



FLORIDA STATE UNIVERSITY  
FACULTY SENATE

MINUTES  
FACULTY SENATE MEETING  
WEDNESDAY, NOVEMBER 14, 2018  
DODD HALL AUDITORIUM  
3:35 P.M.

**I. Regular Session**

The regular session of the 2018-19 Faculty Senate was held on Wednesday, November 14, 2018. Faculty Senate President Todd Adams presided.

The following members attended the Senate meeting:

T. Adams, S. Aggarwal, J. Ang, A. Askew, C. Baade, A. Barbu, D. Bish, B. Birmingham, M. Buchler, G. Chen, Jessica Clark, Jeffrey Clark, E. Coleman, R. Coleman, D. Compton, M. Cui, P. Doan, J. Fiorito, M. Gerend, M. Gertz, R. Goodman, K. Harper, E. Hilinski, L. Hinnant, C. Hofacker, B. Horack, E. Jakubowski, K. Jones, A. Kercheval, E. Kim, T. Lee, E. Lemmon, S. Lewis, J. Lile, J. Lo, L. Lyons, C. Madsen, C. McClive, U. Meyer-Baese, C. Moore, G. Okten, E. Peters, K. Petersen, J. Rayburn, L. Reglero, L. Reina, V. Richard Auzenne, N. Rogers, D. Rokyta, G. Rust, L. Schelbe, S. Shelton, D. Slice, L. Spainhour, N. Stein, L. Stepina, G. Tyson, A. Vanli, Y. Wang, H. Xue, X. Yang, T. Zhao.

The following members were absent. Alternates are listed in parenthesis:

S. Al-Saber, T. Albrecht-Schmitt, E. Alvarez, P. Andrei, B. Arjmandi, A. Barrett, A. Bathke (**Mariya Letdin**), E. Chicken, I. Chiorescu, A. Clarke, M. Dahl, A. Darabi, J. Drake (**Joseph Hellweg**), S. Ehrlich, J. Gabriel, M. Gawlik, T. Graban, A. Huber, C. Kelley, D. Kerr, E. Klay, B. Landing, H. Li, C. Marzen, D. Moore, R. Morris, R. Nowakowski, J. Ohlin, K. Pruett, L. Rinaman, E. Ryan, V. Salters, P. Sanyal, T. Soldat-Jaffe, J. Standley, O. Steinbeck, U. Sypher, G. Tenenbaum, T. Van Lith, T. Zuehlke.

**II. Approval of the Minutes, October 17, 2018 meeting**

The minutes of the October 17, 2018 meeting were approved as distributed.

**III. Approval of the agenda, November 14, 2018 meeting**

The agenda was amended to have announcements by President Thrasher as the next item. The agenda was approved as amended.

**IV. Announcements by President Thrasher**

- The hurricane damage is an estimated \$6-7 million, including \$1 million for tree removal for Panama City. The Panama City campus opened a week after the main campus opened. The faculty have been responsive to students.
- The Pathway Program for students who were not accepted for the summer or fall semesters at the main campus and who start at Panama City campus, International Programs, or TCC

has included approximately 30 students from Panama City campus who have now transitioned to main campus earlier than they would have through the program.

- The Panama City campus is doing well overall. Students, faculty, and staff have benefited from the emergency relief funds that were set up to support those affected by Hurricane Michael.
- President Thrasher mentioned the many vigils that were attended regarding the Pittsburgh synagogue shooting and the Hot Yoga Tallahassee shooting that took the lives of Maura Binkley, a senior at FSU, and Dr. Nancy Van Vessem, a faculty member at FSU.
- President Thrasher has committed to keeping guns off campus.
- FSU is ranked 26 for public universities by U.S. News and World Report.
- FSU received the 2018 Platinum Level Institutional Award for Global Learning, Research and Engagement from the Association of Public and Land-grant Universities. This is the highest award possible for global education and research from APLU. This is due to International Programs and the many other international opportunities FSU offers.
- FSU officially opened the Black Student Union and the Child Development Center.
- The Earth, Ocean, and Atmospheric Science building is approximately 50% finished with construction. It is possible it will be occupied by January 2020.
- The legislature will convene next week.
- A new constitutional amendment now requires the Florida legislature to have a two thirds vote if they want to help a university raise tuition. If FSU wants to raise fees the Board of Trustees and the Board of Governors each needs a two thirds vote to pass. This places a huge restriction on FSU.
- The Board of Governors adopted FSU's priorities for PECO money and the administration is optimistic. The PECO priorities are the College of Business, Interdisciplinary research facility, and the STEM building. These were previously funded by the legislature and FSU is working to have the funding renewed.
- December 14 and 15 is the university commencement. President Thrasher hopes senators will attend.

#### **V. Report of the Steering Committee, Dr. Kristine Harper**

- The Faculty Senate Steering Committee met three times since the last Faculty Senate meeting. One of those meetings included conversations with Provost McRorie and Vice President for Faculty Development and Advancement, Dr. Janet Kistner.
- Provost McRorie reported on her trip to the Panama City campus, which has reopened. The campus and the entire area will face long-term challenges due to the massive destruction caused by Hurricane Michael. We also discussed interdisciplinary programs, the recently established Civil Rights Institute, the reconstitution of the search committee for a new Chief Information Officer, the selection of Dr. James Frazier as the new Dean of Fine Arts, and concerns over the large screen showing of abortion videos on Landis Green during the visit of the Ohio-based anti-abortion group Created Equal.
- We also met with the Chief Compliance and Ethics Officer, Robyn Jackson, who will be asking for faculty input on a new code of ethics that is under development.
- In other business, we discussed the scheduling of the town hall meetings held 7 and 8 November to discuss the FSU Constitution Review and the formation of the new Koch Ad-Hoc committee that will make proposals on how to implement the recommendations of the recently completed Koch committee. Five faculty senate members have volunteered to serve on that committee – Michael Buchler will chair; members will be Joseph Hellweg, Charles

Hofacker, Tarez Graban, and Lee Stepina. At our last meeting, we discussed campus security in the wake of the most recent shooting that took the lives of an FSU student and a College of Medicine faculty member. We will be meeting with Chief Perry again in the upcoming weeks.

- Concerning Elsevier, I have this statement from Dean Etschmaier: "As far as an update, FSU Libraries sent a letter to Elsevier in April 2018 stating the university's intent to terminate its license for the Freedom Agreement at the end of this calendar year. FSU Libraries and Elsevier are currently in ongoing negotiations with the goal of reaching a mutually acceptable agreement to end the contract."
- Reminders:
  - a. Faculty Senate members should have received an invitation to the Holiday Party to be held at the President's House on Monday, 3 December at 5:30. If you haven't gotten an invitation, please see me after the meeting adjourns.
  - b. The December meeting will be held on Wednesday, 5 December in the College of Medicine's Auditorium. President Thrasher will give his annual State of the University address, and the senate meeting will follow.

## VI. Reports of Standing Committees

There were no reports made by standing committees.

## VII. Old Business (See Addendum 1a and 1b)

- **Constitution Revision Subcommittee, Dr. Joe Calhoun, Chair**
  - A revised Constitution of Florida State University, including a separate document of proposed changes and rationale for those changes, was given to senators at the October 17, 2018 Faculty Senate meeting.
  - **The Faculty Senate moved to informal discussion.**
  - After informal discussion of proposed constitution revision changes, **the Faculty Senate moved into formal session.**
  - The Constitution amendments were proposed to the Faculty Senate by the Constitution Revision Committee. A motion to pass each amendment was made. The changes to The Constitution of Florida State University are as follows:
    - i. *Section with proposed amendment- First paragraph*
      - a. Constitution as of 01-17-2018  
The legal authority of Florida State University is vested in the State Board of Education; the Board of Trustees; and the State University System Board of Governors. Subject to that authority this constitution is adopted for governance of the University. Except as preempted by higher authority, such as collective bargaining agreements or statutes, the following provisions govern the University.
      - b. Proposed Constitution as of 10-17-2018 (with amendments)  
The legal authority of Florida State University is vested in the Florida State University Board of Trustees, the State University System Board of Governors, and the State Board of Education.

Subject to that authority, this constitution is adopted for governance of the University.

➔ ***The amendment did not pass as proposed and was further amended.***

c. Amended Proposed Constitution as of 11-14-2018

The legal authority of Florida State University is vested in the Florida State University Board of Trustees, the State University System Board of Governors, and the State Board of Education. Except as preempted by higher authority, such as collective bargaining agreements or statutes, the following provisions govern the University.

d. ***The amended proposed Constitution as of 11-14-2018 for this section passed unanimously.***

ii. *Section with proposed amendment- Article 1 Administrative Officers, Section A. President of the University*

a. Constitution as of 01-17-2018

The President is the chief administrative officer of the University and shall exercise general supervision over all its activities.

b. Proposed Constitution as of 10-17-2018 (with amendments)

The President, who is confirmed by the Board of Governors, is the chief executive officer of the University and shall exercise general supervision over all its activities.

c. ***The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

iii. *Section with proposed amendment- Article 1 Administrative Officers, Section B. Other Administrative Officers*

a. Constitution as of 01-17-2018

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of absence, incapacitating illness, or death of the President, the Provost and Executive Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees. In the absence of both the President and the Provost and Executive Vice President for Academic Affairs, the Vice President for Faculty Development and Advancement shall have all the authority and responsibility until formal provisions are made by the Board of Governors.

b. Proposed Constitution as of 10-17-2018 (with amendments)

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of absence, incapacitating illness, or death of the President, the Provost and Executive Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees and, if required, the Board of Governors. In the absence of both the President and the Provost and Executive Vice President for Academic Affairs, the Vice President for Faculty Development

and Advancement shall have all the authority and responsibility until formal provisions are made by the Board of Trustees and, if required, the Board of Governors.

***c. The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

*iv. Section with proposed amendment- Article III. The General Faculty, Section A. Membership*

***a. Constitution as of 01-17-2018***

The General Faculty shall consist of those persons holding the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

***b. Proposed Constitution as of 10-17-2018 (with amendments)***

The General Faculty shall consist of those persons that are appointed by the University with the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

***c. The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

*v. Section with proposed amendment- Article IV Faculty Senate, Section A. Membership, 1. Elected faculty members*

***a. Constitution as of 01-17-2018***

Only full-time Instructors, Assistant Professors, Associate Professors, and Professors shall be eligible for representation in and election to the Faculty Senate. Eligible faculty members who have duties in more than one college or school shall be counted in that college or school in which the major portion of their salary is budgeted or time is assigned.

***b. Proposed Constitution as of 10-17-2018 (with amendments)***

Only full-time Instructors, Assistant Professors, Associate Professors, and Professors appointed by the University shall be eligible for representation in and election to the Faculty Senate. Eligible faculty members who have duties in more than one college or school shall be counted in that college or school in which the major portion of their salary is budgeted or time is assigned.

***c. The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

*vi. Section with proposed amendment- Article IV Faculty Senate, Section C Standing and Special Committees*

***a. Constitution as of 01-17-2018***

Items 1 and 2 only.

***b. Proposed Constitution as of 10-17-2018 (with amendments)***

Add item 3

3. No committee may publish, report or otherwise distribute its findings, evaluations, recommendations or other product of its deliberations to any individual, group or body other than the Faculty Senate unless this specific

distribution is approved, in advance of distribution, by the Senate. If disclosed under legal mandate, the disclosure must specify that the information has not been approved or rejected by the Faculty Senate and thus should not be considered a product, policy or position of the Faculty Senate.

➔ ***The amendment did not pass as proposed and was further amended.***

c. Amended Proposed Constitution as of 11-14-2018

Add item 3

3. Any report issued in the name of the Faculty Senate must be approved by a vote of the Faculty Senate. If disclosed under legal mandate, the disclosure must specify that the information has not been approved or rejected by the Faculty Senate and thus should not be considered a product, policy or position of the Faculty Senate.

d. ***The amended proposed Constitution as of 11-14-2018 for this section passed unanimously.***

vii. *Section with proposed amendment- Article IV Faculty Senate, Section D. Meetings*

a. Constitution as of 01-17-2018

All meetings of the Faculty Senate shall be open to members of the General Faculty.

b. Proposed Constitution as of 10-17-2018 (with amendments)

All meetings of the Faculty Senate shall be open to members of the General Faculty and other interested parties.

➔ ***The amendment did not pass as proposed and was further amended.***

c. Amended Proposed Constitution as of 11-14-2018

All regular meetings of the Faculty Senate shall be open to members of the General Faculty and other interested parties.

d. ***The amended proposed Constitution as of 11-14-2018 for this section passed unanimously.***

viii. *Section with proposed amendment- Article IV Faculty Senate, Section E. Procedure*

a. Constitution as of 01-17-2018

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Faculty Senate Coordinator and shall be distributed to all members of the General Faculty and to all administrative officers.

b. Proposed Constitution as of 10-17-2018 (with amendments)

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Faculty Senate Coordinator and shall be distributed to all members of the General Faculty and to all administrative officers, and shall be posted on the Faculty Senate website.

c. ***The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

ix. *Section with proposed amendment- Article V Colleges and Schools*

a. Constitution as of 01-17-2018

Subject to the University-wide regulations established by the Faculty Senate...

b. Proposed Constitution as of 10-17-2018 (with amendments)

Subject to the University-wide academic policies established by the Faculty Senate...

c. ***The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

x. *Section with proposed amendment- Article VI Faculty Members of Colleges of Schools, Section B. Tenure, Nonreappointment, Termination, and Suspension, 3. Crediting of Time Toward Tenure*

a. Constitution as of 01-17-2018

a. Any member of the faculties of colleges and schools holding the rank of Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member. A Professor may be given tenure at the beginning of the second year as a faculty member provided the Professor received credit, at time of appointment, for four years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.

b. Any member of the faculties of colleges and schools holding the rank of Associate Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member. An Associate Professor may be given tenure at the beginning of the third year as a faculty member provided the Associate Professor received credit, at time of appointment, for three years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.

c. A faculty member appointed to the rank of Assistant Professor may receive credit at the time of appointment for up to two, but no more than two, years spent in a tenure-earning position elsewhere.

b. Proposed Constitution as 10-17-2018 (with amendments)

a. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member.

b. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor may be given tenure earlier provided they received credit, at time of appointment, for years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.

c. Any member of the faculties of colleges and schools hired at the rank of Professor or Associate Professor may be awarded tenure at the start of

the appointment provided the tenure has been recommended by the University Tenure Committee and the President of the University and approved by the Board of Trustees.

➔ ***The amendment did not pass as proposed and was further amended.***

c. Amended proposed Constitution as of 11-14-2018

- a. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member.
- b. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor may be given tenure earlier provided the faculty member received credit, at time of appointment, for years spent in a tenure-earning position elsewhere and has been recommended by the tenured faculty of the relevant department/school/college, the University Promotion and Tenure Committee, and the President of the University and approved by the Board of Trustees.
- c. Any member of the faculties of colleges and schools hired at the rank of Professor or Associate Professor may be awarded tenure at the start of the appointment provided that tenure has been recommended by the tenured faculty of the relevant department/school/college, the University Promotion and Tenure Committee and the President of the University and approved by the Board of Trustees.
- d. A motion was made to strike Article VI, Section B, Subsection 7, “Early Tenure” and renumber subsequent subsections accordingly. After a brief discussion and a comment to table the discussion due to time constraints, ***the motion was withdrawn.***

***e. The amended proposed Constitution as of 11-14-2018 for this section passed unanimously.***

xi. *Section with proposed amendment- Article VI Faculty Members of Colleges or Schools, Section B. Tenure, Nonreappointment, Termination, and Suspension, 8. Termination, Nonreappointment, and Suspension. b. Nonreappointment of Non-Tenured Faculty.*

a. Constitution as of 01-17-2018

(a) for faculty members in their first two years of employment, one full semester prior to the date of termination;

b. Proposed Constitution as of 10-17-2018 (with amendments)

(a) for faculty members in their first two years of continuous University employment, one full semester prior to the date of termination;

***d. The proposed Constitution as of 10-17-2018 for this section passed unanimously.***



xii. *Section with proposed amendment- Article VII The Professional Staff, Second paragraph*

a. Constitution as of 01-17-2018

Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Governors.

b. Proposed Constitution as of 10-17-2018 (with amendments)

Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Trustees.

c. ***The proposed Constitution as of 10-17-2018 for this section passed unanimously.***

All of the proposed amendments to The Constitution of Florida State University passed.

- Ad hoc Koch Subcommittee
  - The committee has been formed. No announcements were given.

**VIII. New Business**

There were no new items of business.

**IX. Special Order: Faculty Athletics Representative, Dr. Pamela Perrew**

This was tabled for a later meeting.

**X. University Welfare**

a. **United Faculty of Florida, Florida State University Chapter, Michael Buchler**

- Ideas for collective bargaining are still being collected.

**XI. Announcements by Deans and other Administrative Officers**

No announcements were given by Deans or other Administrative Officers.

**XII. Announcements by Provost McRorie**

No announcements were given by Provost McRorie.

The meeting adjourned at 5:10 p.m.



Andrea White  
Faculty Senate Coordinator

## **THE CONSTITUTION OF FLORIDA STATE UNIVERSITY**

**(Revised and amended to xxxx, 2018)**

The legal authority of Florida State University is vested in the Florida State University Board of Trustees, the State University System Board of Governors, and the State Board of Education. Subject to that authority, this constitution is adopted for governance of the University.

### **Article I Administrative Officers**

#### **Section A. President of the University**

The President, who is confirmed by the Board of Governors, is the chief executive officer of the University and shall exercise general supervision over all its activities.

#### **Section B. Other Administrative Officers**

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of absence, incapacitating illness, or death of the President, the Provost and Executive Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees and, if required, the Board of Governors. In the absence of both the President and the Provost and Executive Vice President for Academic Affairs, the Vice President for Faculty Development and Advancement shall have all the authority and responsibility until formal provisions are made by the Board of Trustees and, if required, the Board of Governors.

### **Article II Councils and Committees**

The President shall establish such councils and committees as deemed necessary and shall specify their duties and responsibilities.

### **Article III The General Faculty**

#### **Section A. Membership**

The General Faculty shall consist of those persons that are appointed by the University with the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

#### **Section B. Jurisdiction**

The General Faculty shall

1. receive reports and announcements from officers of the University and from the Faculty Senate, and
2. formulate its opinion regarding any subject of interest to the University and make recommendations thereon to the appropriate body or officer for final consideration.

### **Section C. Meetings**

The General Faculty shall meet

1. in regular session in the fall of each academic year to receive the annual report of the President, and
2. in special session called either by the President, or on resolution of the Faculty Senate, or on written request from at least ten percent of the members of the General Faculty.

## **Article IV Faculty Senate**

### **Section A. Membership**

1. Elected faculty members

Only full-time Instructors, Assistant Professors, Associate Professors, and Professors appointed by the University shall be eligible for representation in and election to the Faculty Senate. Eligible faculty members who have duties in more than one college or school shall be counted in that college or school in which the major portion of their salary is budgeted or time is assigned.

Each college or school shall be entitled to representation in the Faculty Senate according to the following formula:

$$\frac{\text{number of representatives}}{100} = \frac{\text{number of eligible faculty members in college or school}}{\text{total number of eligible faculty members in the university}}$$

Each college or school shall be entitled to at least one representative.

The library staff shall be entitled to one elected representative.

Florida State University Schools (FSUS) faculty shall be entitled to one elected representative; members of the Florida State University Schools (FSUS) faculty shall not be counted as College of Education faculty in determining the number of that College's representatives nor shall they be eligible to vote in the College of Education elections of Faculty Senators.

- a. Prior to February 1 of each year, the Vice President for Faculty Development and Advancement shall submit to the Faculty Senate Coordinator a list of the eligible faculty members in each college or school. The Faculty Senate Coordinator shall on February 15 of each year determine the total number of representatives apportioned to each college or school and the number to be elected that year and shall notify the appropriate dean.
  - b. Each unit shall elect its representatives for two-year terms, in accordance with a procedure that its eligible faculty members shall determine. Terms shall begin with the regular April meeting of the Senate of the election year.
  - c. Each unit may elect, according to a procedure that its eligible faculty members shall determine, an alternate representative or representatives to serve whenever illness, professional travel, or other obligations make it impossible for the designated Senator or Senators to be present. A faculty member thus representing a unit shall have the full privileges of Senate membership.
2. The Faculty Senate shall elect its presiding officer from its membership to serve for a one-year term. The presiding officer shall be designated President of the Senate and shall serve as the chair of the Steering Committee. In case the person elected President of the Senate is already a member of the Steering Committee, the Senate shall elect a Senator to fill the unexpired term on that committee.
  3. The following shall be ex-officio members of the Senate: the President of the University, the Vice Presidents, the Dean of The Graduate School, the Dean of Undergraduate Studies, the dean of each college or school, the University Registrar, the Dean of University Libraries, and the President of the Student Body. Ex-officio members shall have the privilege of the floor but shall not be eligible to vote.

#### **Section B. Jurisdiction**

The Faculty Senate shall be the basic legislative body of the University and shall establish its own Bylaws and procedures.

1. It shall formulate measures for the maintenance of a comprehensive educational policy and for the maximum utilization of the intellectual resources of the University.
2. It shall determine and define University-wide policies on academic matters, including Liberal Studies policy, admission, grading standards, and the requirements within which the several degrees may be granted.

3. As the elected body of the General Faculty, the Senate may also formulate its opinion regarding any subject of interest to the University, and adopt resolutions thereon. Resolutions treating those areas of authority legally reserved to the President of the University and the Board of Trustees will be advisory.
4. The President of the University shall have the power to veto any action of the Senate. The veto, with reasons therefore, shall be communicated in writing to the Faculty Senate Coordinator and Chair of the Steering Committee within sixty days. By a two-thirds vote, the Senate may appeal to the Board of Trustees any action so vetoed.
5. Upon the resignation, retirement, or death of the University President and upon a request by the Board of Trustees, the Faculty Senate shall designate individuals to be available for membership on any committee requested by the Board of Trustees for the purpose of consultation in the selection of a nominee for President.

#### **Section C. Standing and Special Committees**

1. There shall be a Steering Committee consisting of seven persons from the voting membership of the Faculty Senate who shall be elected for staggered two-year terms. In consultation with the President of the University, the Steering Committee shall determine the agenda for each Faculty Senate meeting. It shall provide for reports to the Faculty Senate by administrative officers, by chairs of standing and special committees, and by individuals.
2. The Faculty Senate may establish standing and special committees necessary for its work.
3. No committee may publish, report or otherwise distribute its findings, evaluations, recommendations or other product of its deliberations to any individual, group or body other than the Faculty Senate unless this specific distribution is approved, in advance of distribution, by the Senate. If disclosed under legal mandate, the disclosure must specify that the information has not been approved or rejected by the Faculty Senate and thus should not be considered a product, policy or position of the Faculty Senate.

#### **Section D. Meetings**

1. The Faculty Senate shall meet in regular session each month during the academic year and may meet in special session during the summer.
2. Special meetings may be held at any time in accordance with rules specified in the Bylaws.

3. All meetings of the Faculty Senate shall be open to members of the General Faculty and other interested parties.
4. The right to address the Faculty Senate shall be granted to any member of the General Faculty in accordance with rules specified in the Bylaws.

#### **Section E. Procedure**

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Faculty Senate Coordinator and shall be distributed to all members of the General Faculty and to all administrative officers, and shall be posted on the Faculty Senate website.

### **Article V Colleges and Schools**

Subject to the University-wide academic policies established by the Faculty Senate and the authority of the President of the University, the faculty of each college or school shall determine its internal policies such as specific admission requirements, requirements for majors, requirements for graduation, and the nature, content, and scheduling of its courses.

The faculty of each college or school shall keep on file with the Faculty Senate Coordinator a current set of bylaws governing its internal operations, including procedures for the election of its representatives to the Faculty Senate and for the approval of its candidates for degrees.

### **Article VI Faculty Members of Colleges or Schools**

#### **Section A. Appointment: General Faculty**

1. Vice Presidents, the deans of the colleges and schools, and other such administrative personnel shall be appointed by the President of the University. An advisory committee appointed by the President shall consult with the President in the process of selection of nominees for such positions.
2. Associate and assistant deans of colleges and schools shall be recommended by the appropriate dean to the Provost and Executive Vice President for Academic Affairs. The President of the University or a designee shall make these appointments.
3. Professors, Associate Professors, and Assistant Professors in the colleges and schools shall be nominated by the department chair, or equivalent, approved and recommended by the dean and the Provost and Executive Vice President for Academic Affairs, and appointed by the President of the University.
4. Each original appointment shall be confirmed by the President of the University, or a designee, in a contract letter.

5. Supplementary appointments to the Graduate Faculty may be awarded to members of the General Faculty on nomination of the department chair, or equivalent, and approval of the appropriate dean and the Dean of The Graduate School, with the advice and consent of the Graduate Policy Committee.
6. Appointments to the faculty for limited periods of time, clearly stated in writing at the time of appointment, shall be designated as specified in the State University System Classification System. These appointments shall not count toward eligibility for tenure unless otherwise stipulated.

**Section B. Tenure, Nonreappointment, Termination, and Suspension**

1. Tenure Process. The procedure to be followed when a faculty member becomes eligible to be considered for tenure shall be as follows:
  - a. The nomination for tenure shall be initiated by an elected faculty committee of the appropriate department or academic unit; the majority of the members of this committee shall be tenured faculty. The department chair, or equivalent, shall inform the candidate in writing of the committee decision to recommend or not to recommend, together with the chair's recommendation.
  - b. The department chair, or equivalent, shall transmit the committee recommendation together with the chair's recommendation to the appropriate committee of the college or school and to the dean. In addition, the department chair, or equivalent, shall convene a meeting of all tenured faculty in the department and conduct a secret ballot regarding the nomination for tenure; the department chair, or equivalent, shall transmit the opinion of the tenured members of the department or unit to the appropriate committee of the college or school and to the dean.
  - c. A college or school committee of elected tenured faculty shall consider the candidate for recommendation to a University committee of elected tenured faculty and shall vote to recommend or not to recommend the candidate; the candidate shall be informed in writing of the committee's decision by the chair of the committee.
  - d. A University committee on tenure, consisting of elected tenured faculty with at least one representative from each college or school, shall receive the recommendation from the college or school committee and shall consider it for recommendation to the Provost and Executive Vice President for Academic Affairs and to the President of the University. The Vice President for Faculty Development and Advancement shall serve, without voting privileges, as ex-officio chair of the University

committee and shall transmit to the Provost and Executive Vice President for Academic Affairs and to the President the committee's decision to recommend or not to recommend the candidate for tenure; the Vice President for Faculty Development and Advancement shall also inform the candidate in writing of the committee's recommendation.

- e. The Provost and Executive Vice President for Academic Affairs and the President of the University shall decide to recommend or not to recommend the candidate to the Board of Trustees for tenure, and the President shall notify the faculty member immediately in writing of the final decision to recommend or not to recommend.
  - f. In step "d" above, the dean of the appropriate college or school in each case shall present to the University committee the dean's decision to recommend or not to recommend the candidate; in step "d," the dean of the appropriate college or school shall also report this decision to the Provost and Executive Vice President for Academic Affairs and the President of the University.
  - g. In steps "a," "b," and "c" above, the faculty candidate who is not recommended by a committee at any stage of the deliberations may appeal that negative decision to the next committee by so requesting in writing within a period of ten (10) working days after receiving notification of the decision; in "d," the candidate may appeal a negative decision to the Provost and Executive Vice President for Academic Affairs and the President by so requesting in writing within a period of ten (10) working days after receiving notification of the decision. Unless a faculty candidate makes an appeal of a negative decision by a committee, the candidate's folder will not be forwarded to the next committee; in formulating an appeal, the candidate may address in writing the stated rationale for the committee's decision.
  - h. In steps "b" and "c" above, a college or school may use an additional committee between the department or equivalent committee and the college or school committee if the faculty of said college or school has voted for such usage in its bylaws.
2. Annual Reappointment of Tenured Faculty Members. Tenured members of the faculties of colleges, schools, and other academic units shall enjoy the assurance of annual recommendations for reappointment.
  3. Crediting of Time Toward Tenure.
    - a. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor shall be eligible for the status of tenured member at the end of



- the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member.
- b. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor may be given tenure earlier provided they received credit, at time of appointment, for years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.
  - c. Any member of the faculties of colleges and schools hired at the rank of Professor or Associate Professor may be awarded tenure at the start of the appointment provided the tenure has been recommended by the University Tenure Committee and the President of the University and approved by the Board of Trustees.
4. A decision whether to nominate a faculty member for tenure shall normally be made during the fifth year of continuous service in a tenure-earning position, or, at the option of the employee and with the concurrence of the appropriate administrative officials, during the sixth such year in a tenure-earning position.
  5. Definition of Continuous Employment. Employment for any two semesters of any twelve-month period shall be considered a year of continuous employment. For the purpose of tenure eligibility, consideration for part-time service shall normally mean employment during at least one semester of any twelve-month period. Part-time service of an employee employed at least one full semester in any twelve-month period shall be accumulated. However, not more than one year of tenure eligibility may be earned in a twelve-month period. (Time spent by a faculty member undergoing appointment or exchange within the State University System or on a special assignment for the benefit of the parent institution or for the University System shall be counted toward the fulfillment of eligibility for tenure. Time spent away from the institution for other purposes shall not be counted toward the fulfillment of eligibility for tenure, except by mutual agreement of the faculty member and the University.)
  6. Restrictions on Employment of Non-tenured Faculty.
    - a. No person employed in a tenure-earning position after 1965 may remain in the service of the University as a nonpermanent member of the faculty of any college, school, or other academic unit in any rank or combination of ranks for a total of more than seven years unless tenure has been granted, except that faculty whose service began before September 1972 may count four additional years in the Instructor or

Acting Assistant Professor ranks as probationary. Persons holding an administrative or service role will normally hold a courtesy rank in an academic unit and shall not be subject to the rule during such service unless the academic unit grants a regular tenure-earning appointment. When the administrative or service function is ended, the person shall receive, upon request, a tenure-earning appointment in an academic unit.

- b. Not later than the end of the sixth year of service (or the tenth in the case of the above exceptions), the department chair, or equivalent, in consultation with the dean of the college or school, shall either nominate the faculty member for tenure or arrange to terminate service at the end of the seventh year (or the eleventh, in the case of the above exceptions). In every case, the faculty member shall be notified in writing of this recommendation by the dean.
  - c. Only time spent in the rank of Assistant Professor and above shall be construed as tenure-earning time.
  - d. Assistant Professors shall be considered ineligible for tenure or for reappointment beyond a seven-year maximum.
7. Early Tenure.
- a. The Board of Trustees may approve tenure at an earlier time if it is recommended with sufficient justification by the President of the University.
  - b. A member of the faculty must satisfy the five-year requirement to be eligible for consideration by a tenure committee at any level.
8. Termination, Nonreappointment, and Suspension.
- a. Termination and Nonreappointment of Tenured Faculty Members for Cause. Annual recommendation for reappointment of permanent members of the faculty shall be withheld only for serious cause (incompetence or misconduct) and on the basis of written and specific charges made by the dean of the college or school, the Provost and Executive Vice President for Academic Affairs, or by the President of the University. A copy of such charges shall be furnished to the faculty member concerned. In answer to such charges, the faculty member shall have, upon request, a hearing before an appropriate faculty committee. At this hearing, the faculty member shall be allowed, at the faculty member's own expense, the benefit of counsel of the faculty member's choice.
  - b. Nonreappointment of Non-tenured Faculty. Upon the advice of a department chair, a departmental/college/school advisory committee,

the dean of the respective college or school, and the Provost and Executive Vice President for Academic Affairs, the President of the University may give written notice of nonreappointment of a non-tenured faculty member. Notice of nonreappointment, or of intention not to reappoint, shall be given in writing in accordance with the following standards: (a) for faculty members in their first two years of continuous University employment, one full semester prior to the date of termination; (b) for faculty members with two or more years of continuous service, one full year prior to date of termination.

- c. Immediate Suspension of Tenured or Non-tenured Faculty. In the case of flagrant offenses, the President of the University may suspend a member of the faculty with pay from performance of duties. Within two days, excluding weekends and official holidays, following such suspension, the President or a designee shall cause a written notice, including a statement of reasons, to be served upon the employee.
- d. If immediate dismissal is thereby sought, a copy of written specific charges shall be furnished to the faculty member concerned. In answer to such charges, the faculty member shall have, upon request, a hearing before an appropriate faculty committee. At this hearing the faculty member shall be allowed, at the faculty member's own expense, the benefit of counsel of the faculty member's choice. After provision of notice and an opportunity for the accused faculty member to have a hearing before an appropriate faculty committee, the President may initiate immediate dismissal.
- e. If immediate dismissal is not sought, the faculty member shall have, upon request, a hearing on the suspension before an appropriate faculty committee.
- f. The hearing committee, after deliberation, shall report its findings to the President. If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, the President may either accept or reject that finding. If the President rejects the report, the reasons for doing so shall be provided in writing to the hearing committee and to the faculty member. The faculty member shall be provided an opportunity to respond before further action is taken. If the hearing committee concludes that adequate cause for a dismissal has been established but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons. If dismissal or other severe sanction is recommended, the President may take such action as appropriate.

### **Section C. Academic Freedom**

It is the policy of the University to maintain and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication, and to protect members of the faculty against influences, from within or without the University, that would restrict the exercise of this freedom in their areas of scholarly interest. The right to the protection of the University shall not necessarily include any right to the service of the University's legal counsel in any proceedings in which the academic freedom of the faculty member may be an issue.

The faculty member has the same freedoms and responsibilities as other citizens, including political rights and privileges, without institutional censorship or discipline. However, as a scholar, a faculty member should be mindful that accuracy, forthrightness, and dignity befit association with the University.

Furthermore, faculty members must consider their academic duties as their primary responsibility. In no case should faculty members accept or seek appointment to civic or political office which would reduce significantly the time available for this primary responsibility without first securing written approval from the President of the University.

Faculty members who believe they do not enjoy the academic freedom which it is the policy of the University to maintain and encourage shall be entitled on written request to a hearing before the Committee on Grievances.

### **Section D. Resignation**

When a member of the faculty of the University desires to obtain release from their faculty position, that faculty member is expected to offer their resignation to the President of the University, or a designee, through appropriate administrative channels at least ninety days before the resignation takes effect.

## **Article VII The Professional Staff**

Those persons holding academic appointments within Florida State University, but not within a college or school, and those persons within a college or school holding academic appointments whose responsibilities do not include teaching, shall be considered members of the Professional Staff. Members of the Professional Staff having appropriate qualifications and responsibilities shall be assigned faculty rank by the President of the University on recommendation of their administrative officers for the purpose of membership in the General Faculty.

Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Trustees.

**Article VIII Amendments**

Amendments to this Constitution shall become effective when (1) approved by a two-thirds vote of the Faculty Senate and (2) ratified by a majority vote of the members of the General Faculty who are eligible for election to the Faculty Senate and who vote on the proposal.

An amendment to be considered by the Faculty Senate must be submitted at a regular meeting at least one month prior to a vote on the proposal. The faculty vote on ratification shall be taken during the regular academic year not earlier than thirty days after circulation of the Senate minutes in which the amendment approved by the Senate is recorded.

NOTE: The Constitution was first adopted by the Faculty as the Faculty of the Florida State College for Women on April 11, 1931, and ratified by the Faculty of Florida State University on May 19, 1948, amended to December 6, 1989. Amended xxxx, 2018

Summary of proposed changes  
October 17, 2018

<b>Proposed Change #1</b>
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First paragraph

**Constitution as of 01-17-2018**

The legal authority of Florida State University is vested in the State Board of Education; the Board of Trustees; and the State University System Board of Governors. Subject to that authority this constitution is adopted for governance of the University. Except as preempted by higher authority, such as collective bargaining agreements or statutes, the following provisions govern the University.

**Proposed Constitution as of 10-17-2018**

The legal authority of Florida State University is vested in the Florida State University Board of Trustees, the State University System Board of Governors, and the State Board of Education. Subject to that authority, this constitution is adopted for governance of the University.

*Rationale: (1) rearranges order to determine decision-making authority (as suggested by FSU General Counsel); (2) Last sentence deleted because any higher authority already has legal supremacy so adding the last sentence is not needed (as confirmed by FSU General Counsel).*

<b>Proposed Change #2</b>
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Article 1 Administrative Officers  
Section A. President of the University

**Constitution as of 01-17-2018**

The President is the chief administrative officer of the University and shall exercise general supervision over all its activities.

**Proposed Constitution as of 10-17-2018**

The President, who is confirmed by the Board of Governors, is the chief executive officer of the University and shall exercise general supervision over all its activities

*Rationale: Suggested by FSU General Counsel*

<b>Proposed Change #3</b>
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Article 1 Administrative Officers  
Section B. Other Administrative Officers

**Constitution as of 01-17-2018**

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of absence, incapacitating illness, or death of the President, the Provost and Executive Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees. In the absence of both the President and the Provost and Executive Vice President for Academic Affairs, the Vice President for Faculty Development and Advancement shall have all the authority and responsibility until formal provisions are made by the Board of Governors.

**Proposed Constitution as of 10-17-2018**

There shall be such other administrative officers as the President may designate. They shall have such duties as the President may assign to them. In the case of absence, incapacitating illness, or death of the President, the Provost and Executive Vice President for Academic Affairs shall assume all the authority and responsibility of the President until formal provisions are made by the Board of Trustees and, if required, the Board of Governors. In the absence of both the President and the Provost and Executive Vice President for Academic Affairs, the Vice President for Faculty Development and Advancement shall have all the authority and responsibility until formal provisions are made by the Board of Trustees and, if required, the Board of Governors.

*Rationale: Two differences- (1) added “and, if required, the Board of Governors” twice in case that action is needed; (2) The Board of Trustees shall make provisions for both cases described.*

<b>Proposed Change #4</b>
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Article III The General Faculty  
Section A. Membership

**Constitution as of 01-17-2018**

The General Faculty shall consist of those persons holding the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

**Proposed Constitution as of 10-17-2018**

The General Faculty shall consist of those persons that are appointed by the University with the academic rank of Instructor, Assistant Professor, Associate Professor, or Professor in one of the colleges, schools, or other academic units of the University, and of those members of the Professional Staff to whom the President assigns an academic rank.

*Rationale: Be more specific about who makes the appointment.*

<b>Proposed Change #5</b>
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Article IV Faculty Senate  
Section A. Membership  
1. Elected faculty members

**Constitution as of 01-17-2018**

Only full-time Instructors, Assistant Professors, Associate Professors, and Professors shall be eligible for representation in and election to the Faculty Senate. Eligible faculty members who have duties in more than one college or school shall be counted in that college or school in which the major portion of their salary is budgeted or time is assigned.

**Proposed Constitution as of 10-17-2018**

Only full-time Instructors, Assistant Professors, Associate Professors, and Professors appointed by the University shall be eligible for representation in and election to the Faculty Senate. Eligible faculty members who have duties in more than one college or school shall be counted in that college or school in which the major portion of their salary is budgeted or time is assigned.

*Rationale: Be more specific about who makes the appointment.*

<b>Proposed Change #6</b>
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Article IV Faculty Senate  
Section C. Standing and Special Committees

**Constitution as of 01-17-2018**

Items 1 and 2 only

**Proposed Constitution as of 10-17-2018**

Add Item 3

3. No committee may publish, report or otherwise distribute its findings, evaluations, recommendations or other product of its deliberations to any individual, group or body other than the Faculty Senate unless this specific distribution is approved, in advance of distribution, by the Senate. If disclosed under legal mandate, the disclosure must specify that the information has not been approved or rejected by the Faculty Senate and thus should not be considered a product, policy or position of the Faculty Senate.

*Rationale: Committees may not report or speak on behalf of Senate. Any report on behalf of Senate must be approved by Senate first.*



<b>Proposed Change #7</b>
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Article IV Faculty Senate  
Section D. Meetings

**Constitution as of 01-17-2018**

All meetings of the Faculty Senate shall be open to members of the General Faculty.

**Proposed Constitution as of 10-17-2018**

All meetings of the Faculty Senate shall be open to members of the General Faculty and other interested parties.

*Rationale: As already allowed, guests and others may attend.*

<b>Proposed Change #8</b>
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Article IV Faculty Senate  
Section E. Procedure

**Constitution as of 01-17-2018**

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Faculty Senate Coordinator and shall be distributed to all members of the General Faculty and to all administrative officers.

**Proposed Constitution as of 10-17-2018**

The Faculty Senate shall develop its own rules of procedure. Minutes shall be kept by the Faculty Senate Coordinator and shall be distributed to all members of the General Faculty and to all administrative officers, and shall be posted on the Faculty Senate website.

*Rationale: As already done, post minutes.*

<b>Proposed Change #9</b>
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Article V Colleges and Schools

**Constitution as of 01-17-2018**

Subject to the University-wide regulations established by the Faculty Senate...

**Proposed Constitution as of 10-17-2018**

Subject to the University-wide academic policies established by the Faculty Senate...

*Rationale: "academic policies" is more descriptive and accurate than "regulations."*

<b>Proposed Change #10</b>
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Article VI Faculty Members of Colleges or Schools

Section B. Tenure, Nonreappointment, Termination, and Suspension

3. Crediting of Time Toward Tenure.

**Constitution as of 01-17-2018**

- a. Any member of the faculties of colleges and schools holding the rank of Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member. A Professor may be given tenure at the beginning of the second year as a faculty member provided the Professor received credit, at time of appointment, for four years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.
- b. Any member of the faculties of colleges and schools holding the rank of Associate Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member. An Associate Professor may be given tenure at the beginning of the third year as a faculty member provided the Associate Professor received credit, at time of appointment, for three years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.
- c. A faculty member appointed to the rank of Assistant Professor may receive credit at the time of appointment for up to two, but no more than two, years spent in a tenure-earning position elsewhere.

**Proposed Constitution as of 10-17-2018**

- a. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor shall be eligible for the status of tenured member at the end of the fifth year in a tenure-earning position, to be effective at the beginning of the sixth year as a faculty member.
- b. Any member of the faculties of colleges and schools holding the rank of Professor, Associate Professor or Assistant Professor may be given tenure earlier provided they received credit, at time of appointment, for years spent in a tenure-earning position elsewhere and has been recommended by the President of the University and approved by the Board of Trustees.
- c. Any member of the faculties of colleges and schools hired at the rank of Professor or Associate Professor may be awarded tenure at the start of the appointment provided the tenure has been recommended by the University Tenure Committee and the President of the University and approved by the Board of Trustees.

*Rationale: New language is more descriptive of current practice.*

<b>Proposed Change #11</b>
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Article VI Faculty Members of Colleges or Schools  
Section B. Tenure, Nonreappointment, Termination, and Suspension  
8. Tenure, Nonreappointment, Termination, and Suspension  
b. Nonreappointment

**Constitution as of 01-17-2018**

(a) for faculty members in their first two years of employment, one full semester prior to the date of termination;

**Proposed Constitution as of 10-17-2018**

(a) for faculty members in their first two years of continuous University employment, one full semester prior to the date of termination;

*Rationale: clarify that employment must be with FSU*

<b>Proposed Change #12</b>
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Article VII The Professional Staff  
Second paragraph

**Constitution as of 01-17-2018**

Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Governors.

**Proposed Constitution as of 10-17-2018**

Members of the Professional Staff shall enjoy the assurance of annual recommendation for reappointment in accordance with the provisions of the Florida Statutes and the regulations of the Board of Trustees.

*Rationale: Board of Trustees has authority*