

Constitution  
College of Medicine  
University of Florida

<b>ARTICLE I - Governance of the College .....</b>	<b>2</b>
Section 1 - Commitment to Shared Governance.....	2
Section 2 - Interactions between Administration and Faculty .....	3
Section 3 - Ongoing Evaluation of Shared Governance .....	3
<b>ARTICLE II - Administrative Structure of the College .....</b>	<b>4</b>
Section 1 - The Dean.....	4
Section 2 - Senior Associate, Associate and Assistant Deans and Other Administrative Officers .....	4
Section 3 - Chairs.....	5
<b>ARTICLE III - The Faculty.....</b>	<b>5</b>
Section 1 - Membership of the Faculty.....	5
Section 2 - Faculty Rights.....	6
Section 3 - Faculty Responsibilities.....	6
Section 4 - College Meetings.....	6
<b>Article IV - Faculty Council.....</b>	<b>7</b>
Section 1 - Purpose .....	7
Section 2 - Membership .....	7
Section 3 - Officers .....	7
Section 4 - Representatives.....	8
Section 5 - Meetings .....	8
Section 6 - Committees.....	9
<b>Article V - College Boards and Committees.....</b>	<b>9</b>
Section 1 - Purpose and Classification.....	9
Section 2 - The Faculty Council Steering Committee .....	9
Section 3 - Policy Boards.....	9
Section 4 - College Committees .....	9
<b>ARTICLE VI - Departments, Institutes, Centers, and Affiliates .....</b>	<b>10</b>
Section 1 - Departments.....	10
Section 2 - Centers and Institutes.....	10
Section 3 - Procedures for Establishing, Ending or Consolidating a Department .....	11
Section 4 - Affiliates .....	11
<b>ARTICLE VII - Tenure.....</b>	<b>11</b>
<b>ARTICLE VIII - Promotion .....</b>	<b>11</b>
<b>ARTICLE IX - Searches and Appointments.....</b>	<b>12</b>
Section 1 - Dean.....	12
Section 2 - Department Chairs.....	12
Section 3 - Senior Associate, Associate, and Assistant Deans, Directors of Centers, Programs or Curricula.....	12
<b>ARTICLE X - Rules of Order.....</b>	<b>13</b>
<b>ARTICLE XI - Adoption.....</b>	<b>13</b>
<b>ARTICLE XII - Amendments .....</b>	<b>13</b>

## **PREAMBLE**

**WHEREAS** the University of Florida Faculty Senate on April 26, 2000 approved the following definition and purpose of Shared Governance:

“Shared Governance” is the participation of administrators, faculty, staff and students in the decision- and policy-making process. The purpose of shared governance is to provide avenues to University improvement and productivity through the creation of a partnership based on mutual respect and collaboration. Such shared responsibility entails working toward mutual goals established by a fully enfranchised University community and therefore collaborative participation in: a) the identification of University priorities, b) the development of policy, c) defining the University’s responsibility for ethical leadership, d) enhanced community partnerships, and e) the governance of the university as a whole; and

**WHEREAS** the Faculty Senate identified the following five principles of shared governance that should be embodied in the policies and procedures of each academic unit: (1) mutuality, collegiality, and collaboration; (2) transparency; (3) representative participation; (4) mutual accountability; and (5) clarity of roles;

**THEREFORE BE IT RESOLVED** that the Constitution of the College of Medicine, a collaborative product of the Faculty and Administration of the College of Medicine, be adopted to provide the required structure to implement and enhance shared governance throughout the College.<sup>1</sup>

## **ARTICLE I - Governance of the College**

### ***Section 1 - Commitment to Shared Governance***

The University of Florida is an educational institution of the State of Florida. The provisions of this Constitution are governed by and subordinate to Florida law, the policies and directives of the Florida Board of Governors, the University of Florida Board of Trustees, and University of Florida regulations. Operating within these contexts and within the provisions of this Constitution, governance shall be shared between the Administration of the College of Medicine and the Faculty as represented by the College of Medicine Faculty Council, Policy Boards, and committees.

Although this Constitution shall determine shared governance for both the Gainesville and Jacksonville campuses of the College of Medicine, each campus shall form separate, distinct Faculty Councils and Bylaws for its respective campus. For the purposes of this document, “Faculty Council” may refer to either the Gainesville or Jacksonville Faculty Council. Likewise,

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<sup>1</sup> Appendix A provides a historical summary of the implementation of shared governance at the University of Florida and within the College of Medicine.

the Dean may refer to the Dean at the Gainesville campus or the Dean of Regional Campus, Jacksonville as appropriate.

The purpose of this Constitution is to set forth the procedures and principles by which the College of Medicine is governed. The Bylaws of the College detail the specific rules by which the College is run within the guiding framework of the Constitution. The Faculty, through the Faculty Council and in consultation with the Administration, establishes the rules contained within the Bylaws. The Administration, in consultation with the Faculty, provides the leadership, planning, and management to run the College.

In the event that this Constitution is in conflict with Bylaws that were enacted prior to the date of adoption of this Constitution, the Constitution will supersede the Bylaws.

## ***Section 2 - Interactions between Administration and Faculty***

The interactions between the College of Medicine Administration and the Faculty are characterized by three levels of interaction. These levels are:

**Determination** - The Faculty through the College of Medicine Faculty Council is involved in the determination of certain matters, following the guidelines, rules, and policies of the University of Florida. These areas include academic activities, educational curricula, and evaluation guidelines for promotion and tenure.

**Recommendation** - The Faculty through the College of Medicine Faculty Council makes recommendations on certain matters. The Dean (or designee) may modify or reject the recommendations only after a further consultation with the College of Medicine Faculty Council (or its representative). The Dean shall inform the College of Medicine Faculty Council of the final decision and the reason(s) for the decision. These areas include strategic planning, budget allocation, and faculty benefits.

**Consultation** - The Faculty through the College of Medicine Faculty Council shall have an opportunity for consultation with the Dean (or designee) on other matters connected with the priorities and policies of the College of Medicine and their implementation. These areas include administrative activities and leadership for the College.

## ***Section 3 - Ongoing Evaluation of Shared Governance***

The Dean and the College of Medicine Faculty Council will identify mechanisms for evaluating the effectiveness of shared governance at the department or unit level, recommend approaches for facilitating participation in shared governance, describe reporting mechanisms, and provide results of evaluations on shared governance.

## **ARTICLE II - Administrative Structure of the College**

### ***Section 1 - The Dean***

The Dean is the chief executive and administrative officer of the College who may, at the same time, hold academic rank in one of the Departments of the College. The Dean reports organizationally to the Senior Vice President, Health Affairs, is responsible for the administration of the College, and is the agent of the Faculty for the execution of all missions of the College. The performance of the Dean shall be reviewed on a triennial schedule by the College of Medicine Faculty Council.

Responsibilities of the Dean shall include:

- A.** At least annually, the Dean shall prepare and personally present a State of the College address. This address shall review the successes and any shortcomings of the last academic year, College goals for the next and future years, and any proposed changes or modifications to the strategic plan. The text of the State of the College address shall be available for review prior to the presentation.
- B.** At least annually, the Dean shall prepare and present to the Faculty the educational, clinical, and research goals of the College, the operating budget of the College including income and expenditures, a summary of the permanent endowments within the University of Florida Foundation, and a report regarding the receipt of grants and research contracts.
- C.** In conjunction with the Faculty Council, the Dean shall prepare and present a strategic plan to the Faculty for adoption. Following adoption, the Dean shall have the responsibility to implement the strategic plan. Amendments, changes, or modifications to an adopted strategic plan may be proposed by the Dean or by the Faculty Council. The strategic plan shall be evaluated by the Faculty Council in collaboration with the Dean and revisions proposed to the Faculty at least every three years following the adoption of a strategic plan.
- D.** The Dean shall conduct necessary College elections as required by this Constitution and as may be required for the effective administration of the College.
- E.** The Dean may create ad hoc committees to achieve specific administrative tasks not designated to other committees.

### ***Section 2 - Senior Associate, Associate and Assistant Deans and Other Administrative Officers***

The duties and responsibilities of Senior Associate, Associate, and Assistant Deans shall be determined by the Dean to provide for the execution of College policy. At intervals of no longer than three years, the Dean shall initiate a review of the Senior Associate, Associate, and Assistant Deans. Faculty will participate in the review process as defined by the Bylaws.

### ***Section 3 - Chairs***

Each Department shall be administered by a Chair who, at the same time, holds an academic rank in the Department. The Chair reports organizationally to the Dean, shall have the appropriate authority for carrying out his or her duties, and is the agent of the Department Faculty for the execution of the missions of the department. The Chair shall administer the affairs of the Department in consultation with its Faculty. At intervals of no longer than three years, the Dean shall initiate a review of the Chair. Faculty will participate in the chair evaluation process as defined by the Bylaws.

Responsibilities of the Chair shall include:

- A. At least annually, the Chair shall prepare and personally present a State of the Department address to the respective Department Faculty. This address shall review the successes and shortcomings of the last academic year and also set goals for the next and future years. The text of the State of the Department address shall be available for review prior to the presentation.
- B. At least annually, the Chair shall prepare and personally present to the respective Department Faculty the operating budget of the Department, including income and expenses, a summary of the permanent endowments within the University of Florida Foundation, and a report regarding the receipt of grants and research contracts.
- C. The Chair shall conduct necessary Department elections as required by this Constitution and as may be required for the effective administration of the unit.
- D. The Chair shall initiate the recruitment of Faculty.
- E. The Chair may create ad hoc committees to achieve specific administrative tasks not designated to other committees.

## **ARTICLE III - The Faculty**

### ***Section 1 - Membership of the Faculty***

The Faculty of the College of Medicine shall be comprised of faculty within the College of Medicine who are assigned to carry out the academic missions of the College, namely teaching, research, clinical, and academic service. Titles of these persons shall be set forth in the University of Florida Faculty Senate Bylaws. Questions pertaining to the Faculty status of an individual shall be resolved by a committee charged with evaluating academic qualifications in the College. The committee shall determine status based on whether the primary assignment is performance of an academic mission of the College.

## ***Section 2 - Faculty Rights***

Areas of Faculty rights are broadly guaranteed in the University of Florida Constitution, policies, procedures, rules, and regulations. These rights include, but are not limited to, the following areas:

- A.** Academic freedom as it applies to teaching, research, clinical care and service of the Faculty of the College of Medicine and consistent with the definitions contained in the University of Florida Constitution.
- B.** Faculty members have the right to know what is required of them and how they will be evaluated on an annual basis. The process of assignment of responsibilities and evaluation thereof shall be fair and equitable.
- C.** Faculty members shall be apprised of the procedures involved in and the criteria for all decisions regarding tenure, promotion, evaluation, grievance, and the compensation plan.
- D.** The Faculty has a right to assemble to discuss matters of concern to the Faculty.

## ***Section 3 - Faculty Responsibilities***

Faculty members must fulfill their responsibilities to society, their professions, and the University by manifesting professional, academic, and clinical competence. The responsibilities of the Faculty shall include, but are not limited to, one or more of the following duties:

- A.** Carrying out the teaching, research, clinical care, and service missions of the College and reporting annually on their progress toward meeting their goals to the department chair.
- B.** Designing and implementing the curricula of the College, the departments, and other units within the College.
- C.** Contributing to the governance of the College, the schools, the departments, and other units within the College.
- D.** Serving on Faculty Senate and other University committees.

## ***Section 4 - College Meetings***

- A. Membership.** To permit general communication, there shall be a General Assembly, consisting of all members of the College Faculty as described in this Constitution. The General Assembly shall have no legislative or executive power.
- B. Meetings.** Meetings shall be held at the call of the Dean or the Faculty Council. At least one meeting shall be held each academic year.

**C. Presiding Officers.** The presiding officers shall include the Dean (or designee) and the President of Faculty Council (or designee). The College of Medicine Associate/Assistant Dean for Administrative Affairs shall serve as the Secretary.

**D. Agenda.** The agenda shall be determined jointly by the Dean and the President of Faculty Council, but may be determined individually with prior approval of the Senior Vice President, Health Affairs or by a majority vote of one Faculty Council (Gainesville or Jacksonville). The date of the General Assembly and the agenda for the meeting shall be sent to the general Faculty at least two weeks in advance of a meeting.

**E. Minutes.** Minutes of college meetings shall be recorded and distributed to the College Faculty.

## **Article IV - Faculty Council**

The Faculty Council shall be representative of and responsible to the Faculty of the College of Medicine. The Faculty Council serves as a forum for shared governance and mutual exchange of ideas between senior officers of the College and the Faculty. In this capacity, the Faculty Council shall take cognizance of, and may act upon, matters that concern more than one department or unit, or which are otherwise of general interest to the College. The Faculty Council shall establish rules, regulations, and Bylaws as may be necessary for the fulfillment of its duties.

### ***Section 1 - Purpose***

The Faculty Council is organized to receive direct input from College of Medicine Faculty through departmentally elected representatives and Policy Boards. The Faculty Council is the elected body responsible for representing College of Medicine Faculty in all aspects of shared governance as outlined in this Constitution. The Bylaws include descriptions of the process of election and appointment of members and committees as well as more detailed information about meetings and responsibilities of officers and members.

### ***Section 2 - Membership***

Faculty Council shall be comprised of six officers elected by the Faculty at large, one representative from each Department elected by the Faculty in that unit, and one representative designated by the Dean.

### ***Section 3 - Officers***

The Officers of the Faculty Council are comprised of the President, President-Elect, Past President, Vice President, Secretary and Treasurer. The six officers of the Faculty Council constitute the Faculty Council Executive Committee that, with input from the Faculty Council,

sets the agenda for meetings and represents the Faculty Council in regular meetings with the Dean. The Faculty Council Officers are elected by a vote of the College of Medicine Faculty, and their responsibilities are as follows:

- A. President-Elect/President/Past President.** The President-Elect is elected annually to serve for a three-year term. During the first year he/she shall serve as the President Elect, during the second year he/she shall serve as the President, and during the third year he/she shall serve as the Past President. The President presides over meetings, appoints Faculty Council committee members, and serves as ex-officio member of each committee. The President (or designee) also serves as a member of the Dean's Executive Committee and acts as a liaison between the College of Medicine Administration and the Faculty Council.
- B. Vice President.** The Vice President serves in the absence of the President and, with input from the Faculty Council, oversees arrangements for any special gatherings of the College of Medicine Faculty. Once elected, the Vice President serves a two-year term.
- C. Secretary.** The Secretary is responsible for the transcribing and timely distribution of the Faculty Council meeting minutes to the College of Medicine Faculty. The Secretary also is responsible for distributing notices of regular and special meetings and overseeing updates of the summary of Faculty Council business and relevant College information on the Faculty Council web site. Once elected, the Secretary serves a three-year term.
- D. Treasurer.** The Treasurer is responsible for overseeing the collection of the Faculty dues, maintaining Faculty Council financial records, providing reports at regular Faculty Council meetings and the paying of all bills authorized by the Faculty Council. Once elected, the Treasurer serves a three-year term.

#### ***Section 4 - Representatives***

Each College of Medicine department elects one faculty member to serve on the Faculty Council to represent the interests of the department Faculty. A Representative's responsibilities include transmitting information about Faculty Council meetings and other activities to the Faculty in their unit, bringing questions, concerns and suggestions from their Faculty unit to the Faculty Council, and participating in Faculty Council Committee work. Representatives serve staggered three-year terms.

#### ***Section 5 - Meetings***

Faculty Council meetings shall be held at least monthly during the regular academic year. All meetings shall be properly noticed and open to anyone wishing to attend. Minutes of the Faculty Council meetings shall be recorded and made available to the College Faculty. Only Faculty



Council members may make motions and cast votes. A majority of the elected Faculty Council members shall constitute a quorum.

### ***Section 6 - Committees***

Standing committees of Faculty Council shall include, but not be limited to, the Constitution and Bylaws Committee.

## **Article V - College Boards and Committees**

### ***Section 1 - Purpose and Classification***

Service on College of Medicine Boards and Committees is a primary means of direct participation in College governance by Faculty. The creation or dissolution of any College of Medicine Committee must be approved by mechanisms outlined in the Bylaws.

### ***Section 2 - The Faculty Council Steering Committee***

- A. Purpose.** The Steering Committee is responsible for advising the Presidents of the Faculty Councils on all matters of joint interest to the Faculty Councils from the Gainesville and Jacksonville campuses. The Steering Committee will be responsible for coordinating, liaising, reviewing and referring actions and proposals to both Faculty Councils on matters of joint responsibility and interest.
- B. Membership.** The Steering Committee membership shall consist of both Executive Committees of the Faculty Councils. The Chair of the Committee shall alternate between the Presidents of the Faculty Councils for each meeting.
- C. Meetings.** The Steering Committee meetings may be called by either President of the Faculty Councils.

### ***Section 3 - Policy Boards***

Policy Boards are the vehicles for providing recommendations to the Faculty Council. The creation or dissolution of any Policy Board will be governed by the processes outlined in the Bylaws of the respective Faculty Councils in Gainesville and Jacksonville.

### ***Section 4 - College Committees***

The College of Medicine committees support the conduct of the business of the Faculty Council and College of Medicine. Their nature, function, membership, and operations are enumerated in the College of Medicine Bylaws. To provide liaisons between the College committees and the Faculty Council, the Faculty Council shall elect members of the faculty to serve on each relevant College of Medicine committee as described in the Bylaws.

## **ARTICLE VI - Departments, Institutes, Centers, and Affiliates**

### ***Section 1 - Departments***

- A.** The Faculty shall be organized into Departments for purposes of program development and implementation. The units of the College of Medicine include Departments located on both the Gainesville and Jacksonville campuses.
- B.** The basic unit of governance is the Department. Expectations in areas concerning clinical support, clinical income, research productivity and direction, teaching, and service, and the criteria for evaluation of these areas shall be provided annually to the Departments by the Dean. The Department, using resources generated or designated, shall have the responsibility of creating and executing policy to fulfill such requirements. For Departments that are unable to meet their assigned clinical, research, teaching, and service obligations, the Dean, in conjunction with the respective Department Chair, shall establish policies to assist the Department with meeting its assigned obligations.

### ***Section 2 - Centers and Institutes***

- A.** Centers and Institutes shall be established in accordance with University of Florida regulations and may be established as necessary to assist the College of Medicine in fulfilling its teaching, service, clinical, and research missions. A proposal for the establishment of a new Center or Institute to be associated with the College of Medicine shall be presented to the Faculty Council for review. The Faculty Council shall provide its comments to the Dean in a timely manner.
- B.** Each Center and Institute Director whose primary appointment resides in a Department of the College of Medicine and who directly reports to the Dean of the College of Medicine or the Senior Vice President, Health Affairs shall, at a minimum:
  - 1.** At least once annually, prepare and personally present to the Center/Institute Faculty a State of the Center/Institute address. This address shall review the successes and shortcomings of the last academic year and also set goals for the next and future years. A copy of the presentation shall be provided to the Faculty Council and made available to the College of Medicine Faculty.
  - 2.** At least annually, prepare and personally present to the Center/Institute Faculty the operating budget of the Center/Institute, including income and expenses, a summary of the permanent endowments within the University of Florida Foundation, and a report regarding the receipt of grants and research contracts. A copy shall be provided to the Faculty Council and made available to the College of Medicine Faculty.

- C. The Faculty Council shall invite Center/Institute Directors whose primary appointments reside outside of the College of Medicine to present a State of the Center/Institute report for those Centers/Institutes that have a significant resource investment by the College of Medicine.

### ***Section 3 - Procedures for Establishing, Ending or Consolidating a Department***

The establishment, merger, transfer, consolidation or abolition of a Department in the College of Medicine must be approved by the University of Florida Faculty Senate. Any proposal for the establishment, merger, consolidation or abolition of a Department shall go to the Faculty Council to be vetted prior to submission to the University of Florida Faculty Senate.

### ***Section 4 - Affiliates***

Affiliates shall assist the College of Medicine in fulfilling one or more components of its core missions.

In recognition of the strategic reliance between the College of Medicine Faculty and Shands HealthCare, Inc., the College of Medicine Faculty Council, through the Dean, the Senior Vice President, Health Affairs and the President of the University shall develop a formal process by which the Faculty through the College of Medicine Faculty Council can have a recommending role to Shands HealthCare, Inc. in the areas of strategic planning, budget allocation, and clinical affairs.

## **ARTICLE VII - Tenure**

All considerations of tenure shall be consistent with the principles of shared governance as defined by the Constitution of the University. The tenure guidelines of the College of Medicine and the University of Florida shall be distributed annually to the Faculty, along with relevant deadlines for submissions. In accordance with the Constitution and Regulations of the University of Florida, the Faculty shall develop guidelines for interpreting the University criteria as applied in the College of Medicine.

Faculty in the College of Medicine not eligible for tenure may be considered for multi-year contracts consistent with University and College policies. Contracts for such faculty may specifically link productivity to compensation to align the faculty role and mission of the College and Department.

## **ARTICLE VIII - Promotion**

The policies concerning academic rank and promotion of Faculty shall be consistent with the University Constitution and Regulations and with the policies of the College of Medicine. The Faculty shall develop guidelines for interpreting the University criteria for promotion as applied in the College of Medicine.

## **ARTICLE IX - Searches and Appointments**

### ***Section 1 - Dean***

The Senior Vice President, Health Affairs, in consultation with the President of the University, will appoint the Dean of the College of Medicine. A Search Committee shall be comprised of members nominated by the College of Medicine Faculty Council and the Senior Vice President, Health Affairs. The Faculty Council President and the Senior Vice President, Health Affairs, will jointly review the nominations for Search Committee membership to ensure a balanced and representative committee. The Senior Vice President, Health Affairs, will formally appoint the Search Committee Chair and members.

### ***Section 2 - Department Chairs***

The Dean may appoint Department Chairs with or without a Search Committee.

- A. Appointment without a Search Committee.** In the event that a Search Committee is not formed, Department Chairs are to be appointed by the Dean after formal consultation with the Faculty Council and the department faculty.
- B. Appointment with a Search Committee.** Department Chairs may be appointed by the Dean after formal consultation with the Search Committee. The Search Committee shall be comprised of members nominated by the College of Medicine Faculty Council and the Dean. The Faculty Council and the Dean will each offer nominations for Search Committee membership. The Faculty Council President and the Dean will jointly review the nominations to ensure a balanced and representative committee. The Dean will formally appoint the Search Committee Chair and members.

### ***Section 3 - Senior Associate, Associate, and Assistant Deans, Directors of Centers, Programs or Curricula***

The Dean may appoint Senior Associate, Associate and Assistant Deans, Directors of Centers, Programs, and Curricula with or without a Search Committee.

- A. Appointment without a Search Committee.** In the event that a Search Committee is not formed, Senior Associate, Associate and Assistant Deans, Directors of Centers, Programs or Curricula are to be appointed by the Dean after formal consultation with the Faculty Council.
- B. Appointment with a Search Committee.** Senior Associate, Associate and Assistant Deans, Directors of Centers, Programs, and Curricula may be appointed by the Dean after formal consultation with the Search Committee. The Search Committee shall be comprised of members nominated by the College of Medicine Faculty Council and the Dean. The Faculty Council and Dean will each offer nominations for Search Committee membership. The Faculty Council President and the Dean will jointly review the

nominations to ensure a balanced and representative committee. The Dean will formally appoint the search committee Chair and members.

## **ARTICLE X - Rules of Order**

When conducting business of the College, in the absence of provisions of the Constitution or Bylaws concerning procedure, the current edition of Robert's Rules of Order shall prevail.

## **ARTICLE XI - Adoption**

The College of Medicine Faculty Council, in consultation with the Dean, shall distribute the draft constitution to the General Faculty for comment and discussion. A final draft of the constitution shall be provided to the Faculty. Approval of this constitution shall require an affirmative vote of at least 50 percent plus one of the Faculty. This Constitution shall become effective upon approval by the College Faculty.

## **ARTICLE XII - Amendments**

This Constitution may be amended by a two-thirds vote of the voting Faculty provided that notice and the text of the proposed amendments are sent to the Faculty at least one month prior to the time at which such action is to be taken. Amendments shall be effective when written notice of the adopted changes is sent from the President of the Faculty Council to all members of the Faculty. Such notice must be given within two weeks after the date the amendments have been adopted.