



Human Resources

Borough of Manhattan Community College
The City University of New York
www.bmcc.cuny.edu

199 Chambers Street
New York, NY 10007-1097
tel. 212-220-8300
fax 212-220-2364

TO: Faculty Council

FROM: Robert E. Diaz, Vice President for Legal Affairs

RE: Administration's Comments on Proposed Revisions
to the College Governance Plan

DATE: May 28, 2003

The revisions to the College Governance Plan (the "Plan") proposed by the Faculty Council's Ad Hoc Committee on Governance recommends significant changes to BMCC's current governance document. Some of these changes are forward looking and ought to be implemented. There are several, however, which the Administration does not deem to be either wise or necessary. What follows is the Administration's response to the Plan.

I. General Overview

Bicameral Body

The Plan proposes a bicameral governance body composed of a College Council and a Faculty Senate. The concept of a bicameral governance body itself is not problematic. Some of the details of the bicameral structure in the Plan, however, need modification. The Administration's major concerns involve the size and make up of each body in the proposed governance structure.

Size of Governance Bodies

Both the Council and Senate should be large enough to provide broad representation, but not so large as to become unwieldy. A College Council or Senate with membership approaching one hundred members is excessively large. The Plan suggests a Council composed of 112 members and a Senate composed of 97 members.

Fluctuation In Representation

In the interest of both stability and predictability, the number of representatives in each body, and for each constituent group within each body, should be set at a predetermined number. Currently, the number of Faculty Senate delegates (and the number of departments delegates in the proposed the College Council) from a particular

department is subject to change depending on enrollment/employment census. The Administration favors establishing a fixed number of delegates in both bodies.

Student Representation

The Plan provides for student representation in both the Faculty Senate and College Council. The Administration favors this forward-looking aspect of the Plan.

Representation of Groups of Employees Not Currently Represented

The Plan provides representation for adjuncts, higher education officers (HEO), civil servants and college assistants; categories of employees not previously represented in college governance. The purpose of having particular categories of employees represented in the College Council or Faculty Senate is to provide a vehicle for the employee group to add a potentially unique viewpoint related to their particular employment status.

The Administration believes the presence of two representatives from each category will provide a sufficient vehicle for the presentation of this viewpoint. Accordingly, the Administration recommends that adjuncts, HEO's, civil servants, and college assistants be given two representatives, (similar to the representation afforded CLT's), in the appropriate governance body. The two adjunct delegates should sit in the Faculty Senate; the HEO, civil servants and college assistant representatives should sit in the College Council.

Referral of Matters

The President's inherent authority to refer any matter to either body where he believes wisdom so dictates should be institutionalized in the governance document of each body.

II. Specific Comments – Faculty Senate Governance Document

Section 1

Subsection (a) The Bylaws of the Board of Trustees of the City University of New York has defined the duties of the faculty. (See Bylaw § 8.6). This section should be revised to track the Bylaw definition.

Section 2

Subsection (ii) The Administration objects to any formula that provides for the possibility of year

to year fluctuations in representation. It favors one full-time faculty representative for each academic department. Large departments should not be given an additional representative since the at-large delegates provide an adequate vehicle for large departments to obtain additional representatives.

Subsection (iv)

The Administration believes that fifteen adjunct faculty representatives are excessive. Only two of the CUNY Community Colleges currently provide for adjunct representation: Bronx Community College has two adjunct faculty delegates in its Faculty Council; and Queensborough has one adjunct faculty delegate in its governance body. The purpose of having adjunct representation is similar to the purpose of having CLT, HEO, civil servant, and college assistant representation. The Administration believes having two adjunct representatives in the Faculty Senate achieves this objective.

Subsection (vii)

The reference to the “University Faculty Senate members” in this section is meant to refer to the *BMCC delegates* to the University Faculty Senate. If this provision is retained, this should be made clear.

The purpose of having a UFS delegate on the Faculty Senate is to help BMCC’s governing body ascertain the thoughts of the UFS on academic matters of system-wide import. Having *all* the BMCC University Faculty Senate representatives serve as members of the Faculty Senate is not necessary to achieve this end. A single BMCC University Faculty Senate delegate serving as an ex-officio member of the Faculty Senate is sufficient.

Section 3

Subsection (d)

There are only two CLT representatives. The proposed governance plan provides that “they serve a three year term with _ to be elected each year”. Since the math doesn’t work, this sentence needs to be re-thought and re-written.

Section 4

Subsection (b)(i)

This subsection provides that the Faculty Senate meetings will follow College Council meetings. The Administration

takes the position that monthly meetings of both bodies are not workable. We recommend that each body meet on alternate months with each body convening special meetings as necessary.

Section 5

Subsection (b)(ii) Under the Plan the Faculty Senate Elections Committee should certify the procedures and results of Faculty Senate elections, not *all* college elections, as currently stated.

Subsection (e) Financial aid policies are mandated by state and federal law and cannot be waived by the college. The language of the section should be revised to state that the Academic Standing Committee will hear “appeals of the academic performance requirement of both federal and state financial aid programs.”

III. Specific Comments on College Council

Article I, Section 2 and Section 3

These sections should be combined and streamlined. The combined section should provide that College Council shall be comprised of the President of the college and eleven members of the college administration to be designated annually by the President. The other voting members shall also include the Department Chair delegates, the full-time faculty delegates, and the student delegates of the Faculty Senate. In addition, there shall be two delegates from the title Higher Education Officer, two delegates from the Civil Service titles, and two delegates from the College Assistant title.

Article 1, Section 4

Subsection (i) Monthly meeting of the College Council and the Faculty Senate with one meeting preceding the other is not workable. (See above)

Article 1, Section 5

Subsection (a) The Administration questions the necessity for a Study Abroad Standing Committee.

The Standing Committees should be free to schedule their meetings. The provisions for committee

meeting should provide flexibility by stating that
“all committees will meet as often as is necessary
but no less than at least once per semester.

Article I, Section 6– This section should be omitted as unnecessary.

Article V

The Plan’s language on the amendment process is confusing.
The Administration thinks this section requires major revision.
It favors a process that requires the vote of the Faculty Senate
and College Council to amend the governance plan, as opposed to
a vote of all faculty, adjunct teaching staff, and students. If a
college-wide vote is to be taken, we question the inclusion of the
part-time faculty and the exclusion of the full-time and part-time
non-teaching staff.

There are also some minor editorial changes that need to be made in both the Faculty
Senate and the College Council documents.

Attached is a chart containing the make up of the voting members of the College Council
and the Faculty Senate were the changes recommended by the Administration
implemented.

Administration Proposal

Voting Members of

Faculty Senate

18 Dept. Chairs
18 Dept. Senators
18 At Large Faculty
12 Students
2 Adjuncts
2 CLT's
1 President
1 Senior Vice President
2 Academic Dean
1 UFS Delegate
75

57 Faculty	76%
2 CLT	3%
12 Students	16%
4 Admin.	<u>5%</u>
	100%

College Council

18 Dept. Chairs
18 Dept. Senators
18 At Large Faculty
12 Students
1 President
11 Admin.
2 HEO
2 College Asst.
2 Civil Servants
84

54 Faculty	64.2%
12 Student	14.3%
12 Admin.	14.3%
2 HEO	2.4%
2 Civil Servants	2.4%
2 College Asst.	<u>2.4%</u>
	100%