



MEMORANDUM

To: Donna E. Shalala, President

From: Mary Coombs MC
Chair, Faculty Senate

Date: September 4, 2003

Subject: Faculty Senate Legislation #2003-04(B) – Revisions to various Senate Standing Committee charges

The Faculty Senate, at its August 27, 2003 meeting, voted unanimously to approve revisions to various committee charges as referenced in the attached report. Most of the changes are designed for consistency and include clarification and/or addition of ex officio members. In general, the changes will bring the Faculty Manual in line with standing practices.

This legislation is now forwarded to you for your action.

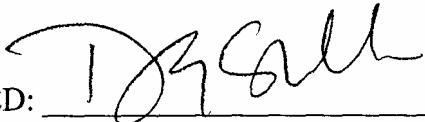
MC/kl

cc: ✓Luis Glaser, Executive Vice President and Provost

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CAPSULE: Faculty Senate Legislation #2003-04(B) – Revisions to various Senate Standing Committee charges

PRESIDENT'S RESPONSE

APPROVED:  DATE: Sept 9 2003
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: Provost

EFFECTIVE DATE OF LEGISLATION: _____
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

Additions are shown as underlines and deletions are shown as ~~strikethroughs~~.

B4 STANDING COMMITTEES

B4.1 The following are the standing committees of the UNIVERSITY FACULTY. The area of responsibility defining its potential sphere of interest is indicated for each committee.

Visit <https://fs.miami.edu/committees/faculty-senate-standing-committees/standing-committee-guidelines/index.html> to view Standing Committee Guidelines. This document includes information on the obligations of committees and chairs, including annual reports and submission of committee recommendations.

B4.4 The ADMINISTRATIVE SERVICES COMMITTEE monitors and reviews, either on its own, upon request by the Chair of the Senate, or upon request of a faculty member, the administrative services of the University. One of the committee's goals shall be to improve the efficiency of administrative services. In order to avoid lengthy delays, the chair of the committee may deal directly with the Office of the Executive Vice President and Provost on procedural matters. ~~The chair shall report all requests and initiatives to the Chair of the Faculty Senate, together with such recommendations for action as are deemed appropriate.~~

B4.5 The ATHLETICS COMMITTEE ~~reviews and reports to the Senate on matters~~ dealing with matters pertaining to intercollegiate athletic programs and affiliations, and intramural sports.

B4.6 The BUDGET AND COMPENSATION COMMITTEE represents the faculty in the development of the annual budget of the University. It shall assess University needs, analyze University resources, and on the basis of these, shall present to the Senate each fall a proposal for changes in the next annual budget. The scope of its activities shall include recommendations for faculty salary increases and fringe benefits, including group insurance programs, retirement, tuition benefits and other benefits that are part of the compensation of the faculty, based upon its evaluation of economic and market conditions and faculty needs. On the basis of Senate action, it shall develop and present to the administration faculty views concerning budgetary matters. The chair or co-chairs of the committee will act as liaison representative(s) to the University Budget Committee. The Faculty Senate Chair shall be an ex officio non-voting member.

B4.7 The FACILITIES AND PLANNING COMMITTEE reviews with the administration all aspects of master planning, erection or renovation of facilities, landscape alteration and aesthetic enhancement on the several campuses of the University, and makes such recommendations as may be appropriate. ~~The committee shall report on a regular basis to the Senate and shall submit an annual report of its activities.~~

B4.8 The LIBRARY AND INFORMATION RESOURCE COMMITTEE makes recommendations to the University Librarian and the Faculty Senate concerning matters of policy on the allocation of print and electronic resources within the University, on the use of the Library and access to on- and off-campus information resources and on developing the roles of the Library and other information service providers in support of research and teaching. The committee shall consist of six to nine faculty members (including one librarian). The committee shall invite representatives from the Undergraduate Student Government, the Graduate Student Association, and Information Technology. The University Librarian and

the Executive Director of Academic & Research Systems shall be *ex officio*, non-voting members of the committee. The School of Medicine Library Committee Chair shall be an *ex officio*, voting member of the Committee.

[**Explanation:** This change would make it easier to ensure that policies regarding Richter and Calder are considered together.]

B4.10 The COMMITTEE ON RANK, SALARY, AND CONDITIONS OF EMPLOYMENT shall: (1) upon appeal by a member of the faculty from an unfavorable decision on promotion or salary, certify to the President whether or not, in its opinion, an unjust decision has been made; (2) report to the Committee on General Welfare any evidence of gross injustice or favoritism; (3) recommend to the Senate legislation on these matters. The committee will not participate in the annual decisions on promotions or merit salary increases. ~~The committee will report to the Senate each year.~~ The Chair of the Senate shall insure that, over a period of time, the membership of the committee reflects the social and professional diversity of the faculty. A Vice-Chair of the Faculty Senate shall serve as an *ex officio* non-voting member.

The committee shall, upon the request of a faculty member or the President, hear faculty-administrative problems relating to a faculty member's rights and duties under an employment contract. The committee's jurisdiction shall include the powers to hear and to recommend to the Senate and to advise the President. The committee shall have the power after argument on a request to assume jurisdiction, or to refuse jurisdiction when the petition's resolution is not significant to the general welfare of the University or to the professional career of the affected faculty member.

The procedures the committee follows shall be written and public, and shall include the following requirements:

- (a) the committee's jurisdiction may only be invoked upon a written, factual request and only if four conditions have been satisfied, namely
 - i) all reasonable attempts at administrative resolution have failed as determined by the Chair of the Faculty Senate or the Chair of the Committee or by appeal of that determination to the General Welfare Committee filed with the Secretary of the Faculty Senate;
 - ii) the appeal is filed within 120 calendar days of the action being appealed or within 90 calendar days of the petitioner's reasonably being expected to have become aware of it, whichever is later;
 - iii) the petitioner is not currently represented before the University by legal counsel regarding the same matter; and
 - iv) the petitioner is not currently pursuing an action before a court or non-university administrative body against the University regarding the same matter.
- (b) any petitioner may be represented by academic counsel;
- (c) the committee, or one of its members, shall take the responsibility of developing the facts of the situation;
- (d) any person affected by the situation may be given an opportunity to make an oral or written statement to the entire committee;

(e) the committee shall receive relevant oral or written statements upon the request of any petitioner; and

(f) the basis of the adverse administrative decision shall be made known to petitioners so that they can fairly present their position to the committee.

The Committee shall forward to the Chair of the Faculty Senate a copy of its recommendation to the President. The President shall communicate the decision on each recommendation to the faculty member concerned, to the Chair of the Committee, and to the Chair of the Faculty Senate.

B4.12 The TENURE REVIEW BOARD shall: (1) upon request by a member of the faculty within 30 days from receipt of notice of a denial of tenure award by the Executive Vice President and Provost certify to the President within 45 days of the request whether or not in its opinion an unjust decision has been made, and provide written reasons for such opinion whether for or against the award of tenure based upon criteria and requirements of the Faculty Manual and upon the proposition that tenure is to be granted on the basis of the professional qualifications described in Section C9 of the Faculty Policies and is not to be limited by artificial restrictions such as quotas in its deliberations; (2) determine the rules and procedures for such hearings; and (3) report to the Committee on General Welfare any evidence of gross injustice in matters pertaining to the award or denial of tenure ~~(4) recommend to the Senate legislation on matters pertaining to tenure; and (5) submit an annual report of its activities to the Senate.~~ The Committee shall forward to the Chair of the Faculty Senate a copy of its recommendation to the President. The President shall communicate his/her decision on each recommendation to the faculty member concerned, to the chair of the committee and to the Chair of the Faculty Senate. Board members shall consist of tenured faculty and shall serve staggered 3-year terms.