

## *DRAFT - Proposed Language for Revised Bylaws Appendix*

### **APPENDIX V: MINIMAL REQUIREMENTS OF CONSULTATION**

#### **Preamble**

The purpose of shared governance is to provide a sound structure and procedures through which the Faculty and Administration and other stakeholders of the College can communicate with each other about the issues and decisions facing the College community, so that full opportunity for appropriate joint planning and effort can take place.

The concept of shared governance is embedded in academia and is supported by all key associations of higher learning including the American Association of University Professors (AAUP), the Association of College Governing Boards of Universities and Colleges (AGB), the American Council on Education (ACE); by accrediting agencies in higher education such as Middle States; and is articulated in the SUNY Policies of the Board of Trustees (Article X).

The AAUP defines the following areas of joint effort:

- Determination of general educational policy
- The framing and execution of long-range plans
- Decisions regarding existing or prospective physical resources
- Budgeting and the allocation of resources
- The selection of the President, chief academic officer, and selection of academic Deans and other academic officers
- The determination of faculty status such as appointment, reappointment, and tenure.  
(*AAUP Statement on Governance of Colleges and Universities, 1966*)

#### **Definition**

In this regard, the Faculty characterizes consultation as the process by means of which joint participation and effort takes place, and timely input is utilized in making decisions or establishing policy. Further, formal and informal consultation is the means by which relevant parties are informed of decisions and policies. The aim of consultation is to facilitate frank and open dialogue and utilize the knowledge and experience of the faculty, administration, staff and students in decision-making.

One of the principal ways in which faculty participate in decision making in the College is by electing or participating as representatives to governance bodies; and, the principal means for the administration to seek formal consultation with the faculty is through elected governance bodies.

- A. Formal Consultation. The Faculty will engage in formal consultation with the President and the administration, as outlined and limited by the *Policies of the Board of Trustees*, and further characterized by the Chancellor's Statement on Governance [Faculty Handbook, Section III, p. 1]. Formal consultation is required for matters as delineated below:

1. The Faculty may initiate and shall disapprove or approve and recommend for implementation:
  - a. All changes in, additions to, or deletions from the Curriculum
  - b. Policies or standards regarding evaluation of students' academic work
  - c. Policies or standards regarding admission to the College and to its degree-granting or certificate programs
  - d. Policies and standards for graduation of students and awarding of academic degrees and certificates, including honorary degrees
  - e. Policies and standards for the conduct and evaluation of research and teaching
  - f. Policies and standards for appointment, promotion, and tenure (continuing appointment) of teaching faculty.
2. The Faculty shall be informed and given opportunity to discuss at the earliest possible stages in their formulation, and shall review and provide formal consultation on, prior to adoption, all proposals regarding:
  - a. Creation, renaming, major re-organization, or dissolution of academic units and programs
  - b. Goals and formal plans directing the future of the College
  - c. Policies or standards governing speech and assembly on the campuses of the College.
  - d. Plans for development of new campus facilities, or major modifications or closure of existing facilities.
3. The Faculty shall provide ongoing consultation on institution-wide budget or business initiatives that affect the teaching, research, or service programs of the College.
4. The Faculty shall establish procedures for investigating, hearing, and reporting to appropriate persons or bodies with respect to charges or complaints:
  - a. Brought by members of the Faculty against other members of the Faculty or against administrative officers of the College, or
  - b. Brought against members of the Faculty by students or other members of the College community, or
  - c. Brought by members of the College community regarding restrictions on Freedom of Expression and Assembly, including academic freedom.

Either the President or the Faculty shall be able to request formal consultation on other matters.

Except where precluded by contractual or other legal restrictions, minimally, formal consultation with the faculty on these proposals shall entail consultation between administration and College governance bodies.

### **Procedures**

Formal consultation shall require communication, preferably in writing, specifying the area or issue for which recommendations are being solicited and accompanied by sufficient information as necessary for an informed recommendation. Formal consultation should occur as soon as issues needing resolution are identified. The faculty shall be given adequate time to respond. A written response to final Faculty recommendations shall be provided, indicating what decisions were made and the basis for such decisions; this should be particularly detailed in instances where faculty recommendations are not followed.

- B. Advice. A group of Faculty may offer an informal expression of opinion or may review and offer recommendations on proposed policy or actions. The advice may be initiated by a governance body or requested by an administrator. The administrator will communicate the decision and the rationale for it back to the advisory group.
  
- C. Faculty Participation in Advisory Groups Outside of Governance Bodies. Administrators may choose to advance their leadership vision for the College by constituting special committees and task forces, selecting individual faculty members because of their experience or expertise. Ideally, such advisory groups will be constituted in consultation with the Faculty Senate and lines of communication with relevant governance bodies will be enunciated. In any case, such groups do not represent the Faculty as a whole and advice from such groups does not replace approval by or formal consultation with the Faculty. Such groups may freely provide advice; however, for such groups to be considered part of the formal consultative process, a majority of the faculty members must either be appointed by, or their recommended appointment approved by, the Faculty Senate, and specific faculty members must be designated to regularly report to the Senate. The Chair and Vice Chair of the Senate shall be consulted in the composition of all major search committees and committees to select honorary degree recipients.
  
- D. Consultation with Constituent Groups. All Faculty Governance bodies have a responsibility to communicate regularly with their constituency, and to be responsive when a request for consultation comes from Student Groups.

*\* Language for Appendix V has been adapted from the SUNY Board of Trustees Policies (pg. 9), the SUNY UFS Governance Handbook, AAUP Statement on the Governance of Colleges and Universities (1966), the Preamble to the Bylaws of SUNY Albany (2006), and Chancellor Bruce Johnstone's Seven Precepts of Academic Governance.*