



**Herbert Wertheim College of Medicine**  
FLORIDA INTERNATIONAL UNIVERSITY

## Faculty Bylaws

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## Part I. General Provisions

### A. Dean of Herbert Wertheim College of Medicine

The Dean of Herbert Wertheim College of Medicine is appointed by the Provost of Florida International University and serves as Chief Administrative Officer of Herbert Wertheim College of Medicine (“HWCOC”). The Dean shall administer the college in accordance with applicable laws, regulations, and policies applicable to Florida International University, and with these faculty bylaws. The Dean has the authority to carry out the responsibilities of his or her position, including but not limited to developing, approving, and implementing policies; administering HWCOC budget; and providing leadership in pursuit of the college’s medical education and research missions and strategic initiatives. The Dean may delegate any of his or her responsibility or authority to another member of the HWCOC Faculty or to a committee comprising HWCOC Faculty. HWCOC Policies shall be reviewed and approved by the HWCOC FACULTY Assembly prior to implementation.

### B. Composition of Faculty

1. **The Faculty** of HWCOC are described in Table 1. Professor Emeritus and Distinguished University Professor are also included in the faculty.
2. **Classification.** All members of the Faculty are classified as outside of the collective bargaining unit.
3. *The Faculty of the College shall be organized into a HWCOC FACULTY Assembly (hereinafter, “the Assembly”), a deliberative body that represents the interests of the faculty, serves as a policy-making body, and acts in an advisory capacity to the Dean of the College.*

### C. Departments, Institutes, and Centers

1. **Academic units** of HWCOC shall be Departments, Institutes, and Centers (collectively, Academic Units). Academic Units may be established, changed or discontinued upon action by the Dean, with the approval of the Provost. Centers and Institutes must be established in accordance with University Policy 370.001, be reported to the Board of Governors (“BOG”) and be subject to the annual reporting requirements of the BOG. Academic Units will have separate budgets and will make nominations or other recommendations on Faculty appointments directly to the Appointment, Promotion and Tenure Committee.
2. **The Chair (or Director)** of each Academic Unit provides leadership for faculty as they deliver academic programs and serves as primary executive officer of the Unit. With the approval of the Dean, the Chair or Director of each Academic Unit may establish, change or discontinue divisions within the academic unit. The Dean shall evaluate the Chair on an annual basis as part of a formal review process, which process may include input given by the Faculty to the Dean. Chairs are selected and appointed in accordance with the provost’s **Guidelines for the selection of Chairs and Deans** (see [https://academic.fiu.edu/faculty\\_resources.html](https://academic.fiu.edu/faculty_resources.html)).

**D. Tracks, Ranks and Appointment- Table 1**

HWCOC Faculty Tracks and Ranks				
Tenure/Tenure Track Ranks				
Assistant Professor				
Associate Professor				
Professor				
Non-Tenure Tracks				
Clinical/Health Outcomes Scholar (CHS) Research Scientist (RS) Educator Scholar (ES)	Medical Librarian (ML)	Community-Based Clinical (Voluntary)	Community-Based Basic Science (Voluntary)	Adjunct Faculty
Non-Tenure Ranks				
Instructor (CHS/RS/ES)	Instructor ML	Clinical Instructor	Instructor	Adjunct Assistant Professor
Assistant Professor (CHS/RS/ES)	Assistant ML	Clinical Assistant Professor	Assistant Professor	Adjunct Associate Professor
Associate Professor (CHS/RS/ES)	Associate ML	Clinical Associate Professor	Associate Professor	Adjunct Associate Professor
Professor (CHS/RS/ES)	ML	Clinical Professor	Professor	Adjunct Professor

Detailed information available in the Appointment, Promotion and Tenure Manual

**E. Faculty Assembly**

**1. Charge of the Faculty Assembly.** The charge of the Faculty Assembly is to provide a process for shared governance of HWCOC. The Faculty Assembly shall consider and make recommendations to the Dean concerning all matters of general interest to HWCOC. The Faculty Assembly shall review and make recommendations and vote on all changes to existing HWCOC policies, where appropriate. In addition, the Faculty Assembly votes on faculty membership to college and university committees and elects the President of the Faculty Assembly, as described in these HWCOC Faculty Bylaws.

**2. President of the Faculty Assembly** shall be elected by the Faculty Assembly. The President shall serve for a term of 2 years and is eligible to serve an additional consecutive 2-year term. After two consecutive terms (a maximum of 4 years of service as President), the member can be eligible to serve for another 4 years of service (i.e., a 2-year term plus an additional consecutive term); provided there is a period of at least one year during which the member does not serve as President. In the event of a vacancy in the office of President of the Faculty Assembly, an election by the Faculty Assembly will be held to fill the vacancy. The President of the Faculty Assembly must be elected by a majority of voting Faculty Assembly members present at a duly called meeting of the Faculty Assembly. The President of the Faculty Assembly may not hold an administrative appointment as department chair or a decanal title.

**3. Voting Members.** The voting members of the Faculty Assembly shall consist of all faculty tracks and ranks as defined in Table 1 above that are employed at 0.5 FTE or greater (“Voting Faculty Members”). Proxy voting shall not be allowed. Unless otherwise provided in these Faculty Bylaws, an action must be approved by a majority of the Voting Faculty Members present at a duly called meeting of the Faculty Assembly.

**4. Quorum.** A quorum for Faculty Assembly meetings to take any action shall consist of ten percent of the Faculty Members eligible to vote. As necessary and feasible, Faculty Members may participate in Faculty Assembly meetings remotely by phone or other audio/visual connection. A Voting Faculty Member participating in a meeting remotely shall be considered to be present at the meeting for purposes of these Bylaws, and shall be eligible to vote.

**5. Faculty Assembly Meeting schedule, notice and minutes.** Faculty Assembly meetings shall be held at least twice during the academic year. The President of the Faculty Assembly may call for special meetings at any time during the academic year. General and special meetings of the Faculty Assembly shall be noticed by the President at least five days prior to the date of the meeting and such notice shall include a written agenda. All notices shall be given in writing by e-mail, hand-delivery, or first-class mail and shall state the date, time and place of the meeting and will include a statement of the general subject matters to be considered. Minutes of all Faculty Assembly meetings shall be taken and shall be presented to the Faculty Assembly at the next duly called meeting. All meetings will be conducted in accordance with Robert's Rules of Order (latest edition), except as otherwise provided in these Faculty Bylaws.

## **F. Amendment, Repeal and Review of Bylaws**

At a Faculty Assembly meeting at which a quorum is present, any section of these Faculty Bylaws may be amended or repealed by the vote of a two-thirds majority of the eligible Voting Faculty Members present, provided that prior notice of the proposed amendment or repeal motion shall have been given in writing to all members of the Assembly at least 30 days in advance of the meeting at which the amendment or repeal is to be considered. All changes are subject to approval by the Dean. These Faculty Bylaws will be reviewed at least once every three years by an *ad hoc* committee of the faculty assembly. This ad hoc By-Laws Revision Committee will be elected by the Assembly for the purpose of reviewing the By-Laws, crafting any appropriate revisions, and presenting recommended revisions in the form of motions to the Assembly for its consideration and adoption, with approval by the Dean. A two-thirds vote of the Assembly is required for the adoption of any amendment or revision to these By-Laws.

## **G. University Policies Regarding Appointment, Promotion and Tenure**

Terms of appointment and matters of tenure shall be governed by applicable University regulations, policies and procedures in effect from time to time ("University Policies"). As an academic unit of FIU, HWCOC is subject to University tenure and promotion policies. HWCOC promotion and tenure policies and procedures set forth in the HWCOC Appointment, Promotion and Tenure Manual provide additional content concerning University standards as they are to be applied to requests for promotion and tenure in HWCOC, and shall be construed in accordance with applicable University Policies, including, without limitation, the University policies and procedures. HWCOC has established pertinent scholarship criteria for HWCOC Promotion and Tenure, and HWCOC's application of these criteria shall not change or modify University Policy.

In accordance with the Tenure and Promotion Manual, "a primary responsibility of the departmental/unit faculty is to create an environment that encourages excellence and collegiality."

## **H. Annual Evaluations**

All Faculty Members, regardless of rank or tenure status, will be evaluated annually either by the direct report or by the Department Chair in the Department to which the faculty member is assigned.

## Part II. Faculty Committees

### A. Committee Appointments

Committees of the Faculty Assembly shall either be standing committees, as designated by these Bylaws, or special committees, as established by the President of the Faculty Assembly [or the Dean]. The [Dean of HWCOM/President of the Faculty Assembly] shall appoint the members of all committees and designate their chairpersons, except as otherwise specified by these Bylaws. Appointment of members to a standing committee or a special committee shall be effective on July 1 of the academic year for which the appointment is made, unless an appointment is required to fill a vacancy in accordance with these Bylaws, in which event the appointment shall be made to fill the vacancy. Unless otherwise stated, appointed members of these committees shall be appointed for a term of up to three years, with an additional consecutive three-year term; if membership is based on position, faculty shall serve as members for such time as they continue to serve in their respective positions. After two consecutive terms (a maximum of six years of service), appointed committee members can be eligible to serve for another six years of service; provided there is a period of at least one year during which the member does not serve as a committee member. Minutes of all committee meetings shall be taken and shall be presented at the next duly called committee meeting.

### B. Voting

All persons appointed to a committee, including the chair (or president), shall be entitled to vote, except when the Dean has appointed a member as non-voting. Proxy voting shall not be allowed. Unless otherwise provided in these Bylaws, an action must be approved by a majority of the committee members present at a duly called meeting of such committee.

### C. Quorum

A quorum for a committee to take any action shall consist of a majority of the voting members of the committee but in no event fewer than three members.

### D. Standing Committees

The committees listed in the following table shall be permanent, standing committees. This table sets forth how members are appointed or elected and who the committee reports to.

Standing Committee	Reports to	Total Voting Members	Total Faculty Voting Members	Membership Selection (A/E/B)*	Authority (R/A/B)†
Admissions Committee	Executive Associate Dean for Student Affairs	24	20	B	A
Appeals Committee	Dean	7	7	A	R

Appointment, Promotion, and Tenure Committee	Dean	5	5	B	R
Continuous Quality Improvement Committee	Dean	Varies	Varies	B	R
Council of Chairs	Dean	Number of Department Chairs	Number of Department Chairs	A	B
Curriculum Committee	Associate Dean for Curriculum and Medical Education	Up to 23	20	B	A
Steering Committee of the Faculty Assembly	Faculty Assembly	6	6	E	B
Medical Student Evaluation and Promotion Committee	Dean	13	13	B	A

\*Members are *all appointed* (A), *all elected* (E), or the committee has *both appointed and elected members* (B).

†Committee is charged with making *recommendations* (R), is *empowered to take action* (A), or *both* (B).

## E. Responsibilities of Standing Committees

In addition to exercising the specific powers and functions assigned to it by these Faculty Bylaws, each faculty standing committee shall give continuing attention to the general subject matter entrusted to it, and shall from time to time make recommendations for changes in those areas as it may deem desirable. Committees may appoint sub-committees to address issues within a committee's responsibility provided that the committee retains ultimate responsibility for its activities.

The responsibilities of each Faculty committee described below are intended to be primary responsibilities. The listing is not intended to preclude interest of one committee in problems that are also within areas of concern of other committees.

- 1. The Admissions Committee for the Doctor of Medicine degree program shall review files of applicants and make admission decisions.** The Admissions Committee may delegate responsibilities to subcommittees to review applicant files and make recommendations; however, final authority for accepting students to the Doctor of Medicine degree program rests with the Admissions Committee. The Admissions Committee determines specific criteria for selecting accepted applicants from its unranked wait list. The Admissions Committee may review and make recommendations to the faculty and administration concerning admissions standards and policies.



2. **The Appeals Committee** shall consider appeals from determinations of the HWCOC Medical Student Evaluation and Promotion Committee and such other committees as are provided for in the HWCOC Medical Student Handbook. <https://medicine.fiu.edu/hwcom-medical-student-handbook.pdf>.
3. **The Appointment, Promotion, and Tenure (APT) Committee** shall evaluate all candidates for appointment, rank, and promotion. The members of this committee shall be appointed or elected by the Faculty Assembly. The committee shall have a minimum of five members, one of whom shall be elected by the committee to serve as Chair. This committee will receive and consider recommendations from the HWCOC Department faculty and Chair responsible for the individual under consideration by the committee. The membership and responsibilities of this committee are set forth in the HWCOC APT Manual. The Appointment, Promotion and Tenure Committee includes a committee of tenured faculty (Tenure Subcommittee) for the purpose of evaluating candidates applying for tenure and to make recommendations in accordance with these Bylaws, HWCOC APT manual, the FIU Tenure and Promotion Manual and any other applicable policies. This includes making recommendations to the Dean and APT Committee for awarding tenure and evaluation of Faculty Members with tenure in accordance with University policy (see T&P Manual posted at Academic Affairs). All tenured faculty may be eligible for appointment to the Tenure Subcommittee. A tenured Faculty Member who has served his/her term on the Appointment, Promotion and Tenure Committee is eligible to serve on the Tenure Subcommittee.
4. **The Continuous Quality Improvement Committee** shall oversee a monitoring system that ensures effective processes for maintaining compliance with Liaison Committee on Medical Education (LCME) accreditation standards and elements, including determining which elements will be monitored, the timing of reviews, and documenting continuous quality improvement initiatives, assessment plans, results, and use of results for improvement.  
  
This standing committee reports to the Dean and makes recommendations to the Dean and senior leadership for improving the medical education program within the context of the LCME accreditation standards.
5. **The Council of Chairs** shall advise the Dean on matters concerning medical education, clinical services, research, and other issues.
6. **The Curriculum Committee** shall be responsible for overseeing all aspects of the educational program for the Doctor of Medicine degree program.
7. **The Steering Committee of the Faculty Assembly** determines the agenda for Faculty Assembly meetings, with input from the faculty, and fulfills the duties of a “committee on committees” by working with department and committee chairs to identify eligible candidates from among the faculty to fill vacancies on standing committees of the college. The Steering Committee aims to promote the college’s culture of inclusion by identifying candidates who represent not only broad diversity of age, race and ethnicity, gender, gender identity, sexual orientation, physical ability, and geographic origin, but also diversity of viewpoints that enrich the college’s learning and working environments.
8. **The Medical Student Evaluation and Promotion Committee** shall evaluate the overall performance of each medical student.

## **F. Special Committees**

Special faculty committees may be established from time to time by the Dean or by the Faculty Assembly to consider matters not within the jurisdiction of any other committee or which cannot be accomplished in timely fashion as part of the regular business of another committee. The composition, terms and duties of such committees shall be defined by the Dean and/or the Faculty Assembly President.

## **Part III. Compliance, Conflict of Interest, and Research**

All Faculty Members shall comply with applicable state and federal laws, University policies, and HWCOP policies including, without limitation, compliance with laws governing patient care activities, coding and billing, and conflicts of interest. Specifically, all full-time and part-time Faculty Members and all research-qualified voluntary Faculty Members will adhere to all University and HWCOP policies with respect to the conduct of research (Office of Research and Economic Development (ORED) guidance), including, but not limited to, Institutional Review Board (IRB) policies and procedures for the use of human subjects, Institutional Animal Care and Use Committee (IACUC) policies and procedures, conflict of interest policies and all policies related to the management of grants and contracts. This includes the commitment to maintain appropriate training in human subjects and/or animal research, grant and contract management, and submitting a Conflict of Interest disclosure annually or more often as applicable (i.e., as may be needed should changes in scope or nature of any activities warrant updating disclosure).

All full-time, part-time and research-qualified voluntary Faculty Members must submit all research-related grants and contracts, regardless of funding source and location of work, through the University's ORED, and understand that awards must be made to the University and any and all associated funding must be payable to the University. Faculty wishing to pursue research through alternative channels must seek approval from ORED in writing prior to submission.

## **Part IV. Bylaws to be Interpreted Consistent with State Law and University Policies**

The Bylaws shall be interpreted as consistent with state law and applicable University Policies in effect from time to time, and shall not abrogate, supplant or otherwise be inconsistent with, University Policies. Terms of appointment and matters of tenure shall be governed by University Policies. As an academic unit of FIU, HWCOP is subject to University tenure and promotion policies. HWCOP promotion and tenure policies and procedures set forth in these Faculty Bylaws provide additional content concerning University standards as they are to be applied to requests for promotion and tenure in HWCOP, and shall be construed in accordance with University Policies, including, without limitation, those found at <http://regulations.fiu.edu/> and <https://policies.fiu.edu/>.

HWCOP policies are intended to clarify HWCOP's academic procedures as applied within the context of University policy and shall not change or modify University policy. The Faculty Bylaws shall be amended from time to time to incorporate any applicable changes made to University Policies, or to the extent new University Policies are adopted by the University from time to time.