

BOROUGH OF MANHATTAN COMMUNITY COLLEGE

GOVERNANCE PLAN

As Adopted by the Board of Trustees of the
City University of New York
on November 22, 2010

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TABLE OF CONTENTS

PREAMBLE

ARTICLE I: THE Legislative Bodies: The Academic Senate and The College Council

ARTICLE I, Part A: The Academic Senate

SECTION 1: Purpose

SECTION 2: Membership

SECTION 3: Elections and Vacancies

SECTION 4: Structure and Functions of the Academic Senate

SECTION 5: Structure and Functions of Academic Senate Committees

ARTICLE I, Part B: The College Council

ARTICLE II: DEPARTMENT ORGANIZATION

SECTION 1: Purpose

SECTION 2: Membership

SECTION 3: Elections and Vacancies

SECTION 4: Structure and Functions

ARTICLE III: COLLEGE-WIDE PERSONNEL AND BUDGET COMMITTEE

SECTION 1: Purpose

SECTION 2: Membership

SECTION 3: Elections and Vacancies

SECTION 4: Structure and Functions

ARTICLE IV: PERSONNEL REVIEW COMMITTEE

SECTION 1: Purpose

SECTION 2: Membership

SECTION 3: Elections and Vacancies

SECTION 4: Structure and Functions

ARTICLE V

ARTICLE V: Amendments

SECTION 1: Proposing Amendments

SECTION 2: Notice Requirements

SECTION 3: Board of Trustee Approval

PREAMBLE

RULES GOVERNING THE FACULTY OF BMCC

THE PURPOSE OF THIS DOCUMENT IS TO CODIFY THE RULES AND REGULATIONS UNDER WHICH THE FACULTY OF THE BOROUGH OF MANHATTAN COMMUNITY COLLEGE OPERATES. THE MAJOR DUTIES OF THIS FACULTY ARE TO ASSUME RESPONSIBILITY, SUBJECT TO THE BY-LAWS OF THE BOARD OF TRUSTEES, FOR THE FORMULATION OF POLICY RELATING TO THE CURRICULUM, THE GRANTING OF DEGREES, STUDENT AFFAIRS, STUDENT DISCIPLINE AND STUDENT ADMISSION. THE FACULTY ALSO MAKES RECOMMENDATION ON POLICY WITH RESPECT TO BUDGETARY MATTERS AND FACULTY PERSONNEL MATTERS WITHIN THE FRAMEWORK OF THE BY-LAWS OF THE BOARD OF TRUSTEES. IT ALSO CONDUCTS ALL OTHER EDUCATIONAL AFFAIRS CUSTOMARILY CARED FOR BY A COLLEGE FACULTY.

AMENDMENTS: All amendments to the governance plan of Borough of Manhattan Community College shall be subject to the approval of the Board of Trustees of The City University of New York.

ARTICLE I: Legislative Bodies: The Academic Senate and the College Council

PART A: THE ACADEMIC SENATE

Section 1. Purpose

- a. The Academic Senate of the Borough of Manhattan Community College shall be responsible for the principal academic policy decisions of the college including admissions criteria, academic programs, degree requirements and graduation requirements. It shall be the agent of the faculty in carrying out the functions of faculty subject to the provisions of the Bylaws of the Board of Trustees.
- b. The Academic Senate shall have all the responsibilities of the faculty subject only to the right of the faculty to reverse any specific vote of the Senate by a two-thirds vote of the entire membership of the instructional staff.

Section 2. Membership

- a. Voting Members/Eligibility and Requirements
 - i. Chairs of all academic departments.
 - ii. One full-time faculty elected by and from the instructors, lecturers, assistant professors, associate professors and professors in academic departments.
 - iii. Twenty five full-time faculty elected at-large from and by full-time faculty.
 - iv. Four currently employed adjuncts or adjunct CLTs. To be eligible to serve as an adjunct or adjunct CLT delegate, the individual must be working pursuant to a one year letter of reappointment at the time election is held. The adjuncts or adjunct CLTs are elected by and from the adjuncts and adjunct CLTs. They are elected by secret ballot in April of the appropriate year. They serve a three year term and may not succeed themselves after having served two consecutive terms.
 - v. Two full-time employees elected by and from college laboratory technicians.
 - vi. Twelve student representatives elected by the SGA in accordance with their by-laws.
 - vii. Ex-officio: the elected BMCC delegates to the University Faculty Senate.
 - viii. Ex-officio: the president of the college, the vice-president for academic affairs; two academic deans.
- b. Non-voting Members
 - i. The Registrar
 - ii. The Director of Enrollment Management
- c. There shall be no substitutes or proxies in place of absent members

Section 3. Elections and Vacancies

- a. Full-time department delegates, except for the department chair, are elected by secret ballot by eligible members of the department for a term of three years in May of the appropriate year. Vacancies are filled in the same manner by the department for the unexpired portion of the term. Department delegates may not succeed themselves after having served two successive full terms.
- b. Delegates-at-large are chosen from the membership of the full-time faculty. They serve a three-year term with 1/3 to be elected each year. Candidates must file a nominating petition containing the signatures of 25 full-time faculty. Elections of delegates-at-large are by secret ballot in April of each year with newly elected delegates-at-large assuming office at the next annual organizational meeting. Delegates-at-large are ineligible to serve simultaneously as department delegates. Vacancies for delegate-at-large are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.
- c. An eligible adjunct or adjunct CLT wishing to be elected as a representative must submit his/her name to the elections committee. All adjuncts and adjunct CLTs serve a three year term and may not succeed themselves after having served two consecutive full terms. Elections are by ballot mailed to reappointed adjuncts' and adjunct CLT's homes in April of the appropriate year. Vacancies for all delegates are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.
- d. Full-time College Laboratory Technician delegates are elected by and from full-time College Laboratory Technicians in academic departments. They are elected by secret ballot in April of the appropriate year. They serve three-year terms. Candidates for the position must file a nominating petition containing the signatures of at least five full-time CLTs assigned to academic departments. Vacancies are filled from the list of unsuccessful candidates of the last election, with the person having the most votes among the unsuccessful candidates receiving the vacancy. The vacancy is for the unexpired portion of the term.
- e. Where no list exists of unsuccessful candidates for the position of delegate at large, adjunct or part-time CLT, or full-time CLT, the vacancy may be filled by the President of the Academic Senate.
- f. Student Government Association representatives are elected by the SGA in accordance with the procedures established in their by-laws. They are elected in September of each year to serve for one-year terms. In order to serve in the Academic Senate a student must meet the City University of New York and the BMCC Student Government Association criteria for eligibility to hold office and must be able to serve for one year. Vacancies of student delegates shall be filled in accordance with the procedures set forth in the SGA bylaws for the filling of vacancies.
- g. An employee delegate automatically vacates the office if he/she is discontinued from employment. An employee who is not reappointed vacates his/her office at the end of his or her appointment.

Section 4: Structure and Functions of the Senate

a. The officers and their duties:

- i. The chair, the vice chair, the parliamentarian and the secretary of the Academic Senate are elected for one year terms from the membership by ballot by a majority vote at its May organizational meeting. In the absence of the chair, the vice-chair presides. In the absence of both the chair and the vice-chair, the chair appoints a member of the body to preside.
- ii. The chair and vice-chair are members of the Executive Committee of the Senate. The chair or in his or her absence, the vice-chair, shall preside over the Executive Committee.
- iii. The secretary of the Senate is a member of the Executive Committee but not of any other standing committee. The secretary is responsible for the minutes of all meetings and for the notification of all members of the Senate concerning meetings and Senate action.

b. Meetings

- i. The Academic Senate meetings follow the College Council meetings and are incorporated into the college calendar. The Senate meets at least twice each semester as determined by its Executive Committee. The dates of the regular meetings are established in consultation with the College Council Executive Committee.
- ii. Upon petition of twenty (20) members of the Senate, a meeting must be called in order to deal with matters of Senate concern. Special meetings may be called by the chair or the Executive Committee.
- iii. When time permits, the proposed agenda for both regular and special meetings is sent to the members of the faculty, staff and the SGA at least one week prior to the meetings.
- iv. A quorum of both regular and special meetings consists of a majority of the whole number of members of the Academic Senate. For the purpose of this provision the words "whole number" shall be construed to mean the total number which the Academic Senate would have were there no vacancies and were none of the members or officers disqualified from acting.
- v. The order of business at meetings of the Senate.
 1. Call to order
 2. Actions on minutes
 3. Communications and announcements
 4. Reports of standing committees
 5. Reports of special committees
 6. Old business
 7. New business
 8. Adjournment
- vi. Meetings of the Senate follow Roberts Rules of Order, revised, latest edition.
- vii. Minutes of the Senate meeting are sent to the faculty, staff and the SGA as soon as practicable after the meetings but in no case more than ten days after each meeting.

- viii. Members of the college community who are not members of the Senate may attend meetings and have the privilege of the floor but may not vote.

Section 5. Structure and Functions of Academic Senate Committees

- a. The Senate shall establish two types of standing committees: administrative and policy committees. By vote of the body, they may also establish special committees. The voting members of the standing committees include those elected to serve on the Senate itself and ex-officio voting members, the president of the college, the vice president for academic affairs and two academic deans. However, a maximum of two student representatives may serve with full voting rights on any standing policy committee with the exception of the Committee on Faculty Development. No student may serve on more than one committee. Students are not eligible to serve on administrative committees. Students may serve on the Academic Standing Committee when it is meeting to discuss policy questions.

Faculty members of the College Council standing committees shall not be assigned to serve on Academic Senate standing policy committees.

Chairs of any standing committee may solicit volunteers to serve, without vote, as necessary and appropriate.

- b. The standing administrative committees are:
 - The Committee on Committees
 - The Elections Committee and
 - The Executive Committee
 - The Regulation Compliance Committee

The function of the administrative committees is to provide for the execution of policy decisions. The members and the specific functions of each administrative committee are:

- i. The Committee on Committees consists of five members of the Senate elected at the first organizational meeting of the newly-elected Senate. No more than one person may serve from any one department and members may not succeed themselves. Each year the Committee appoints members of the Senate to standing policy committees and special committees, honoring the request of individual Senate members as far as practicable.
- ii. The Elections Committee consists of five members elected by the Senate. This committee certifies the procedures and results of all Academic Senate and College Council balloting, nominations, and elections.
- iii. The Executive Committee consists of the elected chair, the secretary of the Senate, and one representative of each standing committee, elected by each committee each new academic year. The functions of the Executive Committee are:

1. To act for the Senate when it is not in session. All such actions are subject to review at the next session of the Senate.
2. To prepare the agenda for Senate meetings. This agenda must include reports of all actions passed by the Senate committees and may include reports from the college president, College Council, SGA, and other relevant matters appropriate to the Senate.
3. To refer matters brought to its attention to the appropriate committee.
4. To implement Senate decisions.
5. To review the calendar for the academic year.
6. To meet with the president at least once per semester.
7. To meet at least once a month during the fall and spring semester.
8. To have the power to call the Senate into session and to coordinate the activities of all committees.

iv. The Regulation Compliance Committee consists of three members elected for one-year terms at the organizational meeting. The committee advises the Academic Senate, or any of its committees, on whether or not resolutions referred to the committee by the Senate or its committees comply with existing regulations within BMCC's Bylaws, CUNY's Bylaws, the union contract, or state or federal laws.

c. The standing policy committees are:

Academic Standing
 Admissions
 Curriculum
 Instruction
 Faculty Development
 Student Affairs
 Academic Freedom

- i. Each member of the Senate, appointed by the Committee on Committees, serves on one and only one policy committee assigned by the Committee on Committees.
- ii. Any member of the faculty has the right, upon request, to appear before and speak, without vote, at any meeting of any Senate policy committee meeting.
- iii. Elected student representatives shall be responsible to report on the actions of their respective committees to the Student Government Association.

General Functions of the Policy Committees are:

- i. To render an annual report to the Senate.
 - ii. No later than two weeks after each meeting, to send to each member of the faculty a copy of the minutes of that meeting, prepared by the committee secretary.
 - iii. To send committee proposals requiring Senate action to the members of the Senate at least one week prior to Senate meetings.
- e. Functions of Specific Policy Committees
- i. The Academic Standing Committee

recommends policies regarding the academic qualifications that students must meet to be in good standing and the procedures for filing appeals for exceptions to the college's academic policies. The committee rules on appeals filed by students on matters related to academic standing, such as waivers of calendar deadlines, appeals for probationary status and exceptions to other academic policies as stated in the college catalogue. It will also hear appeals of the academic performance requirement of both federal and state financial aid programs.
 - ii. The Admissions Committee reviews, proposes and recommends policies pertaining to student recruitment, admissions and retention.
 - iii. The Curriculum Committee maintains a continuing review of the operation of the college curriculum and of pertinent developments in this field. Its functions include the evaluation and review of proposals for the modification of curricula.
 - iv. The Instruction Committee recommends policy in all areas dealing with effective teaching. It also distributes to the faculty information on the improvement of instruction.
 - v. The Faculty Development Committee discusses and disseminates information and promotes the well being and the professional development of the faculty.
 - vi. The Student Affairs Committee maintains a continuous review of, and recommends policy on, issues concerning retention, orientation, mentoring, community services, and scholarships.
 - vii. The Academic Freedom Committee educates the faculty on academic freedom issues and concerns, conducts screening and oversight of academic freedom complaints referred to the committee by faculty, and maintains a record of academic freedom violations reviewed by the committee. The American Association of University Professors' definition of academic freedom will guide the committee.

- f. Ad hoc Committees
 - i. Ad-hoc committees, whose purpose is to perform a given task, may be formed by a majority vote of the Senate. Members of ad-hoc committees must be elected by a majority vote of the Senate. Any member of the faculty may serve.
 - ii. The chairperson of the Academic Senate ad-hoc committees shall be appointed by the chairperson of the Academic Senate. All other chairpersons of committees of the Academic Senate, other than the Executive Committee, shall be elected by the respective committees.

PART B: THE COLLEGE COUNCIL

Section 1. Purpose

- a) Recognizing the legislative authority of the Academic Senate in matters of curriculum and degree requirements, the College Council shall be the body which establishes college policy on all matters except those specifically reserved by the laws of the State of New York, the Bylaws of the Board of Trustees of the City University of New York and by the collective bargaining agreements in force.
- b) The College Council shall serve as a forum for discussing issues and problems of general college concern, shall advise the President both in response to his request for counsel and, upon its own initiative, and shall provide, through its existence, a formal body for each constituent group to express its viewpoint and to communicate with each other.

Section 2. Membership

- a) The membership of the Council shall include representatives from all segments of the college community and shall consist of:
 - i. The Members of the Administration. The members of the administration shall be designated as follows:
 - 1. The President of the college who shall chair the College Council. The Vice President for Academic Affairs, who shall be Vice Chair of the College Council.
 - 2. Ten other college administrators to be annually designated by the President. Among the ten to be designated shall be administrators holding the title vice president or dean.
 - ii. The Members of the Academic Senate. The full-time and part time faculty, instructional staff and student delegates of the Academic Senate shall be members of the Council.
 - iii. The Members of the Staff. The members of the staff shall be designated as follows:
 - 1. Two individuals serving in the Higher Education Officers series title.
 - 2. Two individuals serving full-time in a Civil Service title.

3. Two part-time employees serving in the College Assistant title.
4. A representative of the college Alumni Association.

Section 3. Elections and Vacancies

- a. The service of the members of the Council who sit on the Council by virtue of their membership in the Academic Senate, whether faculty, instructional staff or student is co-extensive with their membership on the Academic Senate.
- b. The ten members of the administration appointed by the President shall serve a one-year appointment, subject to reappointment by the President.
- c. The delegates from the Higher Education Officer, Civil Service and College Assistant titles shall be elected by their respective constituent groups and shall be elected to three years. Vacancies in these positions are filled from the list of unsuccessful candidates of the last election. Where no list exists, the vacancy may be filled by the chairperson of the College Council. Elections shall be held in May by paper or machine ballot to be determined by the Elections Committee. If machine balloting is used, elections shall be held over a two consecutive day period.
- d. Candidates for the office of Higher Education Officer, Civil Service or College Assistant delegate must file an application to be a candidate with the Elections Committee. The application form and the date by which it must be filed shall be determined by the Elections Committee.
- e. The representative of the Alumni Association shall be designated by the association and shall serve a three-year term.
- f. Vacancies of faculty, college laboratory technician, and student delegates shall be filled in accordance with the procedures for the filing of vacancies set forth in Article I, Part A, Section 3 of the Governance Plan.
- g. Vacancies of administration members shall be filled at the discretion of the President.

Section 4. Structure and Functions of the College Council

- a. The officers and their duties
 - i. The chair of the Council is the President of Borough of Manhattan Community College and the vice chair is the Vice President for Academic Affairs. In the absence of the chair and vice chair, the President appoints a vice president or dean to preside.
 - ii. The chair and vice chair are members of the Executive Committee of the Council. The chair or vice chair shall preside over the Executive Committee.
 - iii. The secretary of the Council is elected at the May meeting of the Council from among the membership for a one-year term. The secretary is a member of the Executive Committee, but not of any other standing committee. The secretary is responsible for the minutes of all meetings, and for the notification of all members of Council concerning meetings and Council action.
 - iv. The Council, at its May meeting, elects a parliamentarian by a majority vote each year.

- b. Meetings
 - i. The Council meetings precede the Senate meetings and shall last no more than one hour. The meetings are incorporated into the college calendar. The Council meets at least twice each semester as determined by its Executive Committee. The dates of the regular meetings are established in consultation with the Academic Senate Executive Committee..
 - ii. Upon petition of twenty (20) members of the Council a meeting must be called in order to deal with matters of Council concern. The chair, the Executive Committee, or a resolution from the Council may call for special meetings.
 - iii. The proposed agenda for both regular and special meetings will be sent to the college community, the SGA, and Academic Senate at least one week prior to the meetings.
 - iv. A quorum of both regular and special meetings shall consist of a majority of the whole number of members of the College Council. For the purpose of this provision the words "whole number" shall be construed to mean the total number, which the College Council would have, were there no vacancies and were none of the members disqualified from acting.
 - v. The order of business at meetings shall proceed as follows:
 - 1. Call to order
 - 2. Action on minutes
 - 3. Communications and announcements
 - 4. Old business
 - 5. Reports of standing committees
 - 6. Reports of special committees
 - 7. New business
 - 8. Adjournment
 - vi. Meetings of the Council follow Robert's Rules of Order, revised, latest edition.
 - vii. Minutes of each meeting shall be sent to the college community no more than ten days after each meeting.
 - viii. Members of the college community who are not members of the College Council may attend meetings and shall have the privilege of the floor, but they may not vote.

Section 5. Structure and Functions of College Council Committees

- a. The Council shall establish standing committees and special committees.
- b. The standing committees are the Executive Committee, Long Range Planning Committee, Budget Committee, Campus Facilities and Security Committee, Technology Committee, and Committee on Campus Life and Student Issues. Faculty members of the College Council standing committees shall not be assigned to serve on Academic Senate standing policy committee. Where an insufficient number of faculty are elected to serve on a College Council standing committee, the chairperson of the applicable committee shall solicit a faculty member who is not a member of the College Council to serve as a faculty representative of his or her committee with full voting rights. The members and functions of each committee are:

- i. Executive Committee consists of the elected chair, the secretary of the College Council, and one representative of each standing committee, elected by each committee each new academic year. The functions of the committee are:
 1. To act for the College Council when it is not in session. All such actions are subject to review at the next session of the Council.
 2. To prepare the agenda for College Council meetings. This agenda must include reports from the college president, Academic Senate, SGA, all actions passed by Council committees and may include other relevant matters appropriate to the Council.
 3. To refer matters brought to its attention to the appropriate committee.
 4. To monitor and oversee the implementation College Council decisions.
 5. To meet at least once a month during the academic year.
 6. To have the power to call the Council into session, and to coordinate the activities of all committees.
 7. To approve the calendar for the academic year.

- ii. Long Range Planning Committee shall be chaired by the President of the College Council and shall consist of the chairperson of each College Council standing committee, the Vice President for Student Affairs, the Vice President for Development, the President of the Student Government Association, and one faculty member from each of the College Council Standing Committees to be designated by the Chairperson of the College Council. The Committee shall meet at the discretion of the chairperson of the committee, but shall meet at least once during the academic year.

- iii. Budget Committee consist four faculty or staff council members elected by the College Council, two persons appointed by the President, one of whom shall be appointed by the President to serve as chairperson of the committee, and one student selected by SGA. The Committee shall be responsible for reviewing budget information and be responsible for recommending policy relating to the financial and budgetary affairs of the college. The Committee will meet at least once per semester.

- iv. Campus Facilities and Security Committee consists of four faculty or staff council members persons elected by the Council, the Vice President for Administration, who shall chair the committee, one person appointed by the President, and one student selected by the SGA. The committee shall be responsible for recommendations to the College Council concerning the conditions, improvements and safety of the college and the allocation of space and facilities.

- v. Committee on Campus Life and Student Issues consists of four faculty or staff council members elected by the College Council, the Dean for Student Affairs, who shall chair the committee, one person appointed by the President, and three student members selected by the SGA. The committee shall be responsible for making recommendations concerning the student's college experience.

- vi. Committee on Technology consists of four faculty or staff members elected by the council, two members appointed by the President, one of whom shall be appointed by the President to serve as chairperson of the committee, and one student selected by the SGA. The committee shall be responsible for reviewing new technologies, including hardware and software, for the enhancement of teaching and learning and recommending policies related to technology in the college community.
- c. Ad-hoc committees whose purpose is to perform a given task may be formed by a majority vote of the College Council. Members of the ad-hoc committees must be elected by a majority vote of the College Council. Any member of the College Council may serve on an ad-hoc committee.
- d. The chairperson of College Council Ad-Hoc Committees shall be appointed by the Chairperson of the College Council.

ARTICLE II: DEPARTMENT ORGANIZATION

Section 1: Purpose

- a. Each department, subject to the approval of the Academic Senate shall have control of the educational policies of the department through the vote of its faculty members.
- b. Each department shall cooperate with related departments, and with college agencies in general, in the development of college-wide interests.

Section 2: Membership

- a. Members of a department shall be primarily recruited by the department chair.
- b. Recommendations for appointments, reappointments and reappointments with tenure to a department shall be initiated by the Department Personnel and Budget Committee or, for a professorial title, by the president.
- c. The president may recommend that a professorial department appointee be designated as department chair. Such recommendation may be made either at the time of election of department chair or such other time as the educational interests of the college may require. Before recommending such appointment or designation, the president shall confer with the Department Personnel and Budget Committee and with the College-Wide Personnel and Budget Committee.
- d. All appointments, reappointments and reappointments with tenure to a department are recommended to the College-Wide Personnel and Budget Committee by the department chair in accordance with the vote of the majority of the Department Personnel and Budget Committees and subject to the approval of the president and Board of Trustees.

Section 3: Elections and Vacancies

- a. The department chair is a tenured member of the department in the rank of professor, associate professor, or assistant professor. The chair is elected the first week in May for a three year term by a majority of the reappointed department faculty and full time CLTs. Mail or proxy voting is not permitted and these three year terms for all chairs are staggered. An exception is the Chair of the Department of Cooperative Education, the chair of the Department of Student Life who shall be the Vice President for Student Affairs, and the chair of the Library who are designated by the president. Each shall perform functions of a department chair, enumerated below in this Article II, Section IVa.
- b. In any case where the president does not approve the election of a department chair, or at such other time as the interests of the college may require the removal of a chair and the appointment of a new one, the president shall confer with the department and thereafter shall report to the board any subsequent action by the department with respect thereto, together with the president's recommendation for a chair. The recommendation by the president to the board for the designation of the department chair should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president's recommendation shall be based on the capacity of the individual selected to act effectively as the departmental administrator and spokesperson and as a participant in the formation, development and interpretation of college-wide interest and policy.
- c. Department Personnel and Budget Committee consists of four members of the department faculty and full-time CLTs, at least three of whom are tenured, and all in the rank of professor, associate professor, or assistant professor. Members of the Department P&B are elected by a majority of the reappointed department faculty and full-time CLTs for a three year term in May at the same time as the election of the chair.
- d. Vacancies for department chair or Department Personnel and Budget Committee members are filled by departmental election for the un-expired term. A vacancy in the office of chair does not alter the terms of the committee members.

Section 4: Structure and Functions

- a. The department chair is the executive officer of the department. As such the chair:
 - i. Is responsible for departmental records.
 - ii. Assigns courses to and arranges programs of Instructional staff members of the department.
 - iii. Initiates policy and action concerning the recruitment of faculty and other departmental affairs to the staff of the department in regard to educational policy, and to the Department Personnel and Budget Committee in the matter of promotions and appointments.

- iv. Represents the department before the Academic Senate.
 - v. Presides at meetings of the department.
 - vi. Is responsible for the work of the department's committee on personnel and budget which he/she chairs.
 - vii. Prepares the tentative departmental budget, subject to the approval by the department's committee on personnel and budget.
 - viii. Transmits the tentative departmental budget to the president with his/her own recommendations.
 - ix. Arranges for careful observation and guidance of the department's instructional staff members.
 - x. Makes a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget.
 - xi. Holds an annual evaluation conference with every member of the department after observation and prepares a memorandum thereof.
 - xii. Generally supervises and administers the department.
- b. The Department Personnel and Budget Committee which consists of the chair and four elected** Department Faculty has the departmental authority in all matters pertaining to appointments, reappointments, tenure, promotions (except for rank of professor), sabbaticals, as well as budget. All votes of the committee are by secret ballot, require a majority with a tie vote considered as a denial, and must be recorded in the minutes. No committee member shall be included in any committee decision pertaining to him (her)self and it is the chair's duty to communicate to the candidate the action of this committee without assigning reasons for a negative decision.

All departmental personnel decisions shall be in accordance with the criteria for professional evaluation as stipulated in the provisions governing professional evaluation of the collective bargaining agreement between CUNY and the PSC together with applicable provisions of City University Bylaws and policies. Personnel dissatisfied with departmental decisions may file a complaint or grievance in accordance with the collective bargaining agreement.

**Elected by reappointed department faculty.

ARTICLE III: COLLEGE-WIDE PERSONNEL AND BUDGET COMMITTEE

Section 1: Purpose

- a. To examine individual departmental decisions regarding personnel considering the totality of college-wide interests and uniformity of criteria; and to recommend action thereon to the president.
- b. To make recommendations regarding promotion to full professor.
- c. To make recommendations regarding the annual tentative college budget to be prepared and submitted by the president within the period prescribed by the chancellor.
- d. To receive petitions and appeals from the faculty regarding status and compensation and to present recommendations to the president.

Section 2: Membership

- a. The President, the Vice President for Academic Affairs and the Chairs of Departments.

Section 3: Elections and Vacancies

For election and filling of vacancies of departmental chair, see Article II, Sections III a, b, and d.

- a. The President serves as chair. The Vice President for Academic Affairs presides as chair in the absence of the President.
- b. The College-Wide Personnel and Budget Committee receives and considers from the departments their decisions regarding appointment, reappointment, compensation, tenure, promotion, and sabbatical and recommends action thereon to the President. Chairs of departments present the cases of the candidates from their departments and the committee bases its decision on teaching effectiveness (based on peer observation and student evaluations); department, college, and university service; professional organizations and activities; publications, research, grants, community service, and honors and awards. The Committee shall also consider other factors consistent with City University Bylaws and policies, including institutional considerations. Qualifications for faculty ranks are based on the criteria listed in Article XI of the Board of Trustees By-laws. All votes are by secret ballot with abstentions not counted in totaling the votes. The presiding chair may vote if he has not yet voted at the time the vote is announced. Members must be present to cast valid votes and a majority of the whole number of voting members must be present. A majority of the whole number of voting members must vote affirmatively to make a positive recommendation. Committee members may not be included in discussions or allowed to vote on matters concerning themselves except in the case of sabbatical. Minutes of meetings contain only affirmative and negative votes and only committee members receive a copy of the minutes.
- c. The College-Wide Personnel and Budget Committee considers directly, without necessity of departmental action, applications for promotions to rank of full professor.

- d. Letters of appeal of negative decisions addressed to the president as chair are considered. Personnel dissatisfied with committee decisions may file for complaint or grievance in accordance with Article 20 of the current collective bargaining agreement or successor agreement.
- e. The president, as chair, shall submit his/her annual tentative budget within the period prescribed by the chancellor for committee recommendations. If the committee fails to act upon the budget within the prescribed period, the president shall submit to the chancellor his/her own recommendations together with a statement of explanation.

ARTICLE IV: PERSONNEL REVIEW COMMITTEE

Section 1: Purpose

- a. The Committee shall review, upon written request by the faculty member or CLT affected, those negative personnel recommendations of Department Personnel and Budget Committees and/or College Personnel and Budget Committee concerning:
 - i. Reappointment
 - ii. Reappointment with Tenure or CCE
 - iii. Promotion (including Appointment to Assistant Professor, Instructor and Lecturer)
 - iv. Sabbatical (Fellowship) Leave

Section 2: Membership

- a. The Committee shall consist of nine (9) members holding faculty status and rank elected by the faculty. An Academic Dean appointed by the President shall preside without vote.
- b. No member of the College Personnel and Budget Committee shall serve on the Review Committee.
- c. No more than one (1) member of any department or program may serve on the Committee. In the event that more than one (1) person from any department or program is elected, the person with the highest number of votes shall serve.
- d. No member of the faculty shall be eligible to serve who has not completed two (2) years of full-time service in the College.
- e. No member of the Committee shall serve for two consecutive terms.
- f. The term of office for elected Committee members, shall be

two (2) years.

Section 3: Elections and Vacancies

- a. All full-time members of the faculty with a minimum of one full year of service to the College shall be eligible to vote for Committee members.
- b. Committee members shall be elected by a plurality of those voting.
- c. Elections shall be scheduled to coincide with the election of at-large members of the Academic Senate.
- d. Nominations for the Review Committee shall be by nominating petition requiring twenty-five (25) signatures of faculty members eligible to vote.
- e. Elections shall be supervised by the Academic Senate Elections Committee in accordance with the election procedures established by the Academic Senate.
- f. Vacancies shall be filled in accordance with the same vacancy procedures established for at-large members of the Academic Senate, and shall be supervised by its Elections Committee.

Section 4: Structure and Functions

- a. The Committee shall be chaired by an Academic Dean who shall preside at all meetings without vote.
- b. A quorum for the Committee shall be two-thirds (2/3) of its members.
- c. All votes of the Committee shall be by secret ballot. Committee members shall be bound by University regulations concerning confidentiality of deliberations. An affirmative recommendation of the Committee shall require a majority vote of those members present.
- d. The Committee Chairperson shall notify in writing the concerned individual of the Committee recommendation to the President.
- e. The Committee shall conduct its meetings in accordance with Robert's Rules of Order.
- f. The faculty member or CLT may request a review by the Committee by submitting a written appeal to the Committee Chairperson within fifteen (15) calendar days following receipt of the negative personnel recommendation of the College P&B Committee.
- g. The Committee shall base its review on the criteria established in the PSC-CUNY Agreement, University bylaws and College policies, and shall forward its recommendation to the President.

ARTICLE V: AMENDMENTS

Section 1: Proposing Amendments

- a. Amendments to the Governance Charter may be initiated by the President, or by a vote of the Academic Senate, or by a vote of the College Council, at any meeting of either body.
- b. An amendment to the Governance Charter may also be initiated by a vote of the Student Government Association.

Section 2: Notice Requirements

- a. Proposed amendments to the governance charter shall be discussed at a regular or special meeting of the College Council and shall be voted on at a subsequent meeting of the body.
- b. A resolution proposing an amendment to the Governance Charter shall require a two-thirds vote of the College Council.

Section 3: Board of Trustee Approval

- a. All amendments to this governance charter are subject to approval by the Board of Trustees.