

UNIVERSITY  
OF MIAMI  
FACULTY SENATE



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**MEMORANDUM**

**To:** Donna E. Shalala, President

**From:** Richard L. Williamson  
Chair, Faculty Senate

**Date:** April 1, 2014

**Subject:** Faculty Senate Legislation #2013-35(C) – Proposal by the Faculty Senate Student Affairs Committee to Amend the *Faculty Manual* to Clarify the use of the Term “Students”

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The Faculty Senate, at its March 26, 2014 meeting, voted unanimously to approve the proposal by the Faculty Senate Student Affairs Committee to amend the *Faculty Manual* to clarify the use of the term “students.” The purpose of the change is to clarify the use of the word “student” in the *Faculty Manual* to specify which type of student was being referred to, undergraduate, graduate, or professional, for example. Other sections were also updated to conform to the current practice, or to specify the correct current title of administrative offices.

The proposal is enclosed for your reference.


This legislation is now forwarded to you for your action.

RLW/am

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost  
William S. Green, Sr. Vice Provost, Dean of Undergraduate Education  
Patricia Whitely, Vice President, Student Affairs  
JoNel Newman, Chair, Faculty Senate Student Affairs Committee

**CAPSULE:** Faculty Senate Legislation #2013-35(C) – Proposal by the Faculty Senate Student Affairs Committee to Amend the *Faculty Manual* to Clarify the use of the Term “Students”

APPROVED:  DATE: 4/11/2014  
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: Faculty Senate

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

NOT APPROVED AND REFERRED TO: \_\_\_\_\_

REMARKS (IF NOT APPROVED): \_\_\_\_\_

**Proposal to Amend *Faculty Manual*:**

Section B2.4 – Meetings  
Section B4.3 – The ACADEMIC STANDARDS COMMITTEE  
Section B4.11 – The STUDENT AFFAIRS COMMITTEE  
Section C9.3 – Teaching

**And Faculty Handbook of Additional Policies, Procedures, Administration, and  
Governance Information:**

Section on Faculty-Administrative Committees  
Section on Faculty-Student Relations

**Purpose:** The *Faculty Manual*'s present use of the term "student" is ambiguous and does not restrict or modify the term when the intention is to refer to undergraduate students only. The Faculty Handbook of Additional Policies, Procedures, Administration, and Governance Information is also out of date. The proposed amendments are necessary to clarify ambiguities where the term student should be restricted and to update the information disseminated to faculty via the Handbook attached to the Manual.

The changes are noted in underline/strikeout format below.

**BEGIN TEXT**

**B2.4** One graduate student selected by the Graduate Student Association, one law student selected by the Student Bar Association, two undergraduate students selected by the Undergraduate Student Body Government, and one medical student selected by the Medical Student Council<sup>1</sup> shall have full speaking privileges and the right to make motions from the floor of the Senate, but shall have no voting rights.

**B4.3** The ACADEMIC STANDARDS COMMITTEE deals with all matters relating to scholastic standards, especially the admission and retention of undergraduate students, academic probation and dismissal, and graduation honors of undergraduate students<sup>2</sup>. The committee shall propose policies on academic standards and monitor compliance with them. It shall report each year to the Senate<sup>3</sup> twice annually: in February on Undergraduate Admissions for the current academic year and in March, on Undergraduate Grading Patterns for the previous fall semester. The chair of this committee shall act as liaison to the Academic Deans' Administrative Council. <sup>4</sup>The Chair of the Budget and Compensation Committee, and the Chair of the Academic Deans' Administrative Council shall be an *ex officio* non-voting member of the Academic Standards Committee<sup>5</sup>.

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<sup>1</sup> #99007(B)

<sup>2</sup> The Academic Standards Committee handles policy questions dealing with these matters. Cases involving individual undergraduate students with complaints concerning grades or dismissal are the province of the Student Affairs Committee.

<sup>3</sup> #2003-08(B)

<sup>4</sup> #2004-03(B)

<sup>5</sup> #93001(B)



**B4.11** The STUDENT AFFAIRS COMMITTEE deals with student conduct and activities, including: social, service, and religious organizations; student government; ~~intramurals~~; student publications; student services; student orientation, and the Honor Council. In addition, the committee shall receive and act upon appeals from decisions affecting undergraduate student academic status. It shall consist of one faculty member from each undergraduate school, and two non-voting, *ex officio* student representatives, one undergraduate and one graduate, which students will act as liaisons with the relevant student governments<sup>6</sup>. It also includes the University ombudsperson as a non-voting, *ex officio* member. The committee may for good cause hold executive sessions without *ex officio* members present as determined by the chair of the committee.

A majority of the committee's voting membership shall constitute a quorum, and decisions of the committee on appeals shall be by a majority of those present. In addition to appeals by individual undergraduate students the committee shall act upon an appeal for an interpretation of matters within its sphere of interest by a member of the faculty or administration. The committee shall report its actions to the Provost, who shall in turn report the decision on the matter to the appellant(s), to interested persons, and to the committee<sup>7</sup>.

When requested by the Provost, this committee may examine and make recommendations regarding the appeal of an academic grade by an undergraduate student (without re-evaluating the student's performance) if the student has exhausted all avenues available within the school. The committee's findings on the appeal of a grade will be provided in writing to the Office of the Provost with a copy to the Secretary of the Faculty Senate; findings and recommendations will not be furnished to the appellant from the Committee or from the Secretary. The full procedure for such appeals is detailed in the Faculty Senate Student Affairs Committee Standard Academic Appeal Process ([click here](#)).<sup>8 9</sup>

### **C9.3** Teaching

The educational function of a university requires the appointment of faculty who are effective teachers. The means of evaluating teaching effectiveness ~~are~~ include: (1) the informed judgment of colleagues; (2) the performance of students; and (3) ~~qualified~~ student opinion of teaching effectiveness. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

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<sup>6</sup> [#2005-17\(B\)](#)

<sup>7</sup> [#2001-01\(B\)](#)

<sup>8</sup> [#2009-14\(B\)](#)

<sup>9</sup> [#2011-61\(D\) - Legislation passed after the Bulletin was published amended the process on non-grade appeals. To see the text of the legislation, click HERE.](#)

## **FACULTY HANDBOOK OF ADDITIONAL POLICIES, PROCEDURES, ADMINISTRATION, AND GOVERNANCE INFORMATION**

### **FACULTY-ADMINISTRATIVE COMMITTEES**

The COMMITTEE ON STUDENT ORGANIZATIONS studies and makes recommendations in the field of undergraduate student organizational life, determines criteria for establishing student organizations, evaluates annually the achievements of student organizations, hears petitions for University registration of student organizations, and addresses issues of conduct pertaining to student organizations. The committee is expected to perform other duties, as assigned for the effective functioning of student organizations. Members are appointed annually by the Vice President for Student Affairs. The Coordinator for Student Organizations serves as the Executive Secretary of the Committee. Other members of the Committee are the Dean of Students or a representative, three students, and one faculty member. The Vice President for Student Affairs annually designates a member of the Committee to serve as Chair. All members of the Committee shall be entitled to vote, except the Chair who votes only to break a tie.

The STUDENT PUBLICATIONS BOARD supervises all undergraduate student publications of the University and is expected to recognize and to protect student freedom of expression while simultaneously insuring that freedom of expression is accompanied by an equal measure of responsibility. The Board selects student editors-in chief and a Business Manager and may aid them in selecting staff members, all on the basis of character, scholastic ability, experience, and demonstrated knowledge of the highest journalistic principles of objectivity and fair play. The Board should recognize that there will always be honest divisions of opinions respecting the best policy for the University, and that editors have the right to express their views as long as those views are supported by facts, represent a considered judgment, and are reasonable and temperate in tone. The Board makes recommendations to the administration with regard to policies concerning all undergraduate student publications, of which the University of Miami is the publisher. Within the policies approved by the administration, which are subject to change from time to time, the Board exercises general supervision over the editorial and business affairs of the student publications. To this end, it has the authority (1) to approve or disapprove of the establishment of any student publications; (2) to recommend to the administration appropriate action against any student publication produced without its prior approval; (3) to set limitations upon the subject matter, advertising solicitations, distribution policy, and rates for advertisements and subscriptions; (4) to call for an adequate financial statement from any publication for the purpose of review; and (5) to act as the hearing body for the University in all policy disputes, whether they occur within a publication or involve an individual or group seeking redress from a publication.

### **FACULTY-STUDENT RELATIONS**



## Counseling Advising

Student counseling advising is a broad responsibility that is not confined entirely to the student personnel officers of the University. Members of the faculty should recognize the essential contribution to be made to the overall student experience by developing meaningful professional relationships with students with whom they come into contact.

Responsibility for academic advising rests with the academic deans, their staffs, and the members of the faculty. The various academic deans and their assistants confer with each student during the year. Faculty members are also expected to serve as faculty advisers.

Primary responsibility for non-academic advising rests with the Divisions of Student Affairs and Undergraduate Education. ~~The various departments of this these two divisions are geared to meet a variety of student needs. These specialized~~ Student support services provided by the Division of Student Affairs include listed by department, are as follows:

Orientation and Commuter Student Affairs  
~~and Orientation~~ Involvement  
Student Activities and ~~Leadership Programs~~  
Student Organizations  
Student Center Complex  
Student Health Service  
Counseling Center  
~~Student Life and the University Center~~  
Toppel Career ~~Planning and Placement~~  
~~Counseling~~ Center  
University Chaplains Association  
Housing and Residential ~~ee Halls~~ Life  
Butler Center for Service and Leadership  
Wellness and Recreation Center

A complete description of the services provided by these departments can be found ~~in the Student Handbook and the Faculty Guide to Student Affairs at~~ <http://www.miami.edu/studentlife>. ~~The Division of Student Affairs~~ Each works closely with the ~~Academic Division~~ units of the University to solve problems arising from student ~~academic~~ concerns. ~~The Division of Student Affairs is often able to~~ and can provide valuable background and supplemental information regarding students and welcomes interchange with interested faculty.

## **Faculty Responsibilities in Student Activities**

Student involvement outside the classroom is an important supplement to the classroom educational experience. Student organizations offer academic, cultural, religious, social and athletic opportunities for experiential learning. Students must maintain satisfactory academic and enrollment standing to participate in student activities. All student

organizations are required to have a full-time faculty member or administrator or as advisor. Faculty members are encouraged to serve as advisors or as resource persons. Interested faculty should contact the Assistant Director of Student Activities and Student Organizations for more information.

### **Faculty Roles in Student Volunteer Service**

There are many opportunities for faculty involvement in community service and social advocacy through the ~~Division of Student Affairs' Volunteer Services Center~~ Butler Center for Service and Leadership. Faculty members are encouraged to participate as advisors for student service and advocacy organizations and as participants in various service events. The ~~Volunteer Services~~ Butler Center provides placement information to faculty who integrate community-based projects, case studies or field experiences into their curricula. The ~~Volunteer Services~~ Butler Center also serves as a liaison between community agencies and the University, providing any services and resources for faculty members engaged in service learning.

### **Non-Academic Discipline**

The administration of non-academic discipline is the responsibility of the Division of Student Affairs. For specific information regarding University policies, procedures and regulations pertaining to non-academic discipline, consult the Student Rights and Responsibilities ~~section of the Student~~ Handbook ([www.miami.edu/srr](http://www.miami.edu/srr)), which is prepared by the Office of the Dean of Students.

### **Honor Code**

The Undergraduate Student Honor Code was established to protect the academic integrity of the University by encouraging consistent ethical behavior by undergraduate students in assigned course work. The Code provides standards that are necessary to maintain a community where one has the right to compete fairly in the classroom. The Code covers all written and oral examinations, term papers, creative works, assigned computer-related work and any other academic work to be submitted for credit.

The Honor Council is a standing committee that derives its authority from the University and that hears allegations of academic cheating. All undergraduate students are under the jurisdiction of the Honor Council and subject to penalties that it may impose for violation of the Code. The Council consists of ~~eighteen~~ a sufficient number of undergraduate student representatives ~~for the undergraduate schools and Colleges to act in a timely manner~~, with at least one representative from each undergraduate School or College.

An Honor Council case begins with the filing of a complaint with the Executive Secretary of the Council, proceeds with an official inquiry into the alleged violations, and continues through a Preliminary Hearing, a Final Hearing, and an Appeal Hearing, when requested. Penalties are based on the nature of the violation and may include disciplinary warning, disciplinary probation, suspension, expulsion and/or University community service.



The Honor Code is included in the Student Rights and Responsibilities guide and copies are available in the Office of the Dean of Students. Questions regarding the Honor Code should be directed to the Executive Secretary of the Honor Council in the Office of the Dean of Students.

### **Ombudsperson and University Troubleshooters Program**

In 1970, the University of Miami established an Ombudsperson Program to help open channels of communication between students and the University community and to provide students with readily identifiable persons to whom they may turn to express grievances about the University. University ombudspersons and troubleshooters are appointed ~~annually~~ by the Vice President for Student Affairs, the Dean of Undergraduate Education, and the School of Medicine. ~~-, although these individuals hold other positions within the University, they serve as independent representatives of the President when acting to hear student grievances and complaints.~~

The University ombudspersons are authorized to investigate matters within their jurisdiction. The purpose of the University ombudspersons is to listen to a student's grievance, to investigate the facts surrounding it, and to attempt to resolve the situation informally before it becomes a matter in a formal grievance proceeding. Ombudspersons neither make policy nor override a policy of the University. Because of their knowledge of the University, however, ombudspersons are in a position to interpret the University's policies for students and to make recommendations to the administration when policy changes are perceived to be needed. Ombudspersons expedite the decision-making process within the University and ensure that the University follows its own published policies and procedures.

[To be supplemented as needed.]

All students may access the Ombudsperson and University Troubleshooters program (non-degree, undergraduate, graduate, law and medical). Ombudspersons are appointed ~~for/from~~ Student Affairs, ~~Academic Affairs,~~ Undergraduate Education and Medical Affairs, ~~Business and Finance, and the Marine Science Campus.~~ For further information regarding the Ombudsperson and University Troubleshooters program, ~~contact the Office of the Vice President for Student Affairs~~ visit [www.miami.edu/ombudsperson](http://www.miami.edu/ombudsperson).

### **Student Records**

A federal law, commonly referred to as ~~the "Buckley Amendment"~~ "FERPA," the Federal Education Rights and Privacy Act, provides certain rights to students with respect to their education records. The University also maintains a policy in this regard available from the Registrar. The law and the University policy provide students with the right of access to their educational records, the right to a hearing to challenge the contents of their educational records, and the right not to have the contents of their educational records disclosed without the student's written consent. For further information, the University policy should be consulted.