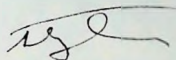


State University of New York / College at Old Westbury

LIBRARY/MEDIA CENTER
Box 229, Old Westbury
Long Island, New York 11568
Telephone (516) 876-3000

Memorandum

To: Faculty Council
From: Stephen Kirkpatrick, Chair
Date: November 18, 1991
Subject: Bylaws amendments



=====

Please study these two motions for discussion at Faculty Council on Friday.

S. K.

Motion from the Faculty Council to enable the proposed Bylaws amendments which provide for a Faculty Senate

Resolved, that the faculty adopts the following procedures in order to enable the transition to a Faculty Senate:

1. A Faculty Council shall not be elected in the Spring, 1992, elections. Instead, the five at-large representatives to the Senate shall be elected from among the voting faculty as defined in the proposed Bylaws amendments.

2. Prior to the end of the Spring 1992 semester academic programs shall elect their Senate representatives from among the voting faculty as defined in the proposed Bylaws amendments.

3. A Nominations and Elections Committee shall be elected in the Spring 1992 elections. Five members shall be elected from among the voting faculty as defined in the proposed Bylaws amendments. Of the five elected, the three with the highest votes shall receive two-year terms. The other two shall receive one-year terms, in order to provide for staggered membership.

4. Prior to the first meeting of the Faculty senate in September, 1992, the new Nominations and Elections Committee shall:

a. Choose, in a blind drawing, three names from the at-large representatives, who shall receive two-year terms. The other two representatives shall receive one-year terms, in order to provide for staggered membership.

b. Choose, in a blind drawing, nine names from the academic program representatives, who shall receive two-year terms. The other program representatives shall receive one-year terms, in order to provide for staggered membership.

5. In the first year of the revised Bylaws the Senate shall elect a Chair for a one-year term. The Vice-chair is the chair-elect for the second year.

6. The proposed Bylaws amendments shall be effective September 1, 1992, except that enabling activity shall be effective as provided in items one through four above.

MOTION FROM THE FACULTY COUNCIL TO ESTABLISH A FACULTY SENATE

Resolved, that the Bylaws of the Faculty of the SUNY College at Old Westbury be amended as follows:

Present text

ARTICLE III: MEMBERSHIP

1. ~~The voting Faculty consists of the Chancellor of the State University, the President of the College, the Vice President for Academic Affairs, and those persons having full academic rank or qualified academic rank at the College.~~

Proposed text

ARTICLE III: MEMBERSHIP

1. The voting faculty consists of the Chancellor of the State University, the President of the College, the Vice President for Academic Affairs, and persons who have academic rank [as defined in Policies of the Board of Trustees, article II sect.1(j)] and term or continuing appointment.

=====

Present text

IV A 2. Presiding Officer

~~The Chairperson of the Faculty Council shall serve as Presiding Officer at meetings of the Faculty. However, the Chancellor or the President may exercise their option to preside over meetings of the Faculty.~~

Proposed text

IV A 2. Presiding Officer

The Chair of the Faculty Senate shall serve as Presiding Officer at meetings of the Faculty. In the absence of the Chair of the Senate, the Vice chair of the Senate shall serve as the

Presiding Officer. However, the Chancellor or the President may exercise her/his option to preside over meetings of the Faculty.

=====

Present text

~~IV A 3. Secretary of the Faculty~~

~~The Secretary of the Faculty shall also serve as Secretary of the Faculty Council, with vote. He/she shall be elected by the Faculty Council from among its elected members and confirmed by vote of the Faculty, and shall serve for a period of one year, beginning at the first regular meeting of the Faculty subsequent to election. In his/her absence, the Chairperson of the Faculty Council shall appoint a secretary pro tem. The Secretary is the custodian of the official minutes and records of Faculty and Faculty Council meetings.~~

Proposed text

IV A 3. Secretary of the Faculty

The Secretary of the Faculty Senate shall serve as Secretary of the Faculty.

=====

Present text

~~IV A 4. Parliamentarian~~

~~The Parliamentarian of the Faculty shall be designated each year from among the voting members of the Faculty. His/her appointment shall be made by the Faculty Council in consultation with the President. He/she shall also serve as parliamentarian of the Faculty Council, without vote, and shall take office at the first regular meeting of the Faculty subsequent to election.~~

Proposed text

D E L E T E A N D R E P L A C E W I T H

IV A 4. Treasurer

The treasurer of the Faculty Senate shall serve as Treasurer of the Faculty.

=====

Present text

~~IV A — 6. — Terms of Office~~

~~Except as otherwise stipulated, the terms of all elective officers shall begin before the end of the Spring Semester to allow for orderly transition and full coverage of any Faculty business over the Summer.~~

Proposed text

D E L E T E

This is dealt with elsewhere.

=====

Present text

~~IV — B — Meetings of the Faculty~~

~~1. — Regular Meetings~~

~~The Faculty shall meet during the first week of every month during the academic year.~~

~~2. — Special Meetings~~

~~Special Meetings of the Faculty may be called by the Chancellor, by the President, by the Faculty Council, or by request of the Secretary of the Faculty, acting upon petition by fifteen (15) per cent of the Faculty.~~

~~In the case of a special meeting petitioned by Faculty, the Faculty Council shall determine the validity (but not the merits) of the petition. A written agenda shall be prepared by the President, or the Faculty Council, or the petitioners and forwarded to both the President's Office and the Secretary of the Faculty. Such agenda shall be distributed to the Faculty at least three days prior to the meeting date. Special meetings shall be held within two weeks of receipt of validated petition.~~

3. Emergency Meetings

~~Emergency meetings of the Faculty may be called at any time by the Chancellor or the President. As in other faculty meetings, unless a quorum is present, action taken at such meetings shall not be binding.~~

Proposed text

IV B Meetings of the Faculty

1. Regular meetings

The Faculty shall meet within thirty days after the beginning of the Fall and Spring semesters, and within thirty days prior to the Spring Commencement.

2. Special meetings

Special meetings of the Faculty may be called by the Chancellor, by the President, or by the Faculty Senate.

3. Emergency meetings

Emergency meetings of the Faculty may be called at any time by the Chancellor or the president.

4. Meetings by petition

a. Meetings of the Faculty may be called by a petition signed by fifteen per cent of the voting faculty and submitted to the Chair of the Faculty Senate.

b. The agenda of a meeting called by petition must include the item of business requested by the petitioners.

=====

Present text

IV C Procedures

1. Notice of Meetings

~~Except in the case of an emergency meeting called by the Chancellor or the President, the Secretary of the Faculty shall notify each member of the Faculty by mail at least one week in advance of a meeting of its time, place, and agenda.~~

2. Quorum

~~A quorum shall consist of a majority of voting faculty. A quorum must be present when an action of record is taken.~~

3. Conduct of Meetings

~~At each regular meeting of the Faculty, the agenda shall~~

~~normally consist of the following order of business:~~

- ~~a. Minutes of the previous meeting~~
 - ~~b. Report of the Chancellor~~
 - ~~c. Report of the President of the College~~
 - ~~d. Report of the Academic Vice President~~
 - ~~e. Report of the Chairperson of the Faculty Council.~~
 - ~~f. Report of elections, when such have been held~~
 - ~~g. Reports of Standing committees~~
 - ~~h. Report of the Secretary~~
 - ~~i. Items of new business to be presented at any meeting~~
- ~~Faculty for a vote at that meeting must have been reviewed by the Faculty Council, which shall have the responsibility to include with the announcement of the meeting a brief explanation of the new business. New business may be presented from the floor at any faculty meeting. However, no substantive matter thus presented is to be brought to a vote until a subsequent meeting of the Faculty. The Parliamentarian shall determine whether any such item is substantive or not. Robert's Rules of Order shall govern the conduct of meetings of the Faculty except insofar as these by-laws made express provisions to the contrary.~~

Proposed text

IV C Procedures

1. Notice of meetings

Except in the case of emergency meetings the Secretary of the Faculty Senate shall, no later than one week prior to the meeting, mail to each member of the voting faculty an agenda and notice of the time and place of the meeting.

2. Quorum

A quorum at all meetings of the Faculty shall consist of a majority of the voting faculty.

=====

Present text

ARTICLE V: FACULTY COUNCIL

Section A: Membership

~~1. There shall be a Faculty Council whose function is to act as the executive committee of the Faculty. The Council shall consist of four ex officio members, seven members elected at~~

~~large from the voting Faculty, and one convener from the Council of Conveners elected by the Faculty at large.~~

~~2. The ex-officio members shall be the Chancellor, the President, and the Vice President for Academic Affairs, each serving without vote, or their appropriate authorized deputies as specified in Article III, P 2; also the Senator or Alternate Senator to the Faculty Senate, serving with vote.~~

~~3. The Secretary of the Faculty and the Parliamentarian of the Faculty serve in like capacity with the Faculty Council as for faculty matters.~~

~~4. The elected members of the Faculty Council shall serve two year terms, which shall be staggered to provide for the election or reelection of four members each year.~~

~~5. The members of the Faculty Council shall elect each year, by a simple majority vote, one of its elected members to serve as Chairperson. The members of the Faculty Council shall elect each year, by a simple majority, one of its elected members to serve as Faculty Secretary, subject to confirmation by vote of the Faculty.~~

~~6. A quorum shall consist of a majority of the voting members of the Faculty Council.~~

Section B: Responsibilities

~~1. The Faculty Council shall prepare the agenda for all regular and special meetings of the Faculty and shall arrange for their distribution through the office of the Secretary of the Faculty~~

~~2. The Faculty Council shall receive the minutes of all faculty committee meetings, with the exception of the Standing Committee on Faculty Personnel Matters, and it shall be the responsibility of the Faculty Council to be informed of the functioning of each such committee. All standing committees shall present an annual report to the Faculty Council.~~

~~3. The Faculty By laws shall delineate the areas of responsibility of all faculty committees and the Faculty Council shall receive all faculty policy change proposals for review prior to their inclusion on the agenda of any faculty meeting.~~

~~4. The Faculty Council shall have the authority to appoint ad hoc faculty committees as deemed necessary.~~

~~5. Standing committees shall be formed by proposal of the Faculty Council and approval by a majority of the voting Faculty~~

~~at a regular or special meeting (composed of a quorum) of the Faculty.~~

~~6. The Faculty Council shall either approve policy change proposals submitted by faculty committees, or it shall return them to the sponsoring committee with its recommendations. Upon subsequent resubmission, it shall either approve the proposals and/or submit them to the Faculty for deliberation and action.~~

~~7. The Faculty Council shall receive written statements by any faculty member who is dissatisfied with the functioning or decision of a faculty committee, and the Council shall determine what action, if any, may be taken to alleviate the dissatisfaction of the Faculty member with the committee's functions and decisions.~~

Section C: Elections

~~1. The four nominees for the Faculty Council receiving the largest number of votes at a regular election shall be declared elected.~~

~~2. Nominations shall be prepared by the Standing Committee on Nominations and Elections and included in the agenda of the April faculty meeting.~~

~~3. Elections for the Faculty Council shall be administered by the Standing Committee on Nominations and Elections, which shall be responsible for the preparation of election procedures.~~

~~4. In the event of a vacancy among the elected membership of the Council, the Standing Committee on Nominations and Elections shall conduct a by election to fill the unexpired term as soon as possible.~~

Proposed text

ARTICLE V

FACULTY SENATE

A The Faculty Senate of the College at Old Westbury shall be composed of:

1. One representative from each academic program (including library), who is elected by the voting faculty of each program before the end of the Spring semester and who serves a two-year term beginning September 1 after the election.

2. Five representatives from the voting faculty who are elected at-large by the voting faculty before the end of the

Spring semester according to procedures described in VI-A-2 of these Bylaws and who serve two-year terms beginning September 1 after the election.

3. The State University Faculty Senator.

4. A member of the Reappointments, Promotions, and Tenure Committee, who is elected by that committee and who serves a one-year term.

5. A member of the Academic Policy Committee, who is elected by that committee and who serves a one-year term.

6. A member of the Curriculum and Academic Planning Committee, who is elected by that committee and who serves a one-year term.

7. Three students who are elected by procedures determined by student governance and who serve one-year terms.

8. Three professional employees [as defined in Policies of the Board of Trustees, article II sect.1(1)] who are not designated management/confidential and who are elected at-large by the non-management/confidential professional employees before the end of the Spring semester by procedures determined by the professional employees and who serve two-year terms beginning September 1 after the election.

9. The President of the College, ex officio without vote.

10. The Vice President for Academic Affairs, ex officio without vote.

11. The Vice President for Student Affairs, ex officio without vote.

12. The Vice President for Budget and Finance, ex officio without vote.

B The Faculty Senate shall:

1. Serve as the deliberative body for organizing and carrying out the business of the faculty.

2. Prepare the agenda for faculty meetings (except emergency meetings).

3. Advise and support the Chair of the Senate.

4. Initiate studies and investigations pursuant to the purposes and responsibilities of the faculty.

5. Receive the minutes, reports and recommendations of faculty committees and deliberate and vote thereon.

6. Carry out those directives of the voting faculty which are within the jurisdiction of the Senate and not otherwise delegated in these Bylaws.

7. Change and make congruous a provision of any policy or statement passed by the voting faculty which is discovered to be in conflict with a State or University policy or statement which has precedence.

8. Publish:

- a. Senate minutes, within ten working days.
- b. Faculty minutes, within ten working days.
- c. The annual reports of faculty committees, no later than August 31.
- d. Other reports and statements which advance the work of the faculty.

9. Review faculty governance and, if necessary, propose changes in these Bylaws, every fifth academic year.

C Any faculty member has the right to attend meetings of the Faculty Senate and to participate in the discussion when the floor has been yielded by a Senator.

D A quorum of the Faculty Senate shall be a majority of its voting membership.

E The officers of the Faculty Senate are:

1. The Chair of the Senate, who shall:

- a. Preside at meetings of the Faculty Senate and of the Faculty.
- b. Propose agenda for Senate meetings, refer matters to faculty committees, and report to the Senate at its next meeting all matters referred to committees.
- c. Appoint, with the advice of the Nominations and Elections Committee, persons to fill the unexpired terms of any elected committee members or at-large senators.
- d. Appoint, with the advice of the Nominations and Elections Committee, committee members not otherwise provided for in these

Bylaws.

- e. Carry out the directives of the faculty and Senate regarding time of meetings, programs, activities, and business of the faculty.
- f. Be responsible for the proper conduct of elections and voting on proposed amendments to these Bylaws.
- g. Confer with the President of the College, or the President's delegated representative, as the Chair is directed by the Senate or faculty, or as the Chair sees fit in the absence of such direction.

2. The Vice Chair of the Senate, who shall:

- a. Preside at meetings of the Faculty Senate and of the Faculty when the Chair is absent.
- b. Serve as Chair for the remainder of the Chair's term if the Chair's position becomes vacant.
- c. Discharge such duties as shall be assigned by the Chair with the advice and consent of the Senate.
- d. Assume the office of Chair of the Senate in the year following service as Vice Chair.

3. The Secretary of the Senate, who shall:

- a. Record and publish the minutes of all minutes of the faculty and Senate.
- b. Publicize the meetings of the faculty and Senate, including the agenda of such meetings.
- c. Keep a file of all minutes, correspondence, reports and other documents so as to comprise a total record of the activities of the faculty and place a copy of the file in the Library archives.

4. The Treasurer of the Senate, who shall:

- a. Receive, and disburse with the written acknowledgement of the Chair of the Senate, all funds of the faculty.
- b. Prepare and submit a faculty budget, no later than September 30.
- c. Submit, no later than August 31, a financial statement of all funds under control.

F The officers of the Faculty Senate shall be elected at a meeting of the Faculty Senate which shall be held no later than September 15 and shall assume office immediately for one-year terms.

=====

Present text

VI A Committee on Nominations and Elections

1. ~~There shall be a Committee on Nominations and Elections of the faculty which shall consist of five members of the voting faculty. The members of the Committee shall be elected at the first regular meeting of the faculty occurring after January 1 of the academic year. Candidates shall be nominated from the floor. The committee members shall serve for two years, or until the successor Committee is elected at the first regular meeting of the Faculty after January 1 of the next academic year. Two members shall be elected in odd-numbered years, three in even-numbered years; initial two-year terms shall be decided by lot among the existing Committee.~~

2. ~~At the April meeting of the Faculty, the Committee on Nominations and Elections shall report to the Faculty the number of vacancies on each committee along with a list of continuing members of the committee.~~

3. ~~Every faculty member who does not have a continuing committee assignment (and those who do, if they want to take on more work) shall be asked to nominate themselves for election to at least one standing or collegewide committee. Faculty may nominate others with their prior approval.~~

4. ~~The Committee on Nominations and Elections shall review the nominations and seek out additional nominees, if necessary, to ensure well-balanced committees. The Committee shall be guided particularly by the College's affirmative actions goals (see Article VI, Preamble).~~

5. ~~Additional nominations of candidates may be made from the floor at the May meeting of the Faculty. The Faculty must vote to close nominations.~~

6. ~~Within two weeks after the presentation of candidates, the Committee shall mail to each voting member of the Faculty a ballot listing the nominees for all pending vacancies. Two weeks~~

~~shall be allowed for the return of ballots, at the expiration of which the Committee shall tabulate the vote and report the results to the President and Officers of the College, Secretary of the Faculty, Chairperson of the Faculty Council, and the elected Faculty. The Secretary of the Faculty shall notify the Faculty of the results of the election by mail.~~

~~7. Following the election, the Faculty Council shall be charged with the responsibility of filling any vacancies through appointment. Particular effort will be made to include new faculty as soon as their appointment is certain and their preferences ascertained. The Nominations and Elections Committee shall monitor all appointments for balance according to affirmative guidelines.~~

~~8. Newly elected committee members shall take office at the beginning of the academic year following election. However, newly elected members shall meet with the existing committees in May to familiarize themselves with procedures and duties and to elect officers for the following academic year.~~

~~9. The Committee shall elect each year, by a simple majority vote, one of its members to serve as chairperson of the Committee.~~

Proposed text

VI A Nominations and elections committee

1. Membership
 - a. The nominations and elections committee shall consist of five members of the voting faculty elected at large by the voting faculty.
 - b. The members shall be elected for two-year terms with either two or three members elected each year.
 - c. The chair of the committee shall be elected by the members of the committee for a one-year term.
2. Duties
 - a. Regular elections
 - i. The committee shall prepare and mail to all voting faculty a list of continuing members and vacancies for standing committees and at-large senators and a solicitation of nominations, not later than eight weeks before the end of the Spring semester.
 - ii. The committee shall solicit additional nominations, if necessary, in order to prepare a slate of candidates which is representative of the College's gender, ethnic and disciplinary diversity.
 - iii. The committee shall mail the slate to all voting faculty not later than one week prior to the Faculty Senate

meeting at which additional nominations will be accepted from senators and from other voting faculty in attendance. This Faculty Senate meeting shall be held no later than four weeks before the end of the Spring semester.

iv. The committee shall mail the ballot to each voting faculty member within one week of the above mentioned Faculty Senate meeting. Two weeks shall be allowed for return of ballots.

v. The committee shall mail the election results to all voting faculty.

b. Other duties

i. The committee shall submit names to the Chair of the Faculty Senate to fill the unexpired term of any elected committee member or at-large senator.

ii. The committee shall seek nominations for and conduct special elections.

iii. The committee shall conduct the election, by academic and professional employees, of the State University Faculty Senator and Alternate Senator.

=====

Present text

~~VI D 1. Faculty members of the Committee on Curriculum and Academic Planning shall be elected from a slate prepared by the Nominations Committee in consultation with the Faculty Council.~~

Proposed text

VI D 1. Faculty members of the Committee on Curriculum and Academic Planning shall be elected from a slate prepared by the Nominations and Elections Committee.

=====

Present text

~~VI D 2 d. If the decision is positive, the Committee on Curriculum and Academic Planning will submit to the faculty the detailed proposals...~~

Proposed text

VI D 2 d. If the decision is positive, the Committee on Curriculum and Academic Planning will submit to the Faculty Senate the detailed proposals...

=====

Present text

~~VI F 2. [Academic policy Committee] The Committee is also empowered to recommend changes in such policies and practices to the Faculty for faculty action. Those approved by the Faculty will be forwarded to the Office of Academic Affairs for adoption as official college policy.~~

Proposed text

VI F 2. The Committee is also empowered to recommend changes in such policies and practices to the Faculty Senate. Those approved by the Faculty Senate will be forwarded to the Office of Academic Affairs for adoption as official college policy.

=====

Present text

~~VI H 2. [Committee on Academic Standing] The Committee shall also review such guidelines, as well as the impact of Old Westbury grading policies in general and make recommendations to the faculty for their revision.~~

Proposed text

VI H 2. The Committee shall also review such guidelines, as well as the impact of Old Westbury grading policies in general and make recommendations to the Faculty Senate for their revision.

=====

Present textARTICLE VIII: ELECTIONS

1. ~~Voting to fill elective positions for membership on the Faculty Council, the Standing Committees of the Faculty, and for established collegewide committees shall be by a ballot mailed to the voting faculty at least two weeks before voting. Ballots shall be returned to the Secretary of the Faculty acting on behalf of the Committee on Nominations and Elections. The only expectations to the mail ballot type of voting shall be that for the Standing Committee on Nominations and Elections (see article VI, Section A, Paragraph 1), and for Conveners (see Article VII, Section A2).~~

2. ~~In case ballots are challenged clarification of voting privilege shall be referred to the Committee on Rights and Responsibilities. All other challenges shall be within the province of the Committee on Nominations and Elections.~~

3. ~~Elected committee members shall serve until their successors are elected.~~

4. ~~Committees shall elect their conveners by majority vote of committee members, unless otherwise provided in these bylaws.~~

Proposed text

D E L E T E

It is otherwise provided for.

=====

Present textARTICLE IX: Amendments to the bylaws

1. ~~Proposals to amend these bylaws may be presented to the Faculty Council in writing at least two weeks before discussion at a regular or special meeting of the Faculty.~~

~~2. To make a change in the Faculty Bylaws, a simple majority (50% + 1) of the faculty eligible to vote must approve the change.~~

~~ARTICLE X: Adoption~~

~~1. These bylaws shall become effective after adoption by a majority of votes by eligible voting Faculty and with the written approval of the President. (Policies of the Board of Trustees, Article X).~~

Proposed text

ARTICLE IX: Conduct of Business

1. Business of the Faculty, at the discretion of the Chair of the Faculty Senate and with the consent of the Senate, may be conducted by distribution of information and ballots through the mail, provided that all other requirements of these Bylaws are met.

2. All business of the Faculty, the Faculty Senate and faculty committees shall be conducted by Robert's Rules of Order Newly Revised, except where otherwise specified in these Bylaws.

ARTICLE X AMENDMENTS TO THE BYLAWS

1. Proposals for changes or amendments to these Bylaws shall be made in writing to the Chair of the Faculty Senate who, with the advice and consent of the Senate, shall submit them to the voting faculty for a vote.

2. There must be a discussion of proposed changes or amendments at a faculty meeting before a vote can be taken.

3. Notice of the time of voting on proposed changes and amendments to these Bylaws must be announced to, and the text of the proposals must be circulated among, the voting faculty at least one week prior to the voting.

4. Voting on changes or amendments to these Bylaws shall be by mail ballot and shall be approved by two-thirds of those voting.

5. Each proposal shall state the time at which it is to take effect.

6. Where the Policies of the Board of Trustees requires the approval of the President of the College such approval shall be in writing and the proposed changes or amendments shall not take effect until that approval is received.