florida Board of Trustees, and applicable provisions of the Collective Bargaining Agreement. Operating within these contexts and within the provisions of this constitution, governance shall be shared between the administration of the college and the faculty through the College Council.

## Article II—Organization

### *Section I—The College Council*

A. Function. The College Council serves as a forum for the mutual exchange of ideas between college administrators and faculty and staff. The College Council shall be the policy-making entity in the college. In addition, the dean and administrative committee shall regularly consult the College Council on matters of concern to the college. The College Council shall approve all operating codes contingent to and required by this constitution. The College Council will develop and make policy recommendations on all matters of concern, including but not limited to:

- a. The educational, research, and service missions of the college,
- b. Shared governance,
- c. Faculty awards,
- d. Faculty welfare, the working environment, and matters of quality of life,
- e. Facilities and resource allocation,
- f. The college strategic plan.

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<sup>1</sup> See *Report of the Faculty Senate—Presidential Task Force on the Implementation of Shared Governance*. Executive summary, (2006). “Shared governance in the academic mission of the University is collaborative participation of administrators and faculty in the decision and policy making process.” (p.2).

B. Structure. The College Council is composed of a dean, associate/assistant deans, department chairs, and one representative elected from each of the following: 1) the Faculty Advisory Council, 2) the Staff Advisory Council, 3) the Council of Principal-Investigators, and 4) the College Graduate Faculty.

### *Section II—Faculty*

A. The faculty of the College of Health and Human Performance shall consist of assistant professors, associate professors, professors, distinguished professors, eminent scholars, graduate research professors in tenured and tenure-accruing ranks; and lecturers, senior lecturers, master lecturers, assistants, associates, and scientists in non-tenure-accruing ranks; and others members of the faculty as defined in the University Constitution.

B. Faculty members within a department may recommend individuals for appointments as adjunct, affiliate, provisional, courtesy, research, emeritus, and visiting faculty. At the option of the faculty, such appointees may speak on college matters. The rights and privileges of these appointments shall be specified at the time of the appointment. Individuals with these departmental appointments may not vote on college matters or participate in college governance.

C. Graduate Faculty. The graduate faculty of the college shall consist of all faculty members with graduate faculty status as prescribed by the College Operating Code. The graduate faculty shall provide leadership for the college on all matters pertaining to the graduate program and graduate students. Faculty members with graduate status shall evaluate the progress of graduate students within the college and conduct other business through the Graduate Faculty Council as prescribed in the College Operating Code.

#### D. Meetings

1. Faculty meetings may be called by the dean, the College Council, or the Faculty Advisory Council. At least one meeting shall be held each academic year at which the dean shall present the State of the College. In every instance, the purpose of a meeting shall be stated in the call.
2. The dean or the designee of the dean will preside at college faculty meetings called by the dean or by the College Council. College faculty meetings called by the Faculty Advisory Council shall be chaired by the chair of the Faculty Advisory Council.
3. Any faculty member may suggest items for the agenda of meetings provided that they are submitted in writing and in a timely manner.
4. The faculty shall receive notice of meetings and agendas for meetings one week in advance except in the case of an emergency when 48 hours notice may be given.
5. A quorum for meetings of the faculty shall be 50 percent plus one of the faculty members of the college.
6. No proxies shall be recognized.
7. Draft minutes of meetings shall be recorded, reviewed by attendees for corrections, and posted within 10 days of a faculty meeting.

### *Section III—Faculty Rights*

A. The faculty members believe that academic freedom and responsibility are essential to the full development of a university and apply to teaching, research, and creativity. Therefore, the faculty must be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence.

B. Faculty members have the right to know what is required of them in their work and how that work will be evaluated. Faculty members shall be provided with a statement of their responsibilities and criteria by which they will be evaluated upon their initial appointment and at least annually thereafter.

C. All decisions regarding tenure, promotion, sabbatical leaves, salaries, salary increases, and evaluations, and all results of those decisions, shall be made known to individual faculty members in a timely manner in accordance with university and college guidelines for tenure and promotion. Faculty members have the right, in a timely manner, to appeal such decisions consistent with applicable policies and procedures and to expect a timely reply.

D. On all matters relating to tenure and promotion, faculty members have the right to promptly receive the results of votes, the college committee recommendation, the chair's/director's letter, and the dean's letter and recommendation in accordance with university and college guidelines for tenure and promotion.

E. The faculty has a right to assemble to discuss matters of concern to the faculty without limit.

F. All faculty members have the right, in accordance with University Policy, to see any and all information about themselves kept in official personnel files within the college, a school, or a department within the college and have the right to reply in writing as set forth in University Policy.

#### *Section IV—Responsibilities of the Faculty*

The responsibilities of the faculty shall include but are not limited to:

A. Teaching, research, and service.

B. Contributing to the governance of the college and the departments within the college.

C. Establishing the requirements for entrance into programs of major study and for graduation, and for designating the form of undergraduate and graduate degrees to be conferred. This form shall determine the arrangement and content of the curricula. It shall certify to the president those of its students who have completed requirements for degrees.

D. Serving on university committees and on the Faculty Senate.

#### *Section V—College Committees*

All college committees, except ad hoc committees, unless otherwise stated in the College Operating Code, will be composed of at least one member from each department. Unless

specified, all committee memberships shall be for one year. The structure and function of the college committees are set forth in the College Operating Code. The committees shall function in accordance with guidelines set forth in the College Operating Code.

*College Committees.*

College Faculty Advisory Council (elected)

Function: The Faculty Advisory Council serves to provide advisement to the dean and the Administrative Council on matters pertaining to the faculty. A representative from this council serves on the College Council.

Membership: The FAC shall be representative of all departments in the college. Membership of the FAC shall be determined in accordance with guidelines set forth in the College Operating Code.

College Council of Principal Investigators (elected)

Function: The Council of Principal Investigators serves to enhance and promote the research enterprises in the College of Health and Human Performance. This council provides advice on issues pertaining to research enterprises of the college. A representative from this council serves on the College Council.

Membership: Members of the Council of PI's will be elected from the faculty who are currently involved in sponsored research in accordance with the guidelines set forth in the College Operating Code.

College Graduate Faculty

Function: The College Graduate Faculty shall provide leadership for the college on all matters pertaining to the graduate program and graduate students. A representative of the College Graduate Faculty will serve on the College Council.

Membership: All college faculty members appointed to graduate faculty status are members of the College Graduate Faculty.

College Staff Advisory Council (elected)

Function: The Staff Advisory Council shall serve as a deliberative and advisory body to the dean on matters of significant interest and importance to the staff of the college. A representative of the SAC shall serve on the College Council.

Members of the SAC shall be elected in accordance with guidelines set forth in the College Operating Code.

College Tenure and Promotion Committee (elected)

Function: Promotion and tenure in the college are governed by Article V, Sections 4 and 5, of the University Constitution, the University of Florida rules found in the Florida Administrative Code, and the United Faculty of Florida Collective Bargaining Agreement. The dean consults with the Promotion and Tenure Committee in regard to recommendations for promotion and for tenure.

Membership: Membership on the Tenure and Promotion Committee shall be in accordance with the Guidelines set forth by the university.

College Curriculum Committee (appointed)

Function. The Curriculum Committee shall be responsible for approving all changes in curriculum and for evaluating existing programs. The committee shall make periodic reports to the College Council.

Membership: Members of the Curriculum Committee shall be appointed for one-year terms by the dean and approved by the College Council.

*Section VI— College Representative to the Faculty Senate*

A. Election of Senators. Each year the University Faculty Senate provides the college with the names of individuals eligible to serve as elected senators. The number and terms of senators representing the college is prescribed by the Constitution of the University of Florida. A slate of potential candidates for the Faculty Senate shall be developed by contacting faculty members to verify their willingness and availability to serve.

B. Responsibilities of Senators. College senators will represent the college in the Faculty Senate and serve as a liaison with the Faculty Advisory Council by providing them information, in a timely manner, about the agendas and minutes of Faculty Senate meetings.

**Article III—Administrative Structure of the College**

*Section I—The Dean*

The dean is the chief academic and administrative officer of the college who shall, at the same time, hold academic rank in one of the departments of the college. The dean is appointed by and serves at the pleasure of the provost and is expected to provide leadership and overall administration in academic matters, financial planning, and policy and routine operations of the college. The dean is responsible to the provost for the administration of the college and is responsible to the faculty for making and executing college policy. The dean shall have final delegated authority and decision-making responsibility for such things as hiring and evaluating faculty and staff for administering the college's fiscal and physical/material resources. The dean's decisions shall be guided by the College Council.

The responsibilities of the dean include but are not limited to:

A. Early in the Fall Semester of each academic year the dean shall prepare and personally present a State of the College address. This address shall review the successes and shortcomings

of the last academic year, set college goals for the next and future years, and set forth any proposed changes or modifications to the strategic plan.

B. Prepare and present annually to the faculty the educational goals of the college, the permanent endowments within the University of Florida Foundation, and the receipt of grants and research contracts.

C. In conjunction with the College Council, the dean shall prepare and present a strategic plan to the faculty for adoption. Following adoption, the dean shall have the responsibility of implementing the strategic plan. Amendments, changes, or modifications to an adopted strategic plan may be proposed by the dean or by the Faculty Advisory Council. The strategic plan shall be evaluated by the Faculty Advisory Council in collaboration with the dean. Revisions proposed to the faculty shall be evaluated at least every five years following the adoption of a strategic plan.

D. Conduct necessary college elections as required by this constitution and as may be required for the effective administration of the college.

### *Section II— Associate and Assistant Deans and Other Administrative Officers*

The dean of the college, as the provost's designee, shall appoint such associate and assistant deans and other administrative officers of the college. The duties and responsibilities of such associate and assistant deans and other administrative officers shall be determined by the dean to provide for the execution of college policy.

### *Section III— Chairs*

Each department within the college shall have a chair. Chairs shall be appointed by the dean in consultation with the department faculty. Chairs shall serve as the chief academic and administrative officers of the department and shall, at the same time, hold academic rank in that department. A chair is responsible to the dean for the administration of the department and is responsible to the faculty for the making and execution of department policy.

Chairs' responsibilities include but are not limited to:

A. Early in the Fall Semester of each academic year the chair shall prepare and personally present a State of the School/Department address. This address shall review the successes and shortcomings of the last academic year and also set goals for the next and future years.

B. To prepare and present annually to the faculty the educational goals of the department, the permanent endowments within the University of Florida Foundation, and the receipt of grants and research contracts.

C. To conduct necessary department elections as required by this constitution and as may be required for the effective administration of the unit.

D. To initiate faculty searches as the need arises.

## Article IV— Departments, Centers and Institutes

### *Section I—Departments*

- A. The faculty shall be organized into departments for purposes of program development and implementation.
- B. Each college department shall have a chair.
- C. Each college department shall have a shared governance document as mandated by the University of Florida Faculty Senate. These documents must be consistent with those of the university and of the college.

### *Section II—Institutes and Centers*

Institutes and centers may be established as necessary to assist the college in its teaching, service, and research missions within the guidelines of the university for the establishment of a center or institute. Establishment, ending, and evaluation of centers and institutes in the college shall be in accordance with university requirements and guidelines set forth in the College Operating Code.

### *Section III—Procedures for Establishing, Ending or Consolidating a Department*

The formation of a new department shall require the approval of the college faculty. The abolition of a department, or its consolidation with another, shall require the approval of each of the faculty members of the units involved. The dean, or any group of 75% or more of the faculty of each of the affected units, may petition the dean for the establishment, merger, consolidation, or abolition of a department.

## Article V—Tenure and Promotion

All considerations of tenure and promotion shall be consistent with unit, college, and university guidelines for promotion and tenure. All unit and college guidelines regarding tenure and promotion shall be applicable to the hiring of faculty members at senior ranks or with tenure. The dean shall annually distribute college and university guidelines for tenure and promotion along with relevant deadlines for submissions.

## Article VI—Searches and Appointments

### *Section I— Appointment of New Faculty*

Chairs shall nominate all faculty members after a search consistent with university procedures and the procedures established herein. Searches for tenured or tenure-track faculty, lecturers, and other instructional personnel, excluding searches for chairs or directors, shall be conducted by the department in which the faculty member shall hold academic rank. Searches should be

conducted in accordance with university rules and guidelines set forth in the College Operating Code.

### *Section II—Appointment of Emeritus Faculty*

An affirmative vote of departmental faculty is required before an individual can be nominated for emeritus status.

### *Section III—Appointment of Chairs*

Searches for department chairs shall be initiated by the dean establishing a search committee in consultation with the department in which the faculty member shall hold academic rank. If necessary, the dean may appoint an interim chair. Searches should be conducted in accordance with university rules and with the guidelines set forth in the College Operating Code.

### *Section IV—Appointment of the Dean*

The dean shall be appointed by the provost and shall serve at the pleasure of the provost.

### *Section V—Appointment of Associate and Assistant Deans and Other College Administrative Officers*

The dean shall be the final authority for the appointment of associate deans, assistant deans, and other college administrative officers. Searches will be conducted in accordance with university rules and with the guideline set forth in the College Operating Code.

## **Article VII— Rules of Order**

When conducting business of the college, *Robert's Rules of Order (current edition)* shall be followed when deemed appropriate.

## **Article VIII—Adoption**

The College Shared Governance Committee, in consultation with the dean, shall call a special meeting of the faculty to discuss the draft constitution. A final draft of the constitution shall be prepared and provided to all members of the faculty. A vote of the faculty shall be conducted to adopt or reject the constitution. Approval of this constitution shall require an affirmative vote from at least 50 percent plus one of all eligible faculty members as defined in this constitution.

## **Article IX—Constitutional Review**

Two years after the approval of this constitution by the faculty, the College Council shall establish a committee to review this constitution and all applicable governing documents and to propose amendments to this constitution. After the initial review, future reviews shall be conducted every five years unless a review is called for by a majority vote of the faculty at a faculty meeting. The membership of this committee shall be one faculty member from each unit. The College Council may make modifications in terminology and content to reflect current language and regulations set forth by the University Constitution, the policies and directives of

the Florida Board of Governors and University of Florida Board of Trustees, and applicable provisions of the Collective Bargaining Agreement.

### Article X—Amendments

This constitution may be amended by a two-thirds vote of the faculty present at any regular or special meeting provided that written notice and the text of the proposed amendments are sent to the faculty at least one month prior to the meeting at which such action is to be taken. Amendments shall be effective when written notice of the adopted changes is sent from the chair of the Faculty Advisory Council to all members of the faculty. Such notice must be given within two weeks after the date the amendments have been adopted.

### Article XI—College Operating Code

All College Committee/ Council Operating Codes referred to in this document will be reviewed and approved by the College Council. The College Operating Code will be reviewed annually by the College Council.

### Article XII—Effective Date

This constitution shall become effective upon approval by the college faculty.

References

(2006). Executive summary. *Report of the Faculty Senate—Presidential Task Force on the Implementation of Shared Governance Structure*, 2.