

1 **University of North Florida Constitution**

2
3 **Article I**
4 **Preamble**

5
6 We, the faculty, staff and students of the University of North Florida, establish this
7 compact to guide our participation in the governance of the University. We recognize
8 that the authority for decision within the University resides by law in the Office of the
9 University President and with the University Board of Trustees. Yet no institution of
10 higher learning can achieve its mission in the absence of the direct participation of its
11 members in the decisions that affect their work. This Constitution recognizes and
12 protects the right of all members of the University community to participate at
13 appropriate levels in University decisions without fear of sanction. Nothing contained
14 in this document shall limit the legal authority of the President or the University
15 Board of Trustees nor limit the legal rights of other members of the University
16 community. Portions of this Constitution that conflict with the laws, rules, and
17 regulations of competent higher authority and applicable collective bargaining
18 agreements are null and void.
19

20
21 **Article II**
22 **Rights and Responsibilities of the University Community¹**

23
24 **Section 1. General Obligations.**

25
26 Members of the University community have an obligation to fulfill the responsibilities
27 incumbent upon all citizens, as well as the responsibilities of their particular roles
28 within the academic community. All members share the obligations to respect the
29 fundamental rights of others as citizens, the rights of others based upon the nature
30 of the educational process, the rights of the institution, and the right of members to
31 fair and equitable procedures for determining when and upon whom penalties for
32 violation of campus regulations should be imposed.
33

34 **Section 2. Rights and Responsibilities Arising from Citizenship.**

35
36 As citizens, members of the University community enjoy the same basic rights and
37 are bound by the same responsibilities to respect the rights of others, as are all
38 citizens. Among the basic rights are freedom of speech, freedom of press, freedom
39 of peaceful assembly and association, freedom of political beliefs, freedom from
40 personal force and violence, freedom from personal abuse, and freedom of religion.
41 Freedom of press implies the right of freedom from censorship in campus
42 newspapers and other media, and the concomitant obligation to adhere to the
43 canons of responsible journalism. It should be made clear in writings or broadcasts
44 that editorial opinions are not necessarily those of the institution. The campus is not
45 a sanctuary from the general law. The University does not stand in loco parentis for
46 its members. Each member of the University community has the right to organize his

¹ This Article is derived from the Model Bill of Rights and Responsibilities as developed by the Carnegie Commission on Higher Education.

47 or her own personal life and behavior, so long as it does not violate the law or
48 agreements voluntarily entered into, and does not interfere with the rights of others
49 or the educational process.

50
51 Admission to, employment by, and promotion within the University shall be in
52 accordance with the provisions against discrimination in the general law. Members of
53 the University community have an obligation to recognize and respect the diversity
54 within the community.

55
56 **Section 3. Rights and Responsibilities Arising from the Educational Process**

57
58 All members of the University community have other responsibilities and rights
59 based upon the nature of the educational process and the requirements of the
60 search for truth and its free presentation. These rights and responsibilities include:

61
62 (a) Obligations to respect the freedom to teach, to learn, and to conduct research
63 and publish findings in the spirit of free inquiry. Institutional censorship and
64 individual or group intolerance of the opinions of others are inconsistent with
65 this freedom.

66
67 (b) Freedom to teach and to learn implies that the teacher has the right to
68 determine the specific content of her/his course, within the established course
69 definition, and the responsibility not to depart significantly from her/his area of
70 competence or to divert significant time to material extraneous to the subject
71 matter of her/his course. Free inquiry implies that (except under conditions of
72 national emergency) no research, the results of which are kept secret, is to be
73 conducted on the campus.

74
75 (c) Obligation not to infringe upon the right of all members of the campus to
76 pursue normal academic and administrative activities, including freedom of
77 movement.

78
79 (d) Obligation not to infringe upon the right of all members of the campus to
80 privacy in offices, laboratories, and residence halls, and in the keeping of
81 personal papers, confidential records, and effects, subject only to the general
82 law and to conditions voluntarily entered into. University records on its
83 members should contain only information which is reasonably related to the
84 educational purposes or safety of the campus.

85
86 (e) Obligation not to infringe upon the right of all members of the University
87 community to study unpopular and controversial views on intellectual and
88 public issues.

89
90 (f) Right to identify oneself as a member of the University community and a
91 concurrent obligation not to speak or act on behalf of the institution without
92 authorization.

93
94 (g) Right to hold public meetings in which members participate; post notices; and
95 engage in peaceful, orderly demonstrations. Reasonable and impartially

96 applied rules, designed to reflect the educational purposes of the institution
97 and to protect the safety of the campus, shall be established regulating time,
98 place, and manner of such activities and allocating the use of facilities.
99

- 100 (h) Right to recourse if another member of the University community is negligent
101 or irresponsible in performance of her/his responsibilities, or if another
102 member of the University community represents the work of others as her/his
103 own.
104
- 105 (i) Right to be heard and considered at appropriate levels of the decision-making
106 process about basic policy matters of direct concern.
107

108 Members of the University community who have continuing association with the
109 institution and who have substantial authority and security have an especially strong
110 obligation to maintain an environment conducive to respect for the rights of others
111 and fulfillment of academic responsibilities.
112

113 All members of the University community shall maintain the highest standards in
114 performance of their responsibilities.
115

116 The University administration has a particular responsibility to protect the integrity of
117 the academic process from external and internal attacks; and to resist the political or
118 financial exploitation of the campus by any individual or group.
119

120 Section 4. **Rights and Responsibilities of the Institution.** 121

122 The institution, and any division or agency which exercises direct or delegated
123 authority for the institution, has rights and responsibilities of its own. The rights and
124 responsibilities of the institution include:
125

- 126 (a) Right and obligation to provide an open forum for members of the University
127 community to present and debate public issues.
128
- 129 (b) Right to prohibit individuals and groups who are not members of the
130 University community from using its name, its finances, and its physical and
131 operating facilities for commercial, political, or other activities.
132
- 133 (c) Right to prohibit members of the University community from using its name,
134 its finances, or its physical and operating facilities for commercial activities.
135
- 136 (d) Right and obligation to provide members of the University community the use
137 of meeting rooms under the rules of the campus, including use for meetings
138 of political clubs.
139
- 140 (e) Right to prohibit use of its rooms by individual members or groups of
141 members on a regular or prolonged basis as free headquarters for political
142 campaigns, and to prohibit use of its name, its finances, and its office
143 equipment and supplies for any political purposes at any time.
144

- 145 (f) Right and obligation not to take a position, as an institution, in electoral
146 politics or on public issues, except on those issues which directly affect its
147 autonomy, the freedom of its members, its financial support, and its academic
148 functions.
- 149
- 150 (g) Right and obligation to: protect the University community and visitors from
151 physical harm, threats of harm or abuse; protect University property from
152 damage and unauthorized use; and protect the University's academic and
153 administrative processes from interruption.
- 154
- 155 (h) Right to require that persons on the campus be willing to identify themselves
156 by name and address, and state what connection, if any, they have with the
157 campus.
- 158
- 159 (i) Right to set reasonable standards of conduct in order to safeguard the
160 educational process and to provide for the safety of members of the
161 University community and the institution's property.
- 162
- 163 (j) Right to take action against members of the University community who strike
164 illegally against the University and the concomitant obligation to accept legally
165 conducted strikes without recourse to sanctions.
- 166

167 **Section 5. Right to Fair and Equitable Procedures.**

168
169 All members of the University community have a right to fair and equitable
170 procedures which shall determine the validity of charges of incompetence,
171 misconduct, and violations of campus regulations. The procedures shall be
172 structured so as to facilitate a reliable determination of the truth or falsity of charges,
173 to provide fundamental fairness to the parties, and to be an effective instrument for
174 maintenance of order. All members of the University community have a right to
175 know in advance the full range of penalties for violations of campus regulations.
176 Definitions of just cause for separation from the University community shall be
177 clearly formulated and made public.

178
179 Charges of minor infractions of regulations, penalized by oral warnings which do not
180 become part of permanent records, may be handled expeditiously by the appropriate
181 individual or committee. Persons so penalized have the right to appeal. In the case
182 of charges of infractions of regulations which may lead to notation in permanent
183 records or to more serious penalties, such as suspension or expulsion, members of
184 the University community have a right to formal procedures with due process,
185 including the right to appeal.

186
187 Members of the University community charged with or convicted of violations under
188 general law may be subject to campus sanctions for the same conduct, in
189 accordance with campus policies and procedures, when the conduct is in violation of
190 a campus rule essential to the continuing protection of other members of the
191 University community or for the safeguarding of the educational process.

192
193

Article III
Constituent Associations

194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242

Section 1. Preamble

The system of university governance shall be a collegial one which includes all University associations and is marked by shared authority among its constituents. The shared system of academic governance shall provide for a variety of academic organizational structures and shall permit a range of collegial leadership mechanisms. The collegial relationship is most effective when peers work critically together to carry out their duties in the most professional manner possible. It is the right and responsibility of every member of the University community to participate in the shared system of collegial governance and the obligation of the University community to recognize their contributions.

Section 2. Constituent Associations: Definition and Scope.

The responsibility of reviewing and recommending policies and practices to the President of the University shall be vested in self-governing Constituent Associations. There shall be four Associations: (a) the University Support Personnel Association, (b) the Faculty Association, (c) the Student Government and (d) the Administrative and Professional Association. Each Association shall have exclusive jurisdiction over specific enumerated concerns. No Association shall delegate the concerns enumerated in this Constitution to any external person, committee, Association, or other body.

Each Association shall practice direct rule, unless two-thirds of its members voting choose a form of representative rule. Associations that adopt representative rule shall apportion representatives among the chosen constituent units on the basis of population. Each Association shall be governed in accordance with its bylaws.

Each Association shall provide for the election of a President, Vice President and any other officers deemed necessary from among its members. Terms of officers shall be determined by each Association. Officers shall perform such duties as each Association designates in its bylaws. The bylaws of each Constituent Association shall provide for the removal of elected officers, committee members, and delegates who fail to execute faithfully the duties of their offices. Constituent Associations shall fill all vacancies promptly through election or appointment in the affected body for the unexpired term of the office or position. No person shall be a voting member of more than one Association. Each Constituent Association shall be the judge of its own membership when questions of eligibility arise.

Matters concerning the internal administration and operation of each Constituent Association shall be stipulated in the bylaws of each, e.g., motions, resolutions, legislative calendars, agendas, meetings, special and standing committees, and the use of proxy votes.

Section 3. University Support Personnel Association.

243 The University Support Personnel Association shall be concerned with any activities
244 that affect its members as specified in State and Federal laws, rules and regulations,
245 and policies of the University Board of Trustees, Board of Governors, and the
246 University.

247
248 Decisions reached by the University Support Personnel Association regarding these
249 matters shall be forwarded to the Vice President for Administration and Finance, who
250 shall transmit them with recommendations to the President of the University within
251 10 working days of receipt. When approved by the President of the University, the
252 decisions shall become the policies, practices, and regulations of the University.

253
254 All persons who have achieved permanent status in the University Support
255 Personnel System shall be members of the Association.

256
257 **Section 4. Faculty Association.**

258
259 Collegial governance provides faculty with mechanisms and procedures,
260 independent of the collective bargaining process, for the development and
261 implementation of recommendations in areas of traditional faculty concern. Within
262 the shared system of academic governance, the Faculty Association shall be
263 concerned with faculty appointment, retention, promotion, and development;
264 academic programs, organization, and standards; academic services and continuing
265 education; and such other matters as may pertain directly to the University
266 instruction, service, and research programs.

267
268 Decisions reached by the Faculty Association regarding its concerns shall be
269 forwarded to the Vice President for Academic Affairs, who shall act on them where
270 authority to do so has been delegated by the President and otherwise shall transmit
271 them to the President of the University for action. The Vice President for Academic
272 Affairs is to process items so transmitted from the Faculty Association within 10
273 working days of receipt from the Association. When approved by the President of
274 the University, the decisions shall become the policies, practices, and regulations of
275 the University.

276
277 Members of the Faculty Association shall include (a) all faculty, with the exception of
278 adjunct and visiting faculty, who have a teaching and research or service, or
279 academic advising assignment during the academic year and who hold the ranks of
280 professor, associate professor, assistant professor, instructor, lecturer; (b) all
281 assistant, associate, and full librarians; (c) all academic administrators who have
282 teaching and research or teaching and service assignments. With the consent of the
283 Association, the President of the University may appoint any other member of the
284 University community to non-voting, ex officio membership in the Faculty
285 Association.

286
287 **Section 5. Student Government.**

288
289 The Student Government shall be concerned with the allocation of the Activity and
290 Service fee, and shall review the allocation of the Athletic and Health fees. The
291 President of the University shall consult with and seek the consent of the Student

292 Government President for the allocation and expenditure of the Capital Improvement
293 Trust Fund (CITF) fee, and any other non-instructional fees beyond matriculation.
294 The Student Government shall also be concerned with the evaluation and
295 establishment of student programs; student activities, clubs and organizations,
296 publications, and services; student morale, welfare and conduct; student
297 compensation, fringe benefits, and working conditions, student financial aid, health,
298 and child care services; student recognition and awards; athletics; and such other
299 activities as may pertain directly to students.

300

301 Decisions reached by the Student Government regarding these matters shall be
302 forwarded to the Vice President for Student and International Affairs, who shall
303 transmit them with recommendations to the President of the University within 10
304 working days of receipt. Upon approval of the President of the University, these
305 decisions shall become the policies, practices, and regulations of the University.

306

307 The membership of the student body as represented by the Student Government
308 shall consist of all full- and part-time students currently registered and paying the
309 Activity and Service fee to the University.

310

311 Section 6. **Administrative and Professional Association.**

312

313 The Administrative and Professional Association shall be concerned with any
314 activities that affect its members as specified in State and Federal laws, rules, and
315 regulations, and policies of the University Board of Trustees, Board of Governors,
316 and the University.

317

318 Decisions reached by the Administrative and Professional Association regarding
319 these matters shall be forwarded to the Vice President for Administration and
320 Finance, who shall transmit them with recommendations to the President of the
321 University within 10 working days of receipt. When approved by the President of the
322 University, the decisions shall become the policies, practices, and regulations of the
323 University.

324

325 All persons holding Administrative and Professional appointments shall be members
326 of the Administrative and Professional Association.

327

328

329

329 **Article IV** 330 **Administration of the University**

331

332 Section 1. **The President.**

333

334 The President shall be the chief executive officer of the University and shall be
335 responsible for the entire administration and supervision of the University, subject to
336 the Florida Statutes. The President shall lead in fostering and promoting education,
337 research, and service as the primary aims of the University. The President shall
338 enforce the rules and regulations of the Florida Board of Education, Board of
339 Governors, and the University Board of Trustees and shall interpret the proposals
340 and actions of the University to those Boards. The specific powers and duties of the

341 President are designated in the Florida Statutes and the Florida Administrative
342 Code. All actions of the Constituent Associations relating to general University policy
343 shall be submitted to the President for approval. The President shall express
344 approval or disapproval within 10 working days, or as soon thereafter as is possible,
345 by means of a written executive order to be filed with the presiding officer of the
346 affected Constituent Association. If the President disapproves, the executive order
347 shall contain a statement as to the basis for disapproval. The President, or a
348 designee of the President, shall communicate the reasons for any delay beyond 10
349 working days to the presiding officer of the affected Constituent Association prior to
350 the expiration of the ten-day period. The process by which the President of the
351 University approves the actions of the Constituent Associations shall conform to the
352 relevant collective bargaining agreements in force at the time such actions are
353 considered.

354
355 The President shall be an ex-officio member of all Associations, College faculties,
356 and University councils and committees. As a general rule, all committees
357 addressing the business of the University should be elected by the appropriate
358 constituencies. The President may, in consultation with the appropriate Constituent
359 Associations, appoint such ad hoc committees and other groups as are deemed
360 necessary to aid in the performance of the duties of the President. Any delegable
361 authority or duty of the President may be delegated by the President via written
362 decree to any member of the faculty or staff of the University, or to a Constituent
363 Association.

364
365 The President shall annually in writing provide to senior administrative personnel of
366 the University and to the Constituent Associations the name of the individual or
367 position title of the person who shall assume temporary leadership, in case of the
368 absence of the University President due to any cause, including death and
369 incapacitating illness. This person shall serve in the position of the President until
370 action is taken by the University Board of Trustees.

371
372 **Section 2. The Vice President for Academic Affairs.**

373
374 The Vice President for Academic Affairs shall be a non-voting ex-officio member of
375 all College faculties and University councils and committees concerned with
376 academic matters, except as provided herein.

377
378 The Vice President for Academic Affairs shall be appointed by the President, with
379 the advice of the Constituent Associations, and shall continue in the position at the
380 pleasure of the President. Each year, the faculty shall evaluate the Vice President
381 for Academic Affairs' performance as an administrative and academic leader and
382 shall provide the results of the evaluation to the University President. All academic
383 administrators, library faculty, and the regular University faculty will be provided an
384 opportunity to participate in this evaluation.

385
386 When a vacancy occurs in the Vice President for Academic Affairs' position, the
387 University President shall announce the vacancy and the qualifications for a
388 successor. The President shall form a search committee: up to 9 members to be
389 elected by the Faculty Association, and up to 2 members each to be added by the

390 USPS, Student Government, and A&P Associations. The President may appoint
391 additional members, so long as the elected faculty remain in the majority. The
392 committee shall present a list of qualified candidates, from which the President shall
393 appoint a Vice President for Academic Affairs or announce that the position remains
394 vacant, in which case the process of filling the vacancy shall begin anew.

395
396 **Section 3. Other Administrators.**

397
398 The President may appoint other administrators pursuant to University hiring
399 policies. These administrators shall have such powers and exercise such duties as
400 the President may designate.

401
402

402 **Article V**
403 **Collegial Governance, Administration, and Organization of Academic Units**

404
405

406 **Section 1. Preamble**

407

408 Faculty shall play an active and responsible role in the collegial governance of the
409 academic units to which they are assigned. The work of the faculty of academic units
410 shall include, but need not be limited to, development, presentation, and evaluation
411 of curricula and academic programs; requirements for admission and graduation of
412 students; academic freedom and responsibility; affirmative action and
413 nondiscrimination; assignment and evaluation of teaching, research and service;
414 leaves and sabbaticals; recruitment, evaluation, retention, tenure and promotion of
415 faculty; recruitment, evaluation and recommendation on retention of academic
416 administrators; assignment of courses and the development of course schedules;
417 development of criteria for awarding merit pay and procedures for equitable
418 allocation of Summer supplemental assignments; selection of instructional and
419 library materials; preparation of budget requests and implementation of budget
420 priorities; symbolic recognition of the achievements of faculty and students; fund
421 raising; and other matters of professional concern.

422

423 **Section 2. Organization and Administration of Academic Units.**

424

425 Academic units through which faculty carry out their work may include, but need not
426 be limited to, departments and colleges. Governance mechanisms may include, but
427 need not be limited to, directly democratic committees of the whole and/or
428 assemblies. Administrative mechanisms may include, but need not be limited to,
429 appointed and/or elected chairs and deans. Academic administrators must be
430 members of the faculty with an assignment in a primary academic unit.

431

432 The particular governance mechanisms employed by an academic unit, the terms of
433 office of academic administrators, and the manner in which academic administrators
434 are selected and removed shall be determined through consultations between the
435 appropriate faculty and the President or the President's designee and shall be set
436 forth in the unit's bylaws, subject to the limitations prescribed below. Prior to the final
437 approval by the President, the unit's bylaws shall be adopted by the faculty of the
438 academic unit and reviewed by any higher-level academic unit and the Faculty

439 Association. Upon approval, each academic unit's bylaws shall be filed with the
440 Secretary of the Faculty Association for inclusion in the Academic Policy Manual.
441

442 Except for reasons reported to the appropriate faculty and the Faculty Association,
443 academic administrators shall be selected to lead the primary academic unit to which
444 they have been assigned or one of higher level. Academic administrators shall serve
445 at the pleasure of the President or designee, for limited terms as specified in unit
446 bylaws, and shall be subject to an annual qualitative evaluation by appropriate
447 faculty peers.
448

449 The Faculty Association shall adopt such general standards of governance of
450 academic units as may be necessary to guide Department and College faculty.
451 These standards shall include such matters as conflicts of interest and collegial
452 ethics. To assure responsiveness to new developments in the art and science of
453 collegial governance and administration, each academic unit shall review the
454 appropriateness of its organizational form and administrative mechanism every five
455 years, beginning with the academic year following the adoption of this Constitution.
456

457 Section 3. **Departments.**

458

459 The Department shall be the fundamental unit for delivering the instruction, research,
460 and service programs of the University. Primary academic units which may be
461 designated with nomenclature other than that of Department shall also be regarded
462 as Departments for the purposes of this Constitution (e.g., divisions, schools). Any
463 person, with the exception of adjunct and visiting faculty, who has been assigned to
464 a Department and holds the rank of Professor, Associate Professor, Assistant
465 Professor, Instructor, or Lecturer shall be a member of the Department faculty, with
466 the right to participate in the governance and administration of the Department as
467 defined by Department bylaws.
468

469 The work of Departments shall be performed by individual faculty, Department
470 committees, and Department Chairs. The work of a Department to deliver its
471 programs and accomplish its mission shall be set forth in Department bylaws.
472 Department faculty shall establish such committees as may be necessary to carry on
473 the work of the Department. It shall be the responsibility of the Department faculty to
474 share as many of the activities identified by the bylaws as possible.
475

476 Department Chairs shall administer and coordinate the activities of Department
477 faculty and committees, present the views of the Department to higher-level
478 academic administrators, present the views of higher-level academic administrators
479 to the Department faculty, and perform any and all duties required by University
480 Board of Trustees, Board of Governors, Florida Statutes, University rules, and the
481 appropriate collective bargaining agreements. Department Chairs shall be
482 appointed to 12-month contracts, shall serve at the pleasure of the President or
483 designee, and shall receive release from a fraction of their teaching assignments
484 appropriate to their administrative responsibilities. Department Chairs shall have an
485 understanding of applicable collective bargaining agreements.
486

487 When a vacancy occurs in the office of a Department Chair, a successor shall be
488 selected in accord with Department bylaws from a list of candidates approved by the
489 faculty of the Department. At the end of the Department Chair's term, if retention is
490 an option, the Department faculty shall vote by anonymous ballot on the question of
491 retaining the Department Chair. In that case, the next higher-level academic
492 administrator shall receive the vote and report to the Department faculty the result. In
493 the event the result is negative, the next-higher-level academic administrator will
494 meet with the Department faculty and explain any action other than replacement of
495 the Department Chair. Nothing in this paragraph shall limit the authority of the faculty
496 of the Department or the next-higher-level academic administrator to conduct an
497 anonymous retention vote by the Department faculty prior to the end of the
498 Department Chair's term.

499

500 Section 4. **Colleges.**

501 Colleges are comprised of departments with similar or associated missions
502 combined for the purposes of effective governance and administration. Each College
503 faculty shall govern the academic affairs of its College subject to the approval of the
504 Faculty Association, the President or designee. Colleges shall be the basic degree-
505 granting units of the University. Among its responsibilities, the College faculty shall
506 determine the arrangement and content of the curriculum; establish requirements for
507 graduation and the degrees to be conferred; and recommend to the President the
508 granting of degrees to those students who have completed specified requirements.

509

510 Other higher-level academic units comprised of primary academic units which may
511 be designated with nomenclature other than that of College shall also be regarded
512 as Colleges for the purposes of this Constitution. Any person who is a faculty
513 member of a Department shall be a member of the faculty of the College in which
514 the faculty member's Department is located. Members of the College faculty shall
515 have the right to participate in the governance and administration of the College and
516 the selection of College Deans.

517

518 The work of Colleges shall be performed by individual faculty, College committees,
519 and College Deans. The work of a College to accomplish its mission shall be set
520 forth in the College bylaws. College faculties shall establish such committees as
521 may be necessary to carry on the work of the College. It shall be the responsibility of
522 the College Faculty to share as many of the activities identified in the College bylaws
523 as possible.

524

525 College Deans shall administer and coordinate the activities of Departments,
526 Department Chairs, College faculty and committees; present the views of the
527 Department and College faculty to higher-level academic administrators; present the
528 views of higher-level academic administrators to College and Department faculty;
529 and perform any and all duties required by, University Board of Trustees, Board of
530 Governors, Florida Statutes University rules, and the appropriate collective
531 bargaining agreements. College Deans shall be appointed to 12-month contracts,
532 shall serve at the pleasure of the President or designee, and shall receive release
533 from a fraction of their teaching duties appropriate to their administrative
534 responsibilities. College Deans shall have an understanding of applicable collective
535 bargaining agreements.

536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584

When a vacancy occurs in the office of a College Dean, a successor shall be selected in accord with College bylaws from a list of candidates approved by the faculty of the College. At the end of the College Dean's term, if retention is an option, the College faculty shall individually vote by anonymous ballot on the question of retaining the College Dean. In that case, the Vice President for Academic Affairs shall receive the vote and report the result to the College faculty. In the event the result is negative, the Vice President for Academic Affairs will meet with the College faculty and explain any action other than replacement of the College Dean. Nothing in this paragraph shall limit the authority of the faculty of the College or the Vice President for Academic Affairs to conduct an anonymous retention vote by the College faculty prior to the end of the College Dean's term.

Section 5. Creation, Transfer and Abolition of Academic Units.

Academic units may be established, altered, and/or transferred from one college to another, or abolished by the University Board of Trustees. The normal procedures prior to such action by the Board shall include a recommendation by the President, who shall solicit the advice of members of the respective faculty and administrators, and the Faculty Association.

Section 6. Budgetary Process.

In accordance with the bylaws of each academic unit, at such time as the unit's base budget for the year is established, the academic administrator for the unit shall review with the respective faculty both the base budget and any projected adjustments to take place during the year. By the end of the academic year, each academic unit shall establish a proposed budget for the ensuing year. Proposed budgets must exhibit the current-year budget, expenditures to date and projected adjustments, and prioritized new budgetary additions. The proposed budgets of academic units shall serve as a basis for the proposed budgets of higher-level academic units. It shall be the responsibility of the respective academic administrator to present the unit's proposed budget at higher levels and to report to the faculty the disposition of the unit's proposed budget.

**Article VI
University Standing Committees**

Section 1. University Standing Committees: Definition and Scope.

University Standing Committees shall be any university-wide committees which do not fall within the jurisdiction of any of the Constituent Associations. University Standing Committees shall meet some permanent and ongoing need of the University. If the need arises for a new standing committee, the President of the University or her/his designee shall approach the Presidents of the appropriate Associations to discuss membership selection procedures for the new committee. Every five years the President of the University shall appoint an ad hoc task force to review existing standing committees and to make recommendations concerning

585 which committees should continue to operate and which should be abolished. The
586 task force shall also make recommendations concerning any changes necessary in
587 the committee membership selection process.
588

589 University Standing Committees shall include, but not be limited to, the Constitution
590 Jurisdiction Committee and other committees that may be required by law, and such
591 other committees as the President of the University may deem necessary or
592 desirable. The President shall create and maintain a file containing the charge to and
593 the membership structure of each standing committee. A copy of this file shall be
594 available to the University community in the reference section of the Library and in a
595 generally accessible electronic format.
596

597 **Section 2. The Constitution Jurisdiction Committee.**
598

599 The Constitution Jurisdiction Committee shall hear and make recommendations to
600 the President of the University regarding the resolution of conflicts where jurisdiction
601 among the Constituent Associations is questioned. It shall also make
602 recommendations when requested by the President of the University and/or the
603 Presidents of any of the Constituent Associations on matters of Constitutional
604 interpretation. The Committee may assist the President of the University in
605 determining the appropriate Associations and/or procedures to deal with issues. The
606 Constitution Jurisdiction Committee shall consist of thirteen members: a chairperson
607 appointed by the President of the University, the President of each Constituent
608 Association or her/his designee and two members of each association selected in
609 accordance with the bylaws of each.
610

611
612
613
614

**Article VII
Amendments**

615 A simple majority of any Constituent Association may recommend constitutional
616 amendments to the President of the University. Such recommendations may be
617 made through a vote of Association members or a petition bearing the signatures of
618 members. Proposed amendments shall be reviewed by each Association and
619 returned to the President of the University with recommendations. The President of
620 the University may reject, modify or adopt recommended amendments. If the
621 President of the University modifies or rejects an amendment submitted by the
622 members of an Association, she/he shall report the reasons for her/his action to the
623 University community as soon as practicable. The process by which the President of
624 the University approves constitutional amendments shall conform to collective
625 bargaining agreements in force at the time such amendments are considered.
626

627
628
629
630

**Article VIII
Implementation**

631 Prior to expiration of this Constitution, a Constitutional Convention shall be convened
632 to determine if revisions are necessary, and to recommend any such revisions,
633 and/or recommend the continuation of this Constitution. At the beginning of the

634 academic year prior to expiration of this Constitution the President of the University
635 shall meet with the Presidents of the Constituent Associations to establish the
636 composition of the Convention. The Convention shall include the President of each
637 of the Constituent Associations and three other delegates selected in accordance
638 with Constituent Association bylaws. Each Constituent Association may select two
639 alternate delegates with voting privileges; however, only four of the six may vote at
640 any one meeting of the Convention. The General Counsel of the University will be
641 an ex-officio, non-voting member of the Convention. The President of the University
642 will select a member of the University Community to act as President of the
643 Convention. Each Constituent Association identified in Article III shall approve or
644 disapprove this constitution and communicate the results to the President of the
645 University within two months of the receipt of the document from the Constitutional
646 Convention. This Constitution shall take effect when approved by the President of
647 the University and shall expire ten years from that date*. The process by which the
648 President of the University approves this Constitution shall conform to collective
649 bargaining agreements in force at the time the document is considered.

650
651
652
653
654
655
656
657

* *April 1, 2004*

Approved by John A. Delaney
April 1, 2004