

Faculty Senate Agenda
Meeting begins at 3:30 p.m., August 29, 2018
Faculty Club, Whitten University Center, Coral Gables Campus

At 3:00 p.m. – There will be a brief orientation of newly elected Senate members, Conference Room of the Faculty Club, prior to the Senate meeting.

Click [HERE](#) for a complete package of materials

<https://fs.miami.edu/assets/pdf/facultysenate/Documents/18-19-senate/a-august-18-fs/complete-pkg.pdf>

(Please note: the package does not include newly appointed introduction articles or item B7 committee lists. These are linked separately)

(If you have trouble opening the link within the agenda item, paste the address below each item into your browser to access.)

A.	<u>Introductory Matters</u>	Approx. Time
A1.	Faculty Senate Chair Remarks – Tomás Salerno	3:30
A2.	President Remarks – Julio Frenk	3:40
A3.	Introduction of Newly Appointed Associate Vice President for Enterprise Applications and Services – Frank Azuola https://www.it.miami.edu/about-umit/it-news/frank-azuola/index.html	3:55
A4.	Student Government representatives remarks	4:00
A5.	Approval of Proposed Faculty Senate Meeting Minutes of April 18, April 25 and May 9, 2018 https://fs.miami.edu/assets/pdf/facultysenate/Documents/18-19-senate/a-august-18-fs/minutes-april-election-may-18.pdf	4:05
	[Unanimously approved by the GWC]	
A6.	Approval of Today's Agenda	4:10
A7.	Other Announcements	4:15
B.	<u>General Matters</u>	
B1.	2017-2018 Annual Update on Centers and Institutes –Jeffrey Duerk (Executive VP for Academic Affairs and Provost)	4:20
B2.	Update Information on UHealth Plan – Cristina Elgarresta (HR Associate VP, Total Rewards)	4:35
B3.	Consideration of a 5:00 p.m. Meeting Opening Time for Senate Meetings held on Miller School of Medicine Campus for a One-Year Trial (There are two meetings held on that campus per year.) [This was requested at last spring's Faculty Senate Retreat.] [Unanimously approved by the GWC]	4:50
B4.	Proposal to Delineate the Procedures for Faculty Senate Meetings Amending Section A10.5 and Adding Section B2.8 – JoNel Newman (Second Vice Chair) https://fs.miami.edu/assets/pdf/facultysenate/Documents/18-19-senate/a-august-18-fs/fm-proposal-to-amend-section-b2-8.pdf	5:00
	[Unanimously approved by the GWC]	
B5.	Proposal to Amend the Faculty Manual Section C19.1, 19.2, and 19.3 Section C19, Faculty Senate (Awards) – JoNel Newman https://fs.miami.edu/assets/pdf/facultysenate/Documents/18-19-senate/a-august-18-fs/fm-proposal-to-amend-section-c19.pdf	5:15
	[Amended as shown, and Unanimously approved by the GWC]	
B6.	Only Regular members or Alternate members who are replacing a Regular member may participate in this vote.	5:25

Election of proposed members for the:

- [Committee on Professional Conduct](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/cpc.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/cpc.pdf
- [Hearing Panel](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/hplist.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/hplist.pdf

B7. For information only: Faculty Senate Standing Committee membership lists: 5:35
(Committee lists can be viewed separately at the links shown, and are not included in the complete package.)

<https://fs.miami.edu/committees/faculty-senate-standing-committees/index.html>

- [Academic Standards](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/acstands.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/acstands.pdf
- [Administrative Services](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/adminservices.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/adminservices.pdf
- [Athletics](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/athleticslist.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/athleticslist.pdf
- [Budget and Compensation](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/budget.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/budget.pdf
- [Distinguished Faculty Scholar Award](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/dfsa.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/dfsa.pdf
- [Equity and Inclusion](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ei.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ei.pdf
- [Facilities and Planning](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/fp.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/fp.pdf
- [Library and Information Resources](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/library.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/library.pdf
- [James W. McLamore Outstanding Service Award](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/GWClst.pdf) (Membership is identical to that of the General Welfare Committee)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/GWClst.pdf
- [Outstanding Teaching Award](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ota.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ota.pdf
- [Rank, Salary and Conditions of Employment](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/crsce.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/crsce.pdf
- [Student Affairs](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/staff.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/staff.pdf
- [Tenure Review Board](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/TRB.pdf) (Terms run from January to December)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/TRB.pdf
- [University Curriculum](https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ucc.pdf)
https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Committees/ucc.pdf

C. **Other Business** 5:40
D. **Adjournment** 5:45

The Senate Officers invite you to join them for a reception immediately following the meeting, in the same room. Light refreshments will be served.

Item A5



The John Knoblock
Faculty Senate Office
Ashe Administration Building, #325
1252 Memorial Drive
Coral Gables, FL 33146

facsen@miami.edu
web site: www.miami.edu/fs
P: 305-284-3721
F: 305-284-5515

Combined Proposed Faculty Senate Minutes April 18, April 25 and May 9, 2018

April 18, 2018

The meeting, held in the Faculty Club of the Whitten University Center, Coral Gables Campus, opened at 3:35 p.m.

CHAIR'S REMARKS

Senate Chair Tomás Salerno welcomed attendees to the last business meeting of the academic year. He reiterated that the Election meeting will be on Wednesday, April 25 with the newly elected 2018-2019 slate of Senate members. The sole purpose of this meeting is to elect next year's General Welfare Committee (GWC) members and Senate officers.

This year there will be Senate Retreat on Wednesday, May 2 from 1:00 to 4:30 p.m. in the Braman Miller Center (also known as the Hillel), since there will not be a GWC meeting that day in May. A working lunch will be available, followed by Happy Hour afterwards at the Faculty Club. At the Retreat, we will discuss the rate of change at the University, focusing the goals of the Faculty Senate next year, and how to ensure Faculty participation in university decisions.

Second Vice Chair JoNel Newman, professor of clinical legal education and ACLU of Florida Legal Panel chair, was honored by the ACLU with the C. Clyde Atkins Civil Liberties Award.

Longtime Faculty Senate member and past Senate Chair Eugene Clasby was recognized for creating the Nancy T. Clasby Endowed Scholarship Fund, named after his late wife to support students at UM. Donations can be made at:

<https://advancement.miami.edu/netcommunity/page.aspx?pid=1627&fid=1LY6EBKhzGQ%3d&fdesc=H5J19MUfNnZKYHShG5K2FT432jzsf9fLo1qQUjozz3aRIAdB74EISYKjbox%2fX%2fp%2f>

The Chair added his congratulations to Business School Senior Vice Dean Anuj Mehrotra for his recent appointment at George Washington University as the Dean of the Business School joining former UM Provost Thomas LeBlanc.

The Faculty Senate Annual Awards Ceremony was held on Monday, April 16. It was a wonderful ceremony with a large group of attendees showing their support for this year's awardees to recognize their contributions to UM and the community.

The Senate Chair pointed out that there is a very full agenda today, and requested that attendees keep their remarks concise and to the point in order to give all items the attention they deserve. Additionally, he noted that there was an error in the agenda, the President is currently out of town, and therefore not able to attend today's meeting.

PROVOST'S REMARKS

The Provost noted that it has been nine months since he arrived at UM, where he has received a warm welcome. He expressed his gratitude for the spirit of collegiality and cooperation that he has received from the Faculty Senate. The Provost echoed the Chair's praise for the Faculty Senate awards ceremony. He noted he learned of Stuart Miller's mantra, "hug an engineer."

The Senate Chair noted that the relationship with the Provost has been one of collegiality, and that the Provost wants to work with the Faculty Senate. They strive to resolve their differences to mutual satisfaction.

STUDENT GOVERNMENT REPRESENTATIVES' REMARKS

There were no remarks.

APPROVAL OF FACULTY SENATE MEETING MINUTES OF MARCH 21, 2018

[Executive Session minutes were emailed separately to members (only).]

A motion was made, seconded, and the minutes were approved unanimously.

APPROVAL OF TODAY'S AGENDA

The Chair explained that Item B2, Annual Review of Centers and Institutes by the Provost will not be on today's agenda, but will be added to the agenda in fall 2018.

A motion was made, seconded, and the agenda was approved unanimously as amended.

OTHER ANNOUNCEMENTS

There were none.

General Matters

UNANIMOUS CONSENT AGENDA

[Unless there is an objection, these materials will be submitted and approved on documents only. Hearing no objections, legislation will be written for these items.]

- 1) # Business School Proposal to Change the Name of the Department of Health Sector Management and Policy TO Department of Health Management and Policy
- 2) # School of Education and Human Development Proposal to Add a Version of the MEd in Community and Social Change Program with a Thesis Option
[Graduate Council approval was confirmed.]
- 3) # School of Education and Human Development Proposal to Rename the PhD Program in Community Well-Being TO The Richard J. Kurtz Family Community Well-Being Doctoral Program in the School of Education and Human Development
- 4) # Frost School of Music Proposal to Revise the Master of Music Degree in Keyboard Performance and Pedagogy
- 5) # Miller School of Medicine Proposal for a GRE Waiver Option for the Master of Science in Clinical and Translational Investigation Program (MSCTI)

- 6) # Miller School of Medicine Proposal for Curriculum Changes to the Master of Public Health (MPH) Degree
- 7) # School of Nursing and Health Studies Proposal for a 1-Credit Online Course in Medical Terminology

There were no objections from the GWC to these proposals.

There were no objections from the Faculty Senate on these proposals.

REPORT ON UM AND UHEALTH SPECIFIC APPROPRIATIONS IN THE STATE OF FLORIDA'S FY 18-19 BUDGET

Rudy Fernandez introduced himself by explaining that he has been at UM for 11 years, and serves as the Senior Vice President of Public Affairs and Communications, pointing out the revised reporting structure in that Jackie Menendez now reports to him. Additionally, he serves as the Chief of Staff to the President. He joined the University in 2007 as the Vice President for Government and Community Relations. He introduced Associate Vice President for State and Federal Government Affairs Raena Wright. They pointed out that they are charged with obtaining resources for faculty and their research. The Government Affairs operation has been built over the years. Local government affairs consists of the city of Coral Gables, which includes securing approval for the currently-being-constructed indoor sports practice facility, and the Frost Institutes facilities. At the state level, they work to secure research funding and overall support for UHealth. At the federal level, they work to fight for funding for higher education, which is currently being beseeched, which requires much effort at this level to talk to government officials. Additionally, they work with communities and their stakeholders.

The presenters pointed out that they have been very successful at the state level in Tallahassee securing significantly increased funding in supplemental payments to UHealth. They are in collaboration with other academic medical centers to get supplemental payment to physicians, for the low income pool, and in new funding. This is intended to make UM "whole" when caring for Medicaid patients. They have secured funding that includes research on firefighter cancer, for the Florida National Cancer Institute Program, and to increase the payment per student for Florida resident access grants. Although Florida's governor vetoed some programs, no UM program was vetoed, noting, however, that the Zika program will not be continued. The presenters proposed that they work with the Senate Chair to identify new research projects that can be proposed to the government so that UM is very competitive, to increase our funding, to have a clear public purpose, and that can convince the state of their importance. They are looking for projects now that can be presented next March. The Senate Chair pointed out that they brought the immunity agreement for Jackson physicians that limits liability, and that all Jackson employees are public employees who have a sovereign cap for lawsuits. They also lobbied for UM physicians to qualify as public employees so that they qualify for the same cap.

The presenters entertained questions from the floor.

The Senate Chair pointed out the tremendous amount of work that this entails and thanked the presenters for their informative presentation today that responded to a request made at last month's meeting.

PETS ON CAMPUS COMMITTEE REPORT AND RECOMMENDED POLICY

Vice Provost for Faculty Affairs David Birnbach reminded members that this policy was raised a couple of months ago at a Senate meeting. He explained that two years' ago, then-Provost LeBlanc had convened a group of faculty to form a task force to make recommendations to address problems raised with pets on campus. He outlined the reasons to enact such a policy that include disruptive pets in offices, classrooms being disrupted, pets attacking other pets, and environmental services crew members being attacked. The Vice Provost served as chair of the task force that included two faculty members selected by the Faculty Senate, and two selected by the Provost. The committee met four times in 2016 and reviewed policies from our aspirational peer institutions. UM General Counsel also attended the meetings to assist with the legalities of the proposed policy. The task force voted on two separate issues (which excludes service animals): 1) there was unanimous approval to ban pets in classrooms, and 2) it was approved four to one to preclude pets from offices. Then, for internal political reasons, the policy was tabled for a year. The most recent complaint is for thousands of dollars in damage and has resulted in a lawsuit.

There was a lengthy and robust discussion of the pros and cons of the policy that included the benefits of pets in general, the results of the aspirational peer institutions comparison, alternate suggestions of accommodating pets in faculty offices, the distinction between comfort animals and licensed service animals, suggestions that it be proposed on a school-by-school basis, the hesitation of people to voice their objections to animals in offices, allergies to pets, the general cleanliness concerns, and examples of animal and/or owner misbehavior. Some members noted their concern that additional meetings to discuss the policy may not result in different results, and requested that a vote be held.

This proposed policy does not have the support of the GWC to be voted on at this time. The GWC recommended that there be discussion at today's meeting, then taking the Senate's comments into account, the policy should come back in the fall for presentation.

A motion was made, seconded and passed by majority to call the question.

There was discussion on procedure that included whether to vote on the policy now or wait until the fall, the role of the GWC in setting the agenda, the lack of consultation with students, and the need to clarify whether this is for classrooms only or all university facilities.

A motion was made, seconded and approved by majority to approve the policy as written.

A discussion followed that centered on the concern of consulting with students and the hesitation of people with allergies to voice their objections to pets in offices.

A motion was made, seconded and approved by majority to approve the policy as written.

COLLEGE OF ARTS AND SCIENCES PROPOSAL TO CREATE A MASTER OF ARTS IN GLOBAL HEALTH AND SOCIETY

Anthropology Professor Bryan Page outlined the proposal and pointed out that the program will allow students to study questions in global health and work in furtherance of health issues in "far flung NGO's."

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the proposal was approved unanimously.

MILLER SCHOOL OF MEDICINE PROPOSAL TO CREATE A NEW MASTER OF SCIENCE DEGREE IN PREVENTION SCIENCE AND COMMUNITY HEALTH

Division of Prevention Science and Community Health Associate Professor Eric Brown explained that the timing to launch the program was "right" given the expertise and the demand for the program, which is being proposed to address the growing demand. The proposal has received support from faculty, directors and department chairs.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the proposal was approved unanimously.

FACULTY SENATE STANDING COMMITTEE REPORTS WITH RECOMMENDATIONS:

BUDGET AND COMPENSATION FACULTY SALARY COMPARISON REPORT

Committee Chair R. Stephen Cantrell pointed out that the Committee's Salary Comparison Report originated with President Shalala's tenure here. The committee has been creating a report for the past 13 years. He explained that the report compares UM to our peer institutions, and although Boston University replaced Syracuse in the AAU, Syracuse intentionally remains on this report for "historical" reasons. He reviewed the results as illustrated on the graphs, pointing out that the committee experimented with information obtained from Sperling's Best Places, a highly reputable private entity that makes comparisons. In general, the greatest difference in salaries is across gender, with assistant professor category showing the greatest difference. The Committee Chair also noted that several members were added to the committee this year.

The Committee Chair entertained questions from the floor.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

ADMINISTRATIVE SERVICES

Committee member Mark Friedman presented the report on behalf of the committee chair. The committee reviewed matters that included limited access to buildings, the proposed ID-on-campus policy for Gables and RSMAS, and proposed parking changes. The committee will be meeting next week to find out more about CaneLink. There was discussion about requesting the list, if not confidential, of "power users" or personnel responsible for granting access to buildings. There were concerns expressed of the lack of broader discussion on the access policy and the ID policy and the need to consider the GWC's concerns on these policies.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

COMMITTEE ON RANK, SALARY AND CONDITIONS OF EMPLOYMENT

Committee Chair Robert Johnson explained that the committee had received one appeal, which consisted of seven lengthy meetings over the year, the interviewing of six people, and a significant amount of time for the committee to reach a decision. He thanked the committee members for their dedication. The committee's recommendations are detailed in the report. The committee raised the question of members recusing themselves, who found that the *Faculty Manual* is silent on this matter.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

EQUITY AND INCLUSION

Committee Chair Shouraseni Sen Roy noted that the committee addressed four main issues: elderly/dependent care benefits, a prorated parking proposal based on salary, recommendations from the Ombudsperson, and gender-based salary analysis. The Committee Chair noted her appreciation to the Provost for a detailed salary report and analysis based on gender throughout the university. She pointed out that Medical, Business, and the Frost Music School have significant disparities. The committee made a recommendation to look at these disparities based on ethnicity. They also recommended that a task force needs to be created to look at HR issues. Currently, responses from HR are pending on elderly and child care benefits.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

STUDENT AFFAIRS

Committee Chair Tywan Martin explained that the committee reviewed and investigated five main issues: the concerns associated with "progress to degree," potential changes to the Thanksgiving break, the Latin designation concerns, and potential changes to UM's spring break scheduling. The committee deliberated on two student academic appeals, and made the recommendation that faculty include information in their course syllabi about how students are to handle absences, specifically for illnesses.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

ATHLETICS

Committee Chair Amar Deshpande outlined the committee's report and commented on the commitment and transparency that the administrators exercised in the Athletics Department as headed by Athletic Director Blake James. The committee's report requests an addition to the committee's charge to memorialize the long-standing practice of including the faculty NCAA representative on the committee as an *ex officio* non-voting member. It was pointed out that a correction was needed in the report to amend the athlete award from the Student-Athlete Award of the Year to the Scholar-Athlete of the Year Award.

The proposal comes forward with the unanimous support of the GWC.

A motion was made, seconded and the report was accepted unanimously.

THE NOMINATING COMMITTEE RECOMMENDATIONS FOR NEXT YEAR'S SLATE OF OFFICERS

Nominating Committee member Chet Schriesheim noted that the committee did not receive any written confirmation of any other candidates interested in being included on the ballot for Faculty Senate officers next year. The committee proposed the following slate of incumbents for election at next week's Faculty Senate Election meeting:

Chair, Tomás Salerno
First Vice Chair, Linda Neider
Second Vice Chair, JoNel Newman

The presenter reminded members that at the election meeting, additional nominations can be made from the floor.

There were no objections.

OTHER BUSINESS

The Senate Chair thanked the officers, the Senate staff, Senate members and all others for their continued support and for their contributions to lively discussions.

ADJOURNMENT

A motion was made, seconded, and unanimously approved to adjourn at 6:10 p.m.

Respectfully submitted,
Robyn Hardeman
Secretary of the Faculty Senate
(using recordings and notes submitted by Alexandra Marbán)

Elected Senate officers:
Tomás Salerno, Chair;
Linda Neider, First Vice Chair;
JoNel Newman, Second Vice Chair

Background materials included with hard-copy minutes.

April 25, 2018 Election Meeting

The meeting, held in the Faculty Club of the Whitten University Center, Coral Gables Campus, opened at 3:35 p.m.

The Senate Chair welcomed the new Senate members and asked each of them to stand to be recognized. He introduced himself, the other officers, and the Senate Office staff. He reminded

attendees that today's meeting is to be attended by either Regular or Alternate members taking the place of a Regular member. No one outside of those members and staff should be in attendance. On behalf of the officers, he invited members to a happy hour immediately following the meeting.

Following roll call, ballots were distributed, counters were selected and the Nominating committee consisting of Nichole Crenshaw, Giselle Guerra, Shouraseni Sen Roy and Chet Schriesheim were announced. Senate member and Nominating Committee member Chet Schriesheim presented the slate of officers explaining that the incumbents were running unopposed:

Tomás Salerno, Chair;
Linda Neider, First Vice Chair;
JoNel Newman, Second Vice Chair

A motion was made, seconded and it was unanimously approved to accept the slate by consensus.

The officers were congratulated on their reelection.

A substantial discussion followed on suggested topics for the Retreat including discussing how the Faculty Senate will continue its relationship with the university administration, Medical School issues, and consideration of holding meetings on the Miller School of Medicine (MSOM) campus after 5 p.m. to allow more MSOM members to attend. Others offered to send suggestions via email to me. The Senate Chair stated that he would talk to the MSOM dean to urge the dean to allow Faculty Senate members, especially clinicians, to attend meetings.

The Retreat is scheduled for Wednesday, May 2 at 3:30 p.m. Details will be emailed directly to both the 2017-2018 and 2018-2019 Senate members.

A motion was made, seconded, and unanimously approved to adjourn at 4:20 p.m.

Respectfully submitted,
Robyn Hardeman
Secretary of the Faculty Senate

Elected Senate officers:
Tomás Salerno, Chair;
Linda Neider, First Vice Chair;
JoNel Newman, Second Vice Chair

May 9, 2018 Informational Meeting

The Senate Chair welcomed members to the informational meeting presented by Human Resources. He introduced Associate Vice President of Total Rewards in HR Cristina Elgarresta, VP for HR (interim) Mary Harper Hagan, and Stephanie Piloto, Benefits.

The Associate Vice President reviewed a PowerPoint projection that outlined Preventative Services noting that there are no changes to members. She also mentioned the problems encountered for those with the high deductible plan when processing the \$600 of HSA funds through Wage Works. She noted that HR is working to amend this for next year so that the HSA fund is used first, or allow the employee the choice of which fund to use first.

She pointed out that the prescription plan was moved last year from CVS to Walgreens, and there are no changes proposed next year for copayment amounts. Mental health benefits have been capped at 6% for next year. The same sex domestic partner benefits are in the process of being "sunsetting." There is a projected increase of approximately 10-12% in PEPM medical-based from the current plan. There are no changes to the MedLaw legal or VSP benefits. They are working with UHealth to research a possible UHealth-centric plan option, which raised increased and long-standing concern about the lack of access to physicians.

Benefits effective January 1, 2018 include Family Care Benefits of paid parental leave for staff (excluding UMH) and pet telemedicine. Financial security benefits include Voluntary Life Insurance guaranteed issue that is now up to three times salary to a maximum of \$1 million. Employees can purchase up to six times salary to maximum of \$1.5 million. The Short Term Disability Plan enhancements include two plan options (60% or 66 2/3% of base income) and faculty are now eligible to enroll. There is the elimination of one-year waiting period for 3/12 pre-existing conditions limitation; the reduced elimination period is from 15 business days to 14 calendar days; and FidSafe (a financial document collection tool) is being offered from Fidelity.

There are no changes to Cigna DHMO (dental), Dental PPO or the Vision Plan for next year.

Items for future consideration are: review of paid time off for medical situations, review of time off for exempt and non-exempt employees on Gables and RSMAS campuses, emergency back-up child and elder care, infertility treatments, and adoption assistance. It was pointed out that there may be a plan price increase to employees with next year's plans.

There was an engaged discussion that included suggestions and comments such as:

- Complaints that insureds have been charged for services that should be on a no-charge basis,
- The phone number and contact information should be listed on the bill for patients in the event that there are any questions on the bill,
- Multiple comments of receiving bills after the service is performed, then the patient has to submit to WageWorks which can be very cumbersome,
- Suggestion of more transparency in explanation of why a patient is receiving two bills, one from physician, and one from lab, etc.,
- A member pointed out that if you need a minor procedure done, it is best to go to an outpatient facility,
- The main goal of Walgreen clinics is to incentivize more patients into the system,
- And the repeated complaint of lack of access to doctors.

A motion was made, seconded, and unanimously approved to adjourn at 4:40 p.m.

Respectfully submitted,
Robyn Hardeman
Secretary of the Faculty Senate

Elected Senate officer present:
Tomás Salerno, Chair

Item B4

Proposal to Delineate the Procedures for Faculty Senate Meetings Amending Section A10.5 and Adding Section B2.8

Purpose: Add a section to the *Faculty Manual* to delineate the procedures for Faculty Senate meetings. This would be a new Section to add to existing Section **B2: Meetings**.

Adding these procedures requires that Section **A10: Actions by the Faculty**, A10.5 be amended, to specify that the voting procedures are outlined in Section B2.8.

Proposed *Faculty Manual* language:

Proposed changes reflected in underline/~~strikeout~~ format:

BEGIN TEXT

A10.5 A quorum of the Senate shall consist of a majority of its members. An action proposed by the Senate, whether originated by the Senate, by a committee of the UNIVERSITY FACULTY, or otherwise, becomes effective only if passed by a majority of the members present at a meeting of the Senate. ~~At the discretion of the chair, or upon request from the floor by one member, a Senate vote shall be by secret ballot. The method of voting shall be in accordance with Section B2.8 in the Bylaws.~~ Actions passed by the Senate shall be classified by the Senate as follows:

Class A: Senate actions that amend or revise the Faculty Government Charter.

Class B: Senate actions of a legislative nature over which the faculty and the President have joint responsibility; or any Senate action whatsoever on matters submitted to it by the President; or the enactment of Bylaws that interpret this Charter.

Class C: Senate actions of a legislative nature over which the faculty normally has exclusive authority.

Class D: Actions of the Senate other than those of a legislative nature, including passage of resolutions, advice or recommendations, appointment of committees, reception of reports or information, and determination of Senate Bylaws.

[. . .]

B2.8 Senate meeting procedures. Except as provided elsewhere, the following provisions shall govern procedures at all meetings of the Faculty Senate.

(a) Prior to each meeting of the Senate, the Secretary of the Senate, following consultation with the Senate Chair and taking into account the results of the prior meeting of the General Welfare Committee, shall prepare a draft agenda for consideration by the Chair for the meeting. The agenda shall list items required by A8.2, any changes proposed for the *Faculty Manual*, any suggested Senate

legislation, and any other decision proposed to be taken by the Senate. It shall also list the proponent of the measure, the order in which such matters will be taken up, and the amount of time, which is allocated for discussion of each item. The Secretary shall forward the agenda by hand, inter-office mail or e-mail to each member of the Senate, each alternate, each proponent of a measure, and any other person the Secretary considers should be made aware of an agenda item, and who may wish to speak concerning it. The text of proposed resolutions and related supporting materials shall be available with the agenda. The agenda, but not necessarily the supporting materials, shall be posted on the Senate’s website. Nothing in this section precludes the Faculty Senate from meeting in Executive Session with a separate agenda.

- (b) After introductions, any remarks by the President and Provost, and the Chair’s remarks, the Senate shall approve the agenda, including any deletions, changes in the order of items or of the amount of time allocated to an item. Except as provided in paragraph (c), no additions to the agenda may be made from the floor, and no item may be taken up that is not on the approved agenda.
- (c) Any proposal for legislation made from the Senate floor shall automatically be referred to the Committee on General Welfare, which shall consider the matter at its next meeting, and the Secretary shall normally invite the proponent to appear to argue in favor of its consideration by the Senate. In the alternative, a seconded motion from the floor to consider a legislative proposal not on the agenda requires a 2/3 majority in order for the proposal to be discussed. Following debate, the matter requires a ¾ majority to be adopted.
- (d) The rules for discussion, voting, and other disposition of a matter during a meeting shall be carried out using the requirements of *Roberts Rules of Order*, the latest edition, for a meeting of a Committee of the Whole, with the following exceptions:
- (1) Other than the listed proponent of a measure, and the President and Provost, no person shall be recognized by the Chair and allowed to speak for a second or subsequent time until all those wishing to speak have had the opportunity to speak once.
 - (2) At the end of the time allowed for discussion of an item on the agenda, the Chair shall ask whether the members wish to vote on the matter, table the matter, or send it back to the proponents or the Committee on General Welfare for further consideration, with or without instructions. If the Chair senses that there is a consensus, or a strong majority in favor of a course of action, the Chair will declare the disposition of the matter. However, if a Senator disagrees with the decision of the Chair, and if seconded, a vote by a show of hands to decide the disposition will immediately follow.

- (3) The Chair may not vote on any matter except to break a tie. The Chair shall surrender the gavel to another officer if the Chair wishes to speak personally for or against the merits of a proposal. No such duty falls on the Chair if the Chair wishes to speak on a procedural question or any other topic not involving the merits of a proposal.
- (4) No vote is required after an amendment to the substance of an agenda item has been moved and seconded. Instead, debate shall continue on the original proposal and the amendment, until all have spoken who wish to do so, or the time for debate has expired. At that juncture, the Chair shall take up proposed amendments, beginning with the most far-reaching amendment, and continuing with voting until all amendments suggested and seconded have been approved or rejected. The Chair will then state the text of the proposal as amended and conduct the vote by the Senate members. This subparagraph does not preclude the proponents of a measure from accepting a proffered amendment as a friendly amendment, which is then automatically incorporated into the text of the proposal.

(e) To the extent possible, decisions by the Senate shall be taken by consensus. Where no consensus can be achieved, the matter shall be decided by vote of the members present and constituting a quorum. Voting shall normally be by voice vote. However, if a Senator disagrees with the decision of the Chair, and if seconded, a vote by a show of hands to decide the disposition will immediately follow. If the *Faculty Manual* so requires, if directed to do so by the General Welfare Committee, or if 5 Senators so request, a vote will be taken by secret ballot, and the tally recorded by two members selected by the Chair and the count announced to the body.

END TEXT

Item B5

Proposal to Amend the *Faculty Manual* Sections C19.1, 19.2, and 19.3 in Section C19, Faculty Senate Awards

The *Faculty Manual* specifies the submission process and materials required for the three Faculty Senate Awards: James W. McLamore Outstanding Service Award, Distinguished Faculty Scholar Award, and Outstanding Teaching Award. In order to make all the sections congruent, and align the award's selection process with the character qualities that the University of Miami continues to embrace and foster, as well as the continued pursuit of excellence in every domain, the following are proposed changes to the *Faculty Manual* Section C19 Faculty Senate Awards.

Proposed revisions in ~~Strikeout~~ / underline format:

BEGIN TEXT

C19 Faculty Senate Awards¹

Exceptional teaching, scholarship and service have long been recognized as the three primary foundations of an outstanding university. The Senate has established three special annual awards explained in greater detail below, to recognize and foster excellence. Each of the awards has its own criteria, but a common requirement is good character. The awards are presented at a ceremony in the spring semester, followed by a reception.

C19.1, James W. McLamore Outstanding Service Award

On the occasion of the twenty-fifth anniversary of the Faculty Charter, the Faculty Senate established an annual award to recognize service above and beyond the call of duty by a member of the University Community.

Members of the faculty will be invited annually to nominate persons for this award. The awardee will be selected by the Faculty Senate after considering the recommendation of the General Welfare Committee.

Each nomination will require a) the curriculum vitae of the nominee; b) a letter giving the details of the nominee's activities that demonstrate "service above and beyond the call of duty"; and c) three support letters from people who know the contributions of the nominee that make him/her worthy of the award.

~~The Senate will host a special ceremony at which the award will be presented. The ceremony will be followed by a reception.~~^{266F²}

At the awards ceremony, the recipient will be invited to make brief remarks.

¹ ~~#2003-08(B)~~

² ~~#2006-14(D)~~

Visit <https://fs.miami.edu/assets/pdf/facultysenate/Documents/Awards/McLamorelist-web.pdf> to view a list of the past awardees.

C19.2, Distinguished Faculty Scholar Award

On the occasion of the twenty-fifth anniversary of the Faculty Charter, the Faculty Senate established an annual award to recognize outstanding contributions to scholarship by individual faculty members at the University of Miami. The award is given to acknowledge either a single outstanding scholarly achievement or a lifetime of distinguished accomplishment in any area of research or creative activity.

Members of the faculty will be invited annually to nominate colleagues for the award. The nominations will be reviewed by a special Nominating Committee consisting of the last five awardees and the Provost and Faculty Senate Chair serving as *ex-officio* non-voting members. If for any reason, a previous awardee cannot complete their term as a member of the special Nominating Committee, the Senate Chair may appoint a previous awardee as a replacement. The Committee will report and make a recommendation* to the Senate for selection.

For each nomination received the Committee will require a) the curriculum vitae of the faculty member; b) a short statement describing the contribution that occasions the nomination; and c) the names and addresses of four persons of eminence in the field who can comment on the achievements of the nominee.

~~The Senate will host a special meeting for all members of the faculty at which the award will be presented. The awardee will present a report on their research at this meeting. The meeting will be followed by a reception.~~

At the awards ceremony, the awardee will present a report on their research.

Visit <https://fs.miami.edu/assets/pdf/facultysenate/Documents/Awards/DFSAlist-web.pdf> to view a list of the past awardees.

C19.3, Outstanding Teaching Award³

The Faculty Senate established this annual award to recognize a distinguished record of teaching by individual faculty members at the University of Miami. The award is given to acknowledge either small setting teaching (e.g., clinical, field classes, or workshops) or large setting teaching (e.g., regular lectures).

Members of the full-time faculty will be invited each fall to nominate any member of the full-time faculty for this award. Other members of the University Community may recommend a candidate for this award through a member of the full-time faculty. A committee consisting of the last five awardees, together with the Provost and Faculty Senate Chair serving as *ex-officio* non-voting members, will review the nominations. If for any reason, a previous awardee cannot complete their term as a member of the Nominating Committee, the Senate Chair may appoint a

³ [#2005-07\(D\)](#)

previous awardee as a replacement. The Committee will report and make a recommendation* to the Senate for selection.

For each nomination received, the Committee will require a) a brief letter of nomination from the nominator regarding the candidate's qualifications for the award; b) a current academic curriculum vitae in standard professional format; c) a completed "Faculty Senate Outstanding Teaching Award Nomination Form."

The Committee will review the nominations and select a set of finalists. Each finalist's nominator will be asked to submit student evaluations of courses taught within the past five years and four letters from colleagues or alumni describing the contributions that make the nominee worthy of this teaching award. The Committee may ask the nominators for additional information, including examples of the nominee's teaching materials, if necessary. Nominators may work with members of the University Community to assemble materials such as student evaluations and letters from other members of the University Community including alumni. If possible, nominees should not be told they are finalists. The awardee should have a substantial record of teaching students of the University of Miami and will ordinarily be a member of the Regular Faculty.⁴

~~The Senate will host a special ceremony for all members of the faculty at which the award will be presented. The ceremony will be followed by a reception.~~

At the awards ceremony, the recipient will be invited to make brief remarks.

Visit https://fs.miami.edu/_assets/pdf/facultysenate/Documents/Awards/chargeOTA.pdf to view a list of the past awardees.

*The names of the nominees should not be revealed, but the following information should be included in the report to the General Welfare Committee and the Senate: the number of new nominations received; the number of nominations from previous years that were reconsidered; the affiliation (Department, School, or discipline, as appropriate) of the nominees to whom serious consideration was given; the name of the recommended recipient; and a short summary of the individual's credentials.

END TEXT

⁴ [#2008-26\(D\)](#)

Item B6



COMMITTEE ON PROFESSIONAL CONDUCT 2018-2019¹

YEAR APPT.	NAME	SCHOOL/COLLEGE AND DEPARTMENT	EMAIL/PHONE
18-19	Dina Birman	Education - Educational and Psychological Studies	d.birman@miami.edu 8-3460
17-18	Susan Halloran Blanton	Medicine - Human Genetics	SBlanton@med.miami.edu 6-2321
17-18	Mauricio Cohen	Medicine - Cardiovascular	mgcohen@miami.edu 6-5050
09-10	Doug Crawford	RSMAS - Marine Biology and Fisheries	d.crawford@miami.edu 5-4121
09-10	Gordon Dickinson	Medicine - Medicine	g.dickinsonjr@miami.edu (305) 575-3267
13-14	June Teufel Dreyer	Arts and Sciences - Political Science	jdreyer@miami.edu 8-2403
10-11	Zanita Fenton	Law	z.fenton@miami.edu 8-4275
16-17	Andrea Heuson	Business - Finance	aheuson@miami.edu 8-1866
13-14	Anthony Hynes	RSMAS - Marine and Atmospheric Chemistry	a.hynes@miami.edu 5-4173
17-18	Jean François Lejeune	Architecture	flejeune@miami.edu 8-5000
17-18	Alexandru L. Mezincescu	Arts and Sciences - Physics	mezincescu@miami.edu 8-7125
12-13	Bruce Miller	Arts and Sciences - Theatre Arts	bmiller@miami.edu 8-4128
10-11	Robert J. Myerburg	Medicine - Cardiology	rmyerbur@med.miami.edu (305) 585-5523
10-11	Jan Paulsson	Law	jpaulsson@law.miami.edu 8-5638
14-15	Teresa A. Scandura	Business - Management	tscandur@bus.miami.edu 8-3746

10-11	Daniel Suman	RSMAS - Marine Affairs and Policy	d.suman@miami.edu 5-4685
17-18	Geoff Sutcliffe	Arts and Sciences - Computer Science	g.sutcliffe@miami.edu 8-2158
17-18	Sam Terilli	Communication - Journalism	sterilli@miami.edu 8-8451
16-17	Stephen Zdzinski	Music - Music Education and Music Therapy	szdzinski@miami.edu 8-6658
18-19	Weizhao Zhao	Engineering - Biomedical Engineering	w.zhao1@miami.edu 8-6763

¹ Names pending approval at the August 2018 Faculty Senate meeting.

COMMITTEE CHARGE ([Faculty Manual Section B4.10](#)):

- (a) The COMMITTEE ON PROFESSIONAL CONDUCT (CPC) has jurisdiction over complaints that a member of the UNIVERSITY FACULTY has committed unprofessional conduct. ¹
- (b) The CPC consists of eleven to twenty members, elected annually by the Faculty Senate. Each member shall be a tenured faculty member, ordinarily with the rank of full Professor and with substantial time on the University faculty. No member shall be a member or alternate member of the Senate, nor may a member be the holder of any administrative position specified in section A7.1(f) or (g).
- (c) A complaint that a member of the UNIVERSITY FACULTY has engaged in unprofessional conduct can be brought:
 - (i) either by the University, acting through the President, the Provost, the Vice Provost for Faculty Affairs, or an Academic Dean. Before the University may file a complaint under this sub-paragraph, a thorough investigation must take place; or
 - (ii) by a member of the UNIVERSITY FACULTY who does not fall within (c)(i).
- (d) The complaint shall be addressed to the Chair of the Faculty Senate in writing. The complaint shall include, at a minimum:
 - (i) a brief recitation of the alleged conduct and when it occurred;
 - (ii) a concise statement as to why, in the opinion of the complaining party, the conduct is unprofessional; and
 - (iii) a declaration that all attempts at informal resolution have been exhausted, or an explanation as to why, in the opinion of the complaining party, further attempts at informal resolution would be pointless.

¹ [#2009-28\(B\)](#)

- (e) Except as provided in paragraphs (f) or (h), upon receipt of a complaint meeting the requirements of paragraphs (c) and (d), the Chair of the Faculty Senate must appoint a hearing panel for the case as soon as it is feasible to do so.
- (f) The Chair of the Faculty Senate may not appoint a hearing panel if:
 - (i) the complaint, even if assumed to be correct in all its factual allegations, does not allege conduct that any reasonable hearing panel could construe as unprofessional; or
 - (ii) the gap between the time in which the allegedly unprofessional conduct occurred and the filing of the complaint is so great as to make the complaint untimely in terms of the availability of evidence and witnesses, prejudice to the accused, or other relevant factors.
- (g) If the complaining party disagrees with the decision of the Chair of the Faculty Senate under paragraph (f), the party may appeal the ruling to the Committee on General Welfare within 10 academic working days from the date the Chair's decision is sent to the complaining party. The Committee on General Welfare has 10 academic working days from the time of receipt of the appeal in which to render a decision. At its sole discretion, it may make the decision on the basis of written documents, or may request the complaining party and the Chair of the Faculty Senate to make oral presentations.
- (h) The Chair of the Faculty Senate has the discretion not to appoint a hearing panel if the same or substantially the same conduct is under investigation by the Committee to Investigate Misconduct in Research, by the Faculty Sexual Harassment Officer, by the Senate's Committee on Rank, Salary and Conditions of Employment, or by the Faculty Hearing Committee as these roles are specified in the *Faculty Manual*. The Chair has similar discretion if the matter is subject to an indictment or information by a State or Federal prosecutor. Any decision not to appoint a hearing panel on one of the grounds listed in this paragraph is without prejudice to the filing of a complaint after such investigations or proceedings have concluded.
- (i) The hearing panel for a particular case shall consist of three members of the CPC selected by the Chair of the Faculty Senate. To the extent feasible, the selected members of the hearing panel shall include one member who has had legal training. No member of the hearing panel may be:
 - (i) from the same department or undepartmentalized school as the accused;
 - (ii) from the same department or undepartmentalized school as the complainant in the case of a complaint filed pursuant to paragraph (c)(ii); or
 - (iii) a relative or domestic partner of the accused, of the complainant, or of an individual who holds one of the offices listed in (c)(i).
- (j) As soon as the hearing panel is constituted, the Secretary of the Faculty Senate shall forward a copy of the charges to the accused and the complainant, notifying them of the following matters in writing:
 - (i) the appointment of the hearing panel and the names of its members;

- (ii) requirement that the accused provide a brief reply to the charges;
 - (iii) the requirement that any communications related to the matter before the hearing panel by a party or that party's counsel with the panel, with the other party, or with any official listed in (c)(i) be made only through the Faculty Senate Office; and
 - (iv) the procedures by which the hearing panel will carry out its work.
- (k) In the case of a complaint filed by the university pursuant to paragraph (c)(i):
- (i) The hearing panel shall hold a hearing promptly after its appointment.
 - (ii) The hearing panel must present its final report within 30 academic working days, measured from the receipt of the complaint by the hearing panel to the date a final report is sent to the President and Senate, unless the Chair of the Faculty Senate, for good cause, grants an extension of not more than 20 academic working days.
 - (iii) The accused shall have the right to represent him or herself or to be represented at the hearing by academic counsel or legal counsel. The University shall be represented by the Office of the General Counsel. However, the university may utilize outside counsel if the accused decides to be represented by legal counsel.
- (l) In the case of a complaint filed by a faculty member pursuant to paragraph (c)(ii):
- (i) The complaint shall be investigated by one or more investigators appointed by the Chair of the Faculty Senate from the membership of the CPC. No investigator may be a member of the hearing panel for the same case, nor may an investigator be appointed who is excludable from panel membership for the same case under the provisions of paragraph (i).
 - (ii) The accused and the complainant each have the right to explain the facts and circumstances to the investigators, but without counsel present. The accused also has the right, without prejudice, to decline to speak with the investigators.
 - (iii) The investigators shall report their findings in detail to the hearing panel as quickly as a careful investigation will allow, but in any event within 30 academic working days.
 - (iv) If upon consideration of the report by the investigators, the hearing panel concludes that there appear to be sufficient facts which, if established at a hearing, make it more likely than not that unprofessional conduct has taken place, a hearing shall be held promptly.
 - (v) From the date the hearing panel receives the report of the investigators, the hearing panel has 20 academic working days to conduct the hearing and present its report to the President and Senate, unless the Chair of the Faculty Senate, for good cause, grants an extension of not more than 20 academic working days.
 - (vi) The accused and the complainant shall have the right to be represented at the hearing by academic counsel or legal counsel. The Office of the General Counsel may participate at its discretion.
- (m) In any hearing pursuant to this section:
- (i) A hearing panel member or investigator has a duty to recuse him or herself if there would be, or there would appear to be a conflict of interest or any reason why the panel member could not be neutral and impartial. The

- accused shall have the right to request that the Chair of the Faculty Senate remove a panel member for good cause shown.
- (ii) The accused has a right to waive the hearing, in which case the decision of the hearing panel shall be based on the information already available to the hearing panel. The accused also has the right, without prejudice, to decline to speak during the hearing.
 - (iii) The accused may plead guilty to one or more of the charges, in which case, the hearing will then be held concerning the remaining charges, if any.
 - (iv) The panel may, at its discretion, require the filing of briefs, memoranda or other documents by the parties before or during the hearing, and may issue orders governing the conduct of the hearing and the panel's processes.
 - (v) The complainant, the accused, and the General Counsel's office shall have the right to make opening and closing statements; to examine all briefs, and other documents presented to the hearing panel; and to present, examine, and cross examine witnesses.
 - (vi) The accused has the right, during or after the hearing but before the panel concludes its report, to make an oral statement or to file a written statement to the hearing panel explaining matters in mitigation.
- (n) If the hearing panel has reason to believe that an individual acting as complainant or witness has knowingly introduced evidence that has been fabricated or has knowingly given false testimony, the panel may recommend:
- (i) in the case of a faculty member, that the Chair of the Faculty Senate bring a charge of unprofessional conduct against the faculty member; or
 - (ii) in the case of an employee who is not a faculty member, that the Chair of the Faculty Senate bring the matter to the attention of one or more appropriate administrators.
- (o) In the event that the hearing panel concludes that no unprofessional conduct has taken place, or that only a trivial or technical violation has taken place, it shall prepare a report to the Chair of the Faculty Senate briefly explaining its conclusions. At its discretion, the hearing panel may comment on matters it believes should be rectified or reformed, and may request that these comments be forwarded to the Senate, the President, and/or other appropriate administrative officials. The Chair of the Faculty Senate shall then dismiss the case and make a report to the Committee on General Welfare, taking care to protect privacy and confidentiality.
- (p) If the hearing panel determines that unprofessional conduct has taken place, and that the conduct was not merely a trivial or technical violation, it shall prepare a report to the Chair of the Faculty Senate and to the President. It shall recommend one or more of the following as sanctions:
- (i) *Censure by the Senate.* If the Senate concurs with the recommendation of censure, it shall decide on the text of the censure resolution, on the means and extent of publication of the resolution, on whether the censure resolution shall be made a part of the faculty member's personnel records, and on whether the member shall be barred or suspended from service on the Senate.

- (ii) *Dismissal*, in accordance with the procedures specified in section C15 of the *Faculty Manual*.
 - (iii) *Sanctions by the President other than dismissal*. The President may take one or more of the following actions: restrictions on pay increases for a period of years; a one-time reduction in pay not to exceed 10% of base pay; required counseling or training; loss of rights to have graduate Research Assistants or Teaching Assistants; and/or termination of appointment to an Administrative position. The President is not required to impose the sanctions recommended by the hearing panel, but shall explain in writing to the Senate the reasons for imposing sanctions that differ from the hearing panel's recommended sanction(s).
- (q) Nothing in this section shall be interpreted to preclude a mutually satisfactory settlement between the complainant and the accused (for a case filed under paragraph (c)(ii)). A mutually satisfactory settlement may also be reached between the university and the accused (for a case filed under (c)(i)), provided, that such a settlement may not adversely affect the interests of third parties. Any settlement must be reached prior to the time the hearing committee files its report to the Senate. If a settlement is reached, the Chair of the Faculty Senate shall dismiss the case.
- (r) The Senate shall adopt and publish written procedures as Class D legislation for²:
- (i) Filing and processing complaints;
 - (ii) Appointment of investigators and hearing panel members;
 - (iii) The conduct of hearings; and
 - (iv) Consideration of censure and related matters by the Senate.

In the event of a conflict between those procedures and this section, this section shall prevail.

² [#2011-23\(D\)](#) – procedures



FACULTY SENATE HEARING PANEL 2018-2019¹

YEAR APPT.	NAME	SCHOOL/COLLEGE AND DEPARTMENT	EMAIL/PHONE
15-16	Ronny Aboudi	Business - Management Science	raboudi@bus.miami.edu 8-1966
17-18	Hermann Beck	Arts and Sciences - History	hbeck@miami.edu 8-5947
13-14	Caroline Bradley	Law	c.bradley1@miami.edu 8-2082
10-11	Rocco Ceo	Architecture	rceo@miami.edu 8-2269
16-17	Joseph De Santis	Nursing and Health Studies	jdesantis@miami.edu 8-5039
10-11	Shirley Dennis	Business - Accounting	sdennis@bus.miami.edu 8-5577
18-19	Jill Ehrenreich-May	Arts and Sciences - Psychology	j.ehrenreich@miami.edu 8-6476
18-19	Murat Erkoc	Engineering - Industrial Engineering	merkoc@miami.edu 8-4477
15-16	Mary Anne Franks	Law	m.franks@miami.edu 8-5345
11-12	Anthony Hynes	RSMAS - Marine and Atmospheric Chemistry	a.hynes@miami.edu 5-4173
18-19	Wasif Khan	Medicine - Microbiology and Immunology	wnkhan@med.miami.edu 6-5694
13-14	Lili Levi	Law	l.levi1@miami.edu 8-2289
17-18	Diane M. Millette	Communication - Communications Studies	millette@miami.edu 8-2340
11-12	Marie Guerda Nicolas	Education - Education and Psychological Studies	nguerda@miami.edu 8-9124

10-11	Amie Nielsen	Arts and Sciences - Sociology	nielsen@miami.edu 8-6158
17-18	Thomas Robinson	Law	trobinso@law.miami.edu 8-2495
10-11	Charlotte Rogers	Arts and Sciences - English	c.rogers@miami.edu 8-4071
08-09	Roland Schein	Medicine - Pulmonary and Critical Care	rschein@miami.edu (305) 575-3227
05-06	Seth R. Thaller	Medicine - Surgery	SThaller@med.miami.edu 6-4500
13-14	Warren Whisenant	Education - Kinesiology and Sport Sciences	wwhisenant@miami.edu 8-5622

¹ Names to be approved at the August 29, 2018 Faculty Senate meeting.

COMMITTEE CHARGE ([Faculty Manual Section C15.9](#)):

Faculty Hearing Committee

If the faculty member responds, a faculty Hearing Committee consisting of five members and one alternate shall be selected as follows. The Committee shall be drawn from a standing panel of twenty tenured faculty members elected each year in a manner determined by the Faculty Senate and approved by the President. Members of this panel should be chosen on the basis of their objectivity and competence and of the regard in which they are held in the academic community. No member of the Committee shall be a member of the Faculty Senate.¹ The President shall instruct the appropriate deans and chairs to schedule the classes and other duties of these twenty faculty members so as to allow for daily sessions. The functioning Hearing Committee shall be selected as described below from and by those panel members not disqualifying themselves on the basis of prejudice in respect to the particular case. The President shall send notice to the faculty member and to the twenty members of the standing panel of the time and place of the selection meeting and direct them to be present. At the selection meeting, the members of the standing panel shall elect a chair *pro tempore* from their ranks. The chair *pro tempore* shall conduct the Committee selection as follows:

- (a) Those wishing to disqualify themselves on the basis of prejudice shall be given an opportunity to do so.
- (b) The remaining members of the panel shall agree among themselves, outside the presence of the parties, the numerical order in which they shall be eligible for selection and the parties shall then be advised of the order of eligibility.
- (c) The first five members of the panel shall preliminarily assume the regular seats of the Hearing Committee and the sixth member shall be the preliminary alternate.

¹ [#95001\(B\)](#)

(d) The parties shall be entitled to question each member of the preliminary Hearing Committee regarding fitness to serve on the Committee and may then request, one member at a time, that members of the Committee be excused for cause. Such requests shall be decided, one at a time, by a majority of the preliminary Hearing Committee. The member being challenged shall not vote. The decision shall be based upon the ability of the challenged member to fairly determine the issues. If a member or alternate member is excused, such a member shall be replaced by the next eligible member of the panel before the selection process proceeds.

(e) Each party shall be entitled to two² peremptory challenges exercisable at any time during the selection process.

(f) If the panel is exhausted before five Committee members and one alternate are selected, those persons who have been provisionally selected shall choose from the tenured faculty additional persons for the panel who shall assign an order of eligibility and the selection process shall continue as before.

(g) The selection process shall continue from day to day, until it is completed. When completed, the five regular members of the Committee shall elect a chair who shall preside and be responsible for keeping a chronological file of all documents filed with the Hearing Committee.

(h) When the Hearing Committee is convened the Chair of the Faculty Senate shall arrange for the members of the Committee to be briefed on the nature of the proceedings³.

² [#95001\(B\)](#)

³ [#95001\(B\)](#)