



Herbert Wertheim College of Medicine
FLORIDA INTERNATIONAL UNIVERSITY

Faculty Bylaws

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General Provisions

A. Purpose

These Faculty Bylaws establish the guidelines and procedures for the organization and governance of the Herbert Wertheim College of Medicine (HWCOC). They aim to promote collegial, participatory, and representative governance while fostering clear communication between the faculty, departments, schools, and administration. These Bylaws help ensure that faculty understand their responsibilities and effectively perform their duties while supporting shared governance.

Recognizing the need for timely and judicious decision-making by faculty administrators, these Bylaws also affirm the faculty's right to comment on, seek clarification of, or recommend modifications to administrative actions taken by the College, fostering an environment of transparency, governance, and collegiality.

The HWCOC is organized into departments, each led by a chair who reports to the Dean of the College. The Dean serves as the University's agent in executing the mission of the College. The Dean oversees the College's academic mission, including education, research, clinical care, and community engagement; oversees the College's accreditation, legal, compliance, development, government affairs, and international affairs; and addresses strategic matters such as community outreach, partnerships, and resource development.

Additional responsibilities of the Dean include:

- a. Designing a strategic plan in consultation with the members of the faculty;
- b. Assessing instructional and administrative processes and leading in the study of methods for improving them;
- c. Evaluating faculty administrators annually in accordance with criteria developed by the College and approved by the Office of the Provost;
- d. Recommending to the Provost, in accordance with the Appointment, Promotion and Tenure Manual, appointments, promotions, dismissals, and matters affecting the tenure of members of HWCOC Faculty; and
- e. Preparing an annual budget for the consideration of the Provost.

B. Composition of Faculty

1. **The Faculty of HWCOC** consists of all individuals appointed to the College, either by direct university employment or by other written affiliation agreements, as submitted in the annual faculty census. The Faculty consists of all members appointed to the College at the rank of distinguished professor, professor, associate professor, assistant professor, or instructor.
2. **Faculty Responsibilities:** The Faculty responsibilities at HWCOC will align with University and HWCOC policies. They include:
 - Academic freedom and responsibility
 - High ethical standards in the conduct and reporting of research
 - Intellectual property considerations, including copyright and patent information
 - Outside employment and conflict-of-interest disclosure

- Professional conduct
- Equitable treatment of students, faculty, and staff

In addition, all Faculty Members shall comply with applicable state and federal laws, University policies, and HWCOC policies, including, without limitation, HIPAA, FERPA, 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 community-based Faculty Members will adhere to all University and HWCOC policies with respect to the Office of Research and Economic Development (ORED) guidance on conduct regarding research, 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 maintaining 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 community-based Faculty Members must submit all research-related grants and contracts, regardless of funding source and location of work, through ORED. Additionally, all full-time, part-time, and research-qualified community-based Faculty Members understand that awards must be made to the University and that any and all associated funding must be payable to the University. Faculty who wish to pursue research through alternative channels must seek approval from ORED in writing prior to submission.

3. **Classification:** All members of the HWCOC Faculty are classified as outside of the collective bargaining unit.

C. **Departments, Institutes, and Centers**

The Dean will determine the organizational structure and administrative offices and roles necessary for the effective administration of HWCOC. The Dean may amend the organizational structure and administrative offices and roles at any time.

The Dean appoints and delegates responsibilities to Senior Administrators. All Senior Administrators provide counsel to the Dean. In the event of a vacancy in a key role, the Dean may appoint an interim, appoint a replacement, allocate responsibilities to one or more other individuals, or leave the role vacant.

Senior Administrators and their respective offices are expected to have an inclusive approach to stakeholder engagement and decision-making, including communicating and collaborating effectively with the offices and staff of the University.

The Academic Units of HWCOC shall be Departments, Divisions, Units¹, Institutes, Offices and Centers (collectively, Academic Units). These Academic Units may be established, changed or

¹ As a general guideline, Departments should consist of at least 12 scholar faculty members, Divisions should have a minimum of 6 scholar faculty, and Units should include at least 3 scholar faculty members.

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, reported to the Board of Governors (BOG) and 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.

1. **The Chair (or Director)** of each Academic Unit provides leadership for faculty as they deliver academic programs and serve as the 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. Chairs are selected and appointed in accordance with the Provost's guidelines.

D. Tracks, Ranks, and Appointment

There shall be faculty ranks in accordance with the HWCOT Appointment, Promotion, and Tenure Manual. The Faculty shall include tenured and non-tenured faculty. Non-tenured faculty shall include scholar², medical librarian, physician assistant, adjunct, and community-based faculty.

Detailed information is available in the HWCOT Appointment, Promotion, and Tenure Manual (APT).

E. 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, HWCOT is subject to University tenure and promotion policies. HWCOT promotion and tenure policies and procedures set forth in the HWCOT Appointment, Promotion, and Tenure Manual provide additional content concerning University standards as they are to be applied to requests for promotion and tenure in HWCOT and shall be construed in accordance with applicable University Policies. HWCOT has established pertinent scholarship criteria for HWCOT Promotion and Tenure, and HWCOT's application of these criteria shall not change or modify University policy.

F. Annual Evaluations:

All tenured, scholar, medical librarian, physician assistant and adjunct faculty, regardless of rank, will be evaluated annually by their Department Chair. Community-based faculty will receive structured feedback according to their responsibilities as per the APT manual.

G. Faculty Assembly

1. **Charge of the Faculty Assembly:** The mission of the Faculty Assembly is to provide a process for faculty to play an active and responsible role in shared governance. The Faculty Assembly is a deliberative and consultative body with the authority to make recommendations to the Dean on all matters that have a significant bearing on the Faculty.

² The Scholar Track Faculty designation recognizes individuals—whether directly employed by FIU or affiliated with external institutions—who actively contribute to the College of Medicine's missions of education, research, and clinical care. Appointments reflect a sustained academic role with assigned effort aligned to their responsibilities.

2. **Composition of the Faculty Assembly Steering Committee:** The Faculty Assembly is overseen by its President and members of the Faculty Assembly Steering Committee. The President and the members of the Faculty Assembly Steering Committee are elected by the faculty of HWCOC.
3. **Voting Faculty:** The voting members of the Faculty Assembly shall consist of all faculty tracks and ranks that are employed by FIU at 0.5 FTE or greater (voting Faculty Members). Proxy voting shall not be allowed.
4. **Quorum:** A quorum exists if at least 50% of Faculty Assembly members eligible to vote plus one member (excluding members on leave) are present at any vote (whether in person, or electronically). 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. With the exception of revisions and amendments to the Bylaws, a majority vote of those participating in the voting will determine the outcome of the issue. Faculty will be allowed at least seven working days to vote electronically.
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 email; state the date, time, and place of the meeting; and 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.
6. **Amendment, Repeal, and Review of Bylaws:** Occasionally, it may be necessary to modify this document to clarify or change existing policies, remove policies that have been rendered redundant or irrelevant, or comply with new University rules. The President of the Faculty Assembly will bring requested clarifications or changes to the attention of the Leadership Council and the Faculty Assembly. These Faculty Bylaws will be reviewed by an ad hoc committee of the Faculty Assembly. This ad hoc Bylaws Revision Committee will be elected by the Faculty Assembly for the purpose of reviewing the Bylaws, crafting any appropriate revisions, and presenting recommended revisions to the Faculty Assembly for its consideration and adoption.
7. 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. Faculty will be allowed at least seven working days to vote electronically. Amendments or repeals shall be presented to the Dean and the Leadership Council by the Faculty Assembly Steering Committee or the President of the Faculty Assembly prior to any discussions or votes by the Faculty Assembly. Any amendment or repeal must be approved by the Dean and Leadership Council before the faculty assembly

can discuss or vote on it. All proposed amendments 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.

This revised document will take effect upon ratification by the Faculty Assembly and approval by the Dean, the General Counsel's Office, and the Provost.

H. Standing Committees of the Faculty Assembly

The Standing Committees of HWCOT Faculty Assembly are as follows: (1) the Admissions Committee; (2) the Appeals Committee; (3) the Appointment, Promotion, and Tenure Committee; (4) the Continuous Quality Improvement Committee; (5) Curriculum Committee; (6) the Steering Committee of the Faculty Assembly; and (7) the Medical Student Evaluation and Promotion Committee.

The responsibilities of each Faculty Committee described below are intended to be primary responsibilities. The listing is not intended to preclude the 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 (MD) degree program shall review applicants' files and make admission decisions. The Admissions Committee shall develop and approve policies concerning admissions standards relating to MD student admissions. The final authority for accepting students to the Doctor of Medicine degree program rests with the Admissions Committee.
2. **The Appeals Committee** shall consider appeals from determinations of the HWCOT Medical Student Evaluation and Promotion Committee and such other committees as are provided for in the HWCOT Medical Student Handbook.
3. **The Appointment, Promotion, and Tenure (APT) Committee** shall evaluate all candidates for appointment, rank, and promotion. This committee will receive and consider recommendations from the HWCOT Department Faculty and Chair responsible for the individual under consideration by the Committee to make recommendations in accordance with the HWCOT APT manual, the FIU Tenure and Promotion Manual, and any other applicable policies, e.g. approved department specific criteria. 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.
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 the use of results for improvement.
5. **The Curriculum Committee** shall be responsible for making and approving policies and overseeing all aspects of the educational program for the Doctor of Medicine degree program.

6. **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.
7. **The Medical Student Evaluation and Promotion Committee** shall evaluate the overall performance of each medical student as provided for in the HWCOT Medical Student Handbook.

I. HWCOT Administrative Committees

1. **The Leadership Council** shall be responsible for oversight and strategic decision-making across academic units. The Leadership Council ensures institutional policies, protocols, and procedures are developed, reviewed, approved, and maintained in alignment with University regulations and accrediting body standards.

The Leadership Council collaborates with the Dean and Faculty to establish governance and policy-making processes, ensuring compliance with accreditation standards and that policies effectively support the institution's mission and accreditation requirements. The Leadership Council approves all policies, protocols, and procedures except for those pertaining to the Admissions Committee and Curriculum Committee. Additionally, the Leadership Council advises the dean on all matters concerning the College of Medicine (COM).

2. **The Council of Chairs** shall advise the Dean on matters concerning medical education, clinical services, research, and other issues.
3. **The Dean's Advisory Committee** advises the Dean on major issues such as future directions and fundraising efforts for HWCOT.

Special Faculty Committees may be established from time to time by the Dean or the Faculty Assembly to consider matters not within the jurisdiction of any other committee or which cannot be accomplished in a 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 Steering Committee of the Faculty Assembly.

Bylaws to be Interpreted Consistent with State Law and University Policies

These Bylaws shall be interpreted to be 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, HWCOT is subject to the University tenure, when applicable, and promotion policies. HWCOT 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 HWCOT, and shall be construed in accordance with University Policies.

HWCOC policies are intended to clarify HWCOC'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.