



Adopted November 14, 2013

**Nicole Wertheim College of Nursing and Health Sciences**

**CONSTITUTION**

As Ratified by the Faculty on November 14, 2013

**PREAMBLE**

This Constitution provides the structure for democratic governance of the Nicole Wertheim College of Nursing and Health Sciences (hereafter referred to as "the College").

**BILL OF COLLECTIVE RIGHTS AND PRINIPLES OF GOVERNANCE**

**Section 1**

The collective rights contained in the Florida International University Faculty Senate Bill of Collective Rights and Principles of Governance (hereafter referred to as the Bill of Collective Rights) are explicitly guaranteed and included herein.

- A. The Bill of Collective Rights states: "Academic freedom refers to the freedom and responsibility of faculty in their role as teachers, researchers, citizens in the academic community, and participants in the collegial governance systems and processes. They are entitled to pursue a course of study, carry out research, publish findings, teach, artistically create, and speak out in matters of controversy without fear of reprisal from internal or external groups."
- B. The Bill of Collective Rights states: "Through collegial self-governance, university faculty members decide and develop the curriculum which will be offered to students within the limits established by state rules and regulations. Faculty members are the academic authorities of the University."
- C. In accordance with the third collective right contained in the Bill of Collective Rights, the College will establish a collegial governance system. This governance system and its governing documents may only be revised by a democratic vote of the faculty of the College.
- D. The Bill of Collective Rights states: "The faculty of each unit of the University have the right to participate in the selection and appointment of their administrators. In particular, department chairpersons and school directors may only be appointed following a free and fair vote by the faculty of the unit."
- E. The Bill of Collective Rights states: "The faculty of each unit of the University have the right to participate in the evaluation of their administrators. This right includes participation in the



creation of evaluation criteria. Evaluations shall be conducted annually in a process that protects the anonymity of the evaluators. Those to be evaluated include department chairs and school directors, deans, the Provost, and the President. Faculty has a right to see the results.”

- F. The Bill of Collective Rights states: “The faculty of each academic unit, including departments, schools or colleges and the University as a whole, have the right and responsibility to conduct a vote of confidence in their leadership at any time they see fit.”
- G. In accordance with the last collective right contained in the Bill of Collective Rights, the faculty of the Nicole Wertheim College of Nursing and Health Sciences recognize the right of the Faculty Senate to censure individuals and any formal, organized units when the Senate determines that those individuals or units have violated the rights and principles contained in the Bill of Collective Rights.

Section 2

Additions and/or modifications to the Bill of Collective Rights by the Faculty Senate are included in this document by reference.

Section 3

All faculty of the College have the right to be evaluated annually on their performance. Evaluations of faculty are to be held in confidence. Faculty has a right to see the results.

Section 4

The faculty of the College believes in equal opportunity practices which conform to all laws against discrimination and is committed to nondiscrimination with respect to race, color, creed, age, sexual orientation, handicap, gender, marital status, or national origin.

Article I: NAME

This organization shall be known as the Faculty Assembly of the Nicole Wertheim College of Nursing and Health Sciences, Florida International University (hereafter referred to as "the Assembly.”).

Article II: PURPOSE

The purpose of the Assembly is to provide the structure for academic involvement in matters related to, but not limited to, the following: A. Curriculum development to enhance the educational mission of the College; B. Creation of an academic environment, which encourages research, conducted to advance



knowledge and/or to improve societal welfare; C. Protection of academic freedom; D. Election of College representatives to the Faculty Senate and the Faculty Senate standing committees.

- A. Recommendations for new faculty appointments, tenure, promotion, and merit increases; F. Procedures for faculty assessment of administrators including, but not limited to, the Dean, Associate Deans, Chairs and Directors;
- B. Procedures for the selection and appointments of administrators including, but not limited to, the Dean, Associate Deans, Chairs and Directors;
- C. Establishment of College Committees, ad hoc committees, and task forces;
- D. Other matters of professional and traditional academic concerns.

### Article III: MEMBERS

Members of the Assembly will be comprised of faculty who are tenured or in tenure-earning lines (including faculty on sabbatical or on leave) and clinical faculty, research faculty, lecturers, and instructors with teaching or research appointments including full time faculty on visiting lines. Ex-officio members are individuals holding faculty appointments in the Nicole Wertheim College of Nursing and Health Sciences who have at least a 50 percent administrative assignment.

Ex-officio members can speak to the Assembly, but have no vote. Similarly, adjunct faculty can speak to the Assembly, but have no vote. Ex-officio members of the Assembly include student representatives.

### Article IV. ASSEMBLY GOVERNANCE

#### Section 1

##### The Faculty Affairs/Steering Committee

The Faculty Assembly will establish a Faculty Affairs/Steering Committee whose function will be to set the agenda and review the submissions of agenda items for the Faculty Assembly meetings. The Faculty Affairs/Steering Committee will also communicate to the Assembly and call the body together at other times as deemed necessary. In addition to the duties identified above, the Faculty Affairs/Steering Committee will also be responsible for the following: Evaluating, developing, and recommending policies/procedures related to faculty which include, but are not limited to, faculty structure and governance, faculty rights and academic freedom, differentiated teaching assignments, faculty evaluation, faculty rank, and faculty retention consistent with the mission and goals of the units, College and University.



- A. Composition of the Faculty Affairs/Steering Committee. The Faculty Affairs/Steering Committee of the Assembly shall be composed of a member representing each of the major academic units (hereafter referred to as “units”) in the College and one Chairperson elected-at-large by members of the Assembly. (A major academic unit is defined as one having a direct reporting function to the Dean of the College of Nursing and Health Sciences.) The immediate past chair shall be an ex-officio member of the Faculty Affairs/Steering Committee for no more than one year. In those instances where the immediate past chair is unwilling or unable to serve, this position will remain vacant. All Faculty Affairs/Steering Committee members will be voting members of the Assembly.
- B. Election of the Faculty Affairs/Steering Committee. The procedures for electing members of the Faculty Affairs/ Steering Committee are as follows:
  - 1. Each unit will be responsible for electing its own candidate, consistent with the policies and the traditions of governance of the individual units.
  - 2. The candidate from each unit receiving the highest number of votes will sit on the Faculty Affairs/Steering Committee, and the candidate receiving the second highest number of votes will act as alternate.
  - 3. All Faculty Affairs/Steering Committee members will be elected for a term of two years with re-election possible for one term. The terms of membership for committee members (except the Chair) will be staggered such that one-half of the membership is renewed each year. The initial committee will be staggered as determined by the Chair of the committee.
  - 4. Elections will be held in the Spring semester and the elected members will assume their offices the following Fall semester.
- C. The members of the Faculty Affairs/Steering Committee will elect one of the members of the committee as the chair. The Chair will serve as the College representative to the Faculty Senate Academic Policies and Personnel Committee.
- D. The operating policies and procedures of the Faculty Affairs/Steering Committee must be approved by the Assembly.
- E. The Faculty Affairs/Steering Committee will report at each meeting of the Assembly and will submit a written and oral report at the annual meeting of the Assembly.

#### ARTICLE V: Officers

- A. The faculty assembly will elect from its members a Chair, Vice-Chair, Secretary, and Parliamentarian.

- B. Chair. The Chair must be a member of the Assembly and will be elected by the assembly for a term of two years. As provided for in Article VII, Section 8, there will be a slate of candidates for the Chair. The slate can consist of candidates from any or all units and will be elected by the members of the Assembly.

The duties and functions of the Chair are:

1. To be the Administrative Officer of the Faculty Assembly, and to preside at Assembly meetings
2. To serve as Chair of the Faculty Affairs/Steering Committee
3. To serve as agent of the Assembly to the College, University administration, and the Faculty Senate in those cases whenever there is a dispute between the administration and the Assembly.
4. To act as liaison between the faculty and administration
5. To make appointments to university committees, to ad hoc committees and task forces established by the Assembly, and to make any other appointments where Assembly representation is requested
6. And to perform such other duties as may be directed by the Assembly

- C. Vice-Chair. The Vice-Chair must be a member of the Assembly and will be elected by the assembly for a term of two years.

The duties and function of the Vice Chair are:

1. To act as Chair in the event the Chair is absent or otherwise unable to act;
2. To serve on the Faculty Affairs/Steering Committee
3. To perform other duties as may be directed by the Assembly or Assembly Chair.

- D. Secretary. The Secretary of the Faculty Assembly will be a member of the Faculty Affairs/Steering Committee, and will be elected by the assembly for a term of two years.

The duties and function of the Secretary are:

1. To keep a file of all minutes, including all Committee actions approved by the Assembly.
2. To ensure, with technical assistance provided by the Dean's Office that the distribution of the minutes from the previous meeting is done in timely manner.
3. To correct, edit, and verify the accuracy of the minutes of Assembly meetings in advance of their distribution when prepared by a staff member from the Dean's office;
4. To maintain roster of committee members including terms of service
5. To serve on the Faculty Affairs/Steering Committee and to record actions of the Faculty Affairs/Steering Committee;
6. And to perform other duties as may be directed by the Assembly or the Assembly Chair.



- E. Parliamentarian. The Parliamentarian must be a member of the Assembly and will be elected by the assembly for a term of two years.

The duties and functions of the Parliamentarian are:

1. To advise the Chair on parliamentary procedures and points of order when necessary;
2. To determine issues of quorum and the voting privileges of alternates at Assembly meetings;
3. To count votes whenever a roll call is held or written ballots are submitted;
4. To maintain order during Assembly meetings;
5. To serve as a member of the Faculty Affairs/Steering Committee;
6. And to perform other duties as may be directed by the Assembly or the Assembly Chair

## Article VI. MEETINGS AND CONDUCT OF BUSINESS

### Section 1

Except in cases of exigency, the major business of the Assembly will be conducted during the fall and spring semesters of the academic year.

### Section 2

The Assembly shall meet a minimum of 4 times during the academic year. The Faculty Affairs/Steering Committee will determine the time, date and place for Assembly meetings, notify the faculty accordingly, and distribute an agenda at least five (5) working days in advance of such meetings. If possible, the Faculty Affairs/Steering Committee should advise members of the Assembly of major issues which will be addressed and distribute written materials as far in advance of the meetings as possible in order to facilitate faculty review and preparation for the meetings.

### Section 3

Attendance at all Assembly meetings is expected. Each member must notify the Chair of the Assembly in writing if an absence is necessary and designate a proxy for voting purposes. The Chair of the Assembly must be notified of the identity of the proxy prior to the meeting of the Assembly.

### Section 4

The March meeting of the Assembly shall be designated the “elections” meeting for the purpose of electing officers and representatives to the Faculty Senate and Faculty Senate Standing Committees.



#### Section 5

The last meeting of the Spring semester shall be designated the “annual” meeting for the purpose of receiving reports of officers and standing committees and such other business as may arise.

#### Section 6

Special meetings of the Assembly can be called by the Faculty Affairs/Steering Committee as deemed necessary. The Faculty Affairs/Steering Committee will determine the time, date and place for special Assembly meetings, notify the faculty accordingly, and distribute an agenda at least seven (7) working days in advance of such meetings except in cases of exigency or special circumstances.

### Article VII. VOTING IN THE ASSEMBLY

#### Section 1

Each member of the Assembly will have one vote.

#### Section 2

Except for constitutional amendments, votes of censure and/or no confidence, one third of the membership as defined in Article III will constitute a quorum. For purposes of calculating the quorum, the size of the body will exclude faculty on sabbatical or leave of absence. In meetings of the Assembly, decisions may be made by voice vote, show of hands, a rising vote, or ballot, at the discretion of the Chairperson. However, a ballot vote may be ordered by a majority of the Assembly members present. Subject to the presence of a quorum, a majority vote of all Assembly members present will determine the outcome of any issue at any Assembly meeting except for constitutional amendments and votes of censure and/or no confidence. Absentee votes and voting by proxy are allowed according to procedures developed by the Faculty Affairs/Steering Committee and approved by the Assembly.

#### Section 3

The Faculty Affairs/Steering Committee may conduct a mail or email vote to poll the members of the Assembly as defined in Section 2 on any issue except for votes of censure and/or no confidence. A majority vote of all mail or email votes received within the time frame specified by the Faculty Affairs/Steering Committee will determine the outcome of any matter being addressed by the mail or email vote, except for constitutional amendments. However, mail or email votes must be received from at least a majority of the membership as defined in Article III to be binding. For purposes of calculating the number of votes required to constitute a majority of the membership, the size of the body will exclude faculty on sabbatical or leave of absence. Voting by proxy is not allowed for mail or email votes.



#### Section 4

For votes of censure and/or no confidence, two thirds of the membership as defined in Article III will constitute a quorum. Votes of censure and votes of no confidence will require a two-thirds majority vote of the Assembly. All votes of censure and/or no confidence will be conducted by secret ballot. Absentee votes, mail votes, and voting by proxy are not allowed.

#### Section 5

In order to expedite issues that may affect faculty and where there is not a quorum to vote on said issues, the Chair of the Faculty Assembly may call for an emergency vote where the majority of those present will make the decision.

#### Section 6

Amendment of this Constitution will be conducted in accordance with Article IX.

### Article VIII: COMMITTEES

#### Section 1

- A. The Assembly may further define the tasks of its committees and charge each with additional responsibilities as it deems necessary.
- B. The term of membership for all standing committees except the Steering Committee shall be two years with terms of membership staggered so that one-half of the membership is renewed each year.
- C. Each committee will keep written records of its meetings. These records will be maintained electronically in Sharepoint or other university/college portal (along with the minutes from the Faculty Assembly meetings).
- D. All policies recommended by the standing committees shall be submitted to the Faculty Assembly for approval.
- E. Each standing committee shall elect a Chair.
- F. The Faculty Assembly and Faculty Affairs/Steering Committee may establish ad hoc committees and task forces.
- G. Each committee shall set attendance requirements for its members and may, if it sees fit, remove from the committee any person who is delinquent in attendance. If a person elected by an





academic unit is removed from a committee, that seat shall remain vacant until it is filled by an election of that unit.

- H. The term of membership for all standing committees shall be two years with terms of membership staggered so that one-half of the membership is renewed each year.

## Section 2

There will be Eight Standing Committees of the Assembly:

- Tenure and Promotion Committee
- Faculty Affairs/Steering Committee
- Curriculum Committee
- Interdisciplinary Practice and Education Committee
- Technology Committee
- Student Affairs Committee
- Promotion of Clinical Faculty Committee
- Graduate Faculty Review Committee

The term of membership for all Standing Committees shall be two years with the terms of membership staggered such that one half of the committee goes off each year. The initial committees will be staggered as determined by Chairs of the Committees. Within the scope of its mandate, each Committee will initiate recommendations and receive matters referred to them by the Assembly and by administrative officers of the College or University for study and recommendation. These committees will submit an annual summary of activities at the annual Assembly meeting and will report as appropriate from the floor at Assembly meetings. Committee reports which contain recommendations for Assembly action will be circulated in writing to members of the Assembly at least one week in advance of the meeting at which the report is to be presented.

## Section 3

The Tenure and Promotion Committee

- A. The Tenure and Promotion Committee serves as advisory to faculty involved in the tenure and promotion process and as a review body for individuals applying for 3<sup>rd</sup> year review/tenure and/or promotion. The Tenure and Promotion Committee also makes recommendations to the Dean regarding approval or disapproval of faculty members' applications for tenure and promotion.
- B. The Tenure and Promotion Committee is to be comprised of tenured members of the Assembly recommended by each unit, approved by the Steering Committee and ratified by vote of the members of the Assembly. Members of the Tenure and Promotion Committee must be selected from the College's respective units, with one member representing each unit. 1. In the situation where the only tenured faculty in the unit is ex-officio to this Assembly, the Steering Committee

can appoint the ex-officio tenured unit faculty member to the Tenure & Promotion committee. As soon as a tenured assembly member is available from that unit the Steering Committee should consider replacement.

- C. The members of the Tenure and Promotion Committee will elect one of the members of the committee as the chair.
- D. The operating policies and procedures of the Tenure and Promotion Committee are to be conducted in accordance with the University Tenure and Promotion guidelines. Specific guidelines used by the Tenure and Promotion Committee to establish policies for the College must be approved by the Assembly.
- E. Reports to the Assembly of Tenure and Promotion Committee action involving candidates are to contain only the number of files reviewed. Committee discussions and individual votes are to be treated in confidence.

#### Section 4

##### The Curriculum Committee

- A. The primary function of the Curriculum Committee is to:
  - a. To recommend and evaluate curricular policies and procedures.
  - b. To recommend and evaluate curricular proposals.
- B. The Curriculum Committee is to be comprised of members of the Assembly recommended by each unit, approved by the Steering Committee and ratified by vote of the members of the Assembly. A member of the Curriculum Committee must be selected from the College's respective units, with one member representing each unit. The Associate Dean for Academic Affairs shall be an ex-officio member of the Committee.
- C. The members of the Curriculum Committee will elect one of the members of the committee as the chair. The Chair will be the College representative to the University Curriculum Committee.
- D. The operating policies and procedures of the Curriculum Committee are to be conducted in accordance with the University guidelines for curricular review and revision. Specific guidelines used by the Curriculum Committee to establish policies for the College must be approved by the Assembly.
- E. The Curriculum Committee will report at each meeting of the Assembly and will submit a written and oral report at the annual meeting of the Assembly.

## Section 5

### The Interdisciplinary Practice and Education Committee

- A. The function of the Interdisciplinary Practice and Education Committee is to develop, recommend, and evaluate:
  - 1. A vision and a mission for interdisciplinary practice, teaching and research in the College.
  - 2. Policies and procedures related to interdisciplinary courses in the College.
  - 3. Policies and procedures related to interdisciplinary clinical practice in the College, including, but not limited to patient-family-centered care.
  - 4. Policies and procedures related to interdisciplinary research in the College.
- B. The Interdisciplinary Practice and Education Committee is to be comprised of members of the Assembly recommended by each unit, approved by the Steering Committee and ratified by vote of the members of the Assembly. Members of the Interdisciplinary Practice and Education Committee must be selected from the College's respective units, with one member representing each unit.
- C. The members of the Interdisciplinary Practice and Education Committee will elect one of the members of the committee as the chair.
- D. Specific operating policies and procedures used by the Interdisciplinary Practice and Education Committee to establish policies and procedures for the College must be approved by the Assembly.
- E. The Interdisciplinary Practice and Education Committee will submit written and oral reports at the annual meeting of the Assembly.

## Section 6

### The Student Affairs Committee

- A. The primary functions of the Student Affairs Committee are to:
  - 1. Make recommendations regarding student appeals of admission, progression, and/or dismissal.
  - 2. Make recommendations regarding student issues related to criminal background checks, drug testing, and other infractions that relate to the practice of their health profession.
  - 3. Serve as an arbiter of appeals related to all clinical practice issues.
  - 4. Develop policies related to student appeals of admission, progression, dismissal, criminal background checks, drug testing, and other infractions that relate to the practice of their health profession.



- B. The Student Affairs Committee is comprised of members of the Assembly recommended by each unit, approved by the Faculty Affairs/Steering Committee and ratified by vote of the members of the Assembly. A member of the Student Affairs Committee must be selected from the College's respective units, with one member representing each unit. The Assistant Dean for Student Services will be an ex-officio member of the Committee.
- C. The members of the Student Affairs Committee will elect one of the members of the committee to serve as chair.
- D. The Student Affairs Committee will maintain minutes of their meetings and records of their recommendations on student appeals or issues.
- E. The operating policies and procedures of the Student Affairs Committee must be approved by the Faculty Assembly.
- F. Will meet monthly or as needed to address student issues and to develop related policies and to respond to student appeals as published in the Florida International University Student Handbook.

#### Section 7

##### Promotion of Clinical Faculty Committee

- A. The Clinical Faculty Promotion Committee serves as advisory to faculty involved in the Faculty Promotion process and as a review body for individuals applying for promotion. The Committee also makes recommendations to the Dean regarding approval or disapproval of faculty members' application for Faculty promotion.
- B. The Committee is to be comprised of clinical faculty members of the Assembly recommended by each unit, approved by the Faculty Affairs/Steering Committee and ratified by vote of the members of the Assembly. Members of the Committee must be selected from the College's respective units, with one member representing each unit.
- C. In the situation where the only clinical faculty in the unit is ex-officio to this Assembly, the Faculty Affairs/Steering Committee can appoint the ex-officio unit faculty member to the Clinical Faculty Promotion Committee. As soon as a Clinical Assembly member is available from that unit, the Faculty Affairs/Steering Committee should consider replacement.
- D. The members of the Clinical Faculty Promotion Committee will elect one of the members of the Committee as Chair.
- E. The operating policies and procedures of the Clinical Faculty Promotion Committee are to be conducted in accordance with the University Clinical Faculty promotion guidelines. Specific

guidelines used by the Committee to establish policies and procedures for the College must be approved by the Assembly.

- F. Reports to the Assembly of Committee action involving candidates are to contain only the number of files reviewed. Committee discussions and individual votes are to be treated in confidence.

## Section 8

### The Technology Committee

- A. The function of the Technology Committee is to:
  - 1. Recommend policies and procedures that promote the needs and interests of the faculty with respect to technology.
  - 2. Advise the administration on faculty interests in developing information technology to enhance the College environment for teaching, learning, research, other scholarly activities, and service.
  - 3. Encourage the use of information technology resources to enhance teaching and research, and to recommend appropriate methods for the professional development of faculty and staff such as seminars and workshops.
  - 4. Play a role in determining resources (i.e., hardware, software, server space, etc.) that promote the needs of and interests of the faculty with respect to technology.
- B. The Technology Committee is to be comprised of a minimum of three members of the Assembly recommended by each unit, approved by the Steering Committee and ratified by a vote of the members of the Assembly. The lead IT staff member of the College shall be an ex-officio member of the Committee.
- C. The members of the Technology Committee will elect one of the members of the committee as chair. The Chair will be the College representative to the Faculty Senate Technology Committee.
- D. Specific operating policies and procedures used by the Technology Committee to establish policies and procedures for the College must be approved by the Assembly.
- E. The Technology Committee will submit written and oral reports at the annual meeting of the Assembly.

Section 9

Graduate Faculty Review Committee:

- A. For the initial establishment of the Graduate Faculty within a unit of the NWCNHS, departmental chairs will meet with the unit dean and the graduate dean to identify three departmental members who best exemplify the characteristics of a member of the Graduate Faculty. These individuals will be asked to complete the appointment form, and upon review, the Dean of the University Graduate School will recommend that the Provost appoint these individuals to the Graduate Faculty. These individuals will constitute the initial departmental Graduate Faculty evaluation committee.
- B. A committee of at least three tenured and tenure-earning faculty within a department who are members of the Graduate Faculty, or a committee of at least three clinical faculty within a department who are members of the Graduate Faculty, evaluate the credentials of their colleagues seeking appointment or reappointment to the Graduate Faculty.
- C. The departmental committee's recommendation is forwarded to the chair for a recommendation, if the chair is a member of the Graduate Faculty, or for information, if the chair is not a member of the Graduate Faculty. The departmental recommendation is forwarded to the unit dean for a recommendation. The unit dean forwards the application and recommendation to the graduate dean who will make the final recommendation to the Provost who makes the appointment.
- D. Individuals with joint appointments will be evaluated in the department in which their tenure, or tenure-earning line resides. In these cases, the other units with which they are officially affiliated will be asked for a recommendation on the application.
- E. It is expected that tenured and tenure-earning faculty newly hired at the University will have qualifications appropriate for appointment to the Graduate Faculty. The review process that occurs as part of the search, screen, and appointment process for new faculty will determine eligibility to the Graduate Faculty. Therefore, newly hired faculty will automatically be appointed to the Graduate Faculty after the unit confirms, in writing to the University Graduate School, the name of the new faculty, tenure status, hiring date, and a current CV.

Appointments for Individuals who are not Tenured or Tenure-Earning:

- A. Individuals who are not tenured or tenure-earning but whose primary appointment is at FIU, whether in a department or a Center or other unit, are eligible to apply for Graduate Faculty membership. Individuals whose primary appointment is at an affiliated organization are also eligible to apply for Graduate Faculty membership. In each case their credentials will be evaluated by the department most closely aligned with their research. If the research is not closely



aligned with any particular department, an ad hoc committee of tenured or tenure-earning Graduate Faculty may be appointed by the Dean of the University Graduate School to evaluate their eligibility. Graduate Faculty from an affiliated organization may not serve as the sole major professor for a thesis. Although a student may work extensively with a Graduate Faculty member from an affiliated organization, an FIU employed Graduate Faculty member must be at least a co-advisor for the thesis. The FIU employed co-advisor must be an active participant in the research of the student, and must accept full responsibility for the student should the non-FIU employed co-advisor relinquish his or her responsibilities. The responsibilities of each co-advisor include helping the student to acquire the funds necessary to conduct the research.

Section 10

Ad hoc committees may be created as needed by the Chairperson of the Assembly, by vote of the Assembly, or by request of the Dean to the Chairperson of the Assembly. The faculty will be notified of the charge and the composition of each ad hoc committee at the time of its creation.

Article IX: PARLIAMENTARY AUTHORITY

Rules contained in the current edition of Robert’s Rules of Order shall govern the Assembly in all cases to which they are applicable and in which they are not inconsistent with the Constitution and any special rules of order the Assembly may adopt.

Article X: AMENDMENT OF CONSTITUTION The Constitution may be amended:

- A. For amendments to this Constitution proposed after two years of the adoption date of the Constitution by the Assembly, two-thirds of the membership as defined in Article III will constitute a quorum. Subject to the presence of a quorum, a majority vote of all Assembly members present will determine the outcome of any proposed amendment.
- B. Mail and email votes are allowed provided two-thirds of the Assembly membership as defined in Article III vote. A simple majority vote will determine the outcome of the proposed amendment.
- C. For amendments to this Constitution proposed within two years of the adoption date of the Constitution by the Assembly, a majority of the membership as defined in Article III will constitute a quorum.

ARTICLE XI BY-LAWS

The Faculty Assembly shall develop By-Laws.

ARTICLE XII AMENDMENTS AND REVISIONS



- A. The Constitution and By-Laws may be amended by a two-thirds vote of the Faculty Assembly at any regular or special meeting.
- B. An ad hoc Constitution Revision Committee will be appointed by the Chair with the advice of the Faculty Affairs/Steering Committee for the purpose of reviewing this Constitution and the By-Laws, crafting any appropriate revisions to the Constitution and By-Laws, and presenting recommended revisions in the form of motions to the Faculty Assembly for its consideration and adoption. The first Constitution Revision Committee shall be appointed at the first Assembly meeting in Fall 2014, and shall be assembled every ten years thereafter. The Constitutional Revision Committee is expected to complete its work prior to the last assembly meeting of spring within the academic year in which it is appointed.
- C. Written notice of intent to offer amendments and/or revisions to this Constitution and By-Laws, and the text of any proposed amendments and/or revisions must be distributed to all Assembly members at least two weeks prior to the initial consideration of any such motion by the full Assembly.
- D. A two-thirds vote of the Faculty Assembly at two consecutive meetings of the Assembly is required for the adoption of any amendment or revision to this Constitution and By-Laws.





**NICOLE WERTHEIM COLLEGE OF NURSING AND HEALTH SCIENCES**  
**BY-LAWS**

**ARTICLE I: VOTING**

Each member shall have one vote in the proceedings of the Faculty Assembly.

A simple majority of the membership shall constitute a quorum. For purposes of calculating a quorum the size of the body shall exclude unfilled vacancies. At no time, however, shall a quorum fall below one third of the total membership including unfilled vacancies. The Parliamentarian shall be responsible for keeping records necessary for such determinations.

- A. One-fifth of the members present shall be required to order a roll call vote if there is an objection to a request for such a vote.

**ARTICLE II: MEETINGS**

- A. An annual calendar of meetings shall be approved at the annual election meeting held during the Spring semester. The Faculty Assembly shall meet in regular session at least twice during both fall and spring semesters.
- B. An agenda shall be distributed at least three working days in advance of any regular meeting.
- C. Special meetings of the Assembly may be called by the Faculty Affairs/Steering Committee of the Assembly with 24 hours' notice.
- D. Meetings shall be conducted according to the current edition of Robert's Rules Of Order.
- E. Persons who are not members of the Assembly may attend meetings. They may be recognized to speak only for purposes of discussion by and at the discretion of the Chair, or upon the proper motion of any member supported by a majority vote of those members present.
- F. The Secretary shall compile a list of all members present at each meeting and classify them by unit and publish this list at the beginning of the minutes of the meeting.
- G. Minutes shall be available to each member of the faculty.



ARTICLE III: ELECTIONS

- A. All officers of the Faculty assembly shall begin their term of office effective August 1st of the year in which they were elected to office.
- B. Members of each unit shall elect their committee members for terms of two (2) years.
- C. Unless the assembly expressly votes that members of ad hoc committees be elected, the Chair of the Assembly shall appoint committee members.
- D. Officers of the Assembly shall be elected to a two-year term that will commence in Fall Officers may be elected to no more than two consecutive two-year terms in the same office.
- E. Each candidate for elected office may submit a written statement to the Secretary at least two weeks prior to the election. All statements received by the Secretary will be distributed simultaneously to all Assembly not later than five working days prior to the election. At the election meeting, all candidates will be permitted to address the Assembly for no more than five minutes prior to balloting.

Elections shall be conducted by secret ballot during the last regular meeting of the Spring term. Ballots will be counted by the Parliamentarian and the most senior member of the Steering Committee who is not running for office. If no candidate receives a majority of votes, a run-off election shall be held at the same assembly meeting between the two candidates receiving the most votes.

- F. If a Faculty Assembly Chair is unable to continue, the Vice Chair shall serve as acting Chair until the Chair shall be filled. Nominations shall be received at the meeting following the meeting at which the vacancy is announced. If a position of Vice Chair, Secretary, or a Committee Chair becomes vacant, the Steering Committee shall nominate a replacement, to be confirmed by the Assembly by a majority vote. Elections will be held at the subsequent meeting.
- G. The Secretary of the Assembly shall certify the results of all unit elections to the Assembly and standing committees to insure conformity with the Constitution and By-Laws of the Faculty Assembly.



ARTICLE IV: COMMITTEES

- A. The Faculty Affairs/ Steering Committee will act on behalf of the Assembly on matters declared by the Chair to be of an emergency nature. Any action taken in this respect by the Faculty Affairs/Steering Committee shall be reported in writing by the Chair to the members of the Faculty Assembly at or before the next regular meeting. The Chair will give the members of the Assembly advance notice of any emergency meeting of the Faculty Affairs/ Steering Committee if feasible. In compliance with Robert's Rules of Order, any action taken under this provision may be retracted by a two-thirds majority of the Assembly at a subsequent regular meeting.
- B. Assembly committees may meet to conduct business using audio or video conferencing technology.
- C. The Chairs of all Assembly standing committees shall submit a written annual report to the Chair of the Assembly prior to the end of spring semester.
- D. All proposed action items from Assembly standing committees should be referred to the Chair for placement on the Assembly meeting agenda.
- E. Where appropriate, a meeting schedule shall be developed by each standing committee of the Assembly at its initial meeting during each Semester. This schedule shall be provided to the Secretary of the Assembly. Special meetings of standing committees may be called provided all members are notified at least 48 hours in advance and notice of such meeting is provided to the Chair and Secretary of the Assembly.

ARTICLE V: CENSURE

- A. Individuals who believe that the rights and/or principles specified in the Faculty Assembly's Constitution have been violated must submit to the Chair of the Faculty Assembly a signed written protest. Individuals should carefully consider filing such a protest since it may constitute a "resort to other procedures" which has the effect of surrendering their right to protection under the terms of the Collective Bargaining Agreement.
- B. Upon receipt of a written and signed protest, the Chair may investigate the issue before placing it on the agenda for a meeting of the Steering Committee. The Faculty Affairs/Steering Committee will consider the written protest and determine whether it merits review. If the Faculty Affairs/Steering Committee determines that the protest merits review, it will authorize the Chair to appoint an ad hoc committee consisting of three members to investigate the issue.
- C. The Committee shall report on its progress at least once a month to the Faculty Affairs/Steering Committee and, if the inquiry takes more than one semester, the Chair must report to the Assembly that an inquiry is in progress. When the Committee has made a determination on the protest, it shall report its findings to the Faculty Affairs/Steering Committee.



- D. The Faculty Affairs/Steering Committee shall receive the Committee's report. It may conclude that no further action is called for, or it may propose a motion of censure to the Assembly.
- E. At every stage of the investigation the individual or unit against whom protest has been filed shall be given due notice and allowed a reasonable opportunity to present whatever information the individual or unit deems relevant to the discussion and investigation.
- F. The Faculty Assembly/Steering Committee shall appoint a panel annually from whom investigating committees shall be drawn and the first such panel shall begin by preparing rules and procedures for investigating.

#### ARTICLE VII - MISCELLANEOUS

- A. The Chair of the Faculty Assembly, with the advice of the Secretary, may appoint a Recording Secretary. The Recording Secretary may or may not be a member of the Assembly. In the event that the Recording Secretary is not a member of the Assembly, the duties of this officer shall be expressly limited to those outlined herein.

The duties of the Recording Secretary are:

1. to record the minutes of Assembly meetings and to prepare the minutes for publication in a style directed by the Secretary;
  2. to submit a draft of the minutes to the Secretary not later than five (5) working days after the meeting;
  3. to make changes to the minutes as directed by the Secretary as soon as practical;
  4. and to submit to the Secretary a final version of Assembly minutes with all revisions as approved by the Assembly, not later than five (5) working days after adoption.
- B. Items may be added to the agenda of any meeting of the Senate under new business by majority vote. Final action on resolutions that were not on the agenda cannot be taken prior to the next Senate meeting without a two-thirds vote.