

# **FACULTY BYLAWS**

## 2016 Edition

### **PREAMBLE**

The Faculty of the State University of New York/College at Old Westbury enacts the following Bylaws to provide for the organization and procedures under which this Faculty operates, exercises its rights and fulfills its responsibilities within the framework of the Policies of the Board of Trustees of the State University of New York and of the Contract between the State of New York and the representative of the Professional Services Negotiating Unit insofar as the latter is relevant.

In the governance of this Faculty, these Bylaws are supplementary to the Policies of the Board of Trustees, to the laws of the State of New York, and to the Contract as relevant, the provisions of which are presupposed in these articles. (Article X, 5, of the Board of Trustees policies.) Any committee or agency deriving its responsibilities from these Bylaws is exercising delegated authority for which it is answerable to the assembled Faculty of the State University College at Old Westbury, subject to the normal limitations of the authority and responsibility of the Faculty. Other committees may be established with responsibilities and authority delegated by the President, the officers of the College, or the school/department/program faculties of the College.

## ARTICLE I: DEFINITIONS

A. TERMS: As used in these Bylaws, unless otherwise specified, the following terms shall mean:

1. "University" State University of New York
2. "Trustees" Board of Trustees of the State University of New York
3. "Policies" Policies of the Board of Trustees
4. "Chancellor" The Chancellor of the State University of New York
5. "College" The State University College At Old Westbury
6. "School" An academic unit of the College which houses multiple departments and headed by a Dean.
7. "Department" An academic subunit of a school which contains one or more degree programs.
8. "President" The Chief Administrative Officer of the College
9. "Provost" The Chief Academic Officer of the College
10. "Dean" The Chief Academic and Administrative Officer of a School
11. "Faculty" The Faculty of the College as defined in the Policies (Article X, Paragraph I) and as provided for in these Bylaws.
12. "Voting Faculty" The voting Faculty consists of the Chancellor of the State University, the President of the College, the Provost/Vice President for Academic Affairs, and persons who have academic rank [as defined in Policies (Article II sect.1(j))] and term or continuing appointment, and as provided for in these bylaws.
13. "Consult" In all places in the Policies where "consult" or "consultation" is used the term shall be interpreted to include a formal recommendation or vote or other action of record (as, for example, minutes of reports indicating discussion and action by appropriate committees) by the Faculty, its appropriate elected committees, or both,

sufficiently explicit to show the extent and effectiveness of such consultation. It is understood that "consultation" does not necessarily imply decision-making authority. (See also Appendix VI)

14. "Academic Staff" Members of the College staff holding academic rank or qualified academic rank.
15. "Professional Staff" All persons occupying positions designated by the Chancellor as being in the unclassified service.
16. "Academic Rank" Rank held by those members of the professional staff whether full or part time (other than Adjunct Staff) having the titles of professor, associate professor, assistant professor, instructor, assistant instructor, including faculty members having such titles, and members of the professional staff having the titles of librarian, associate librarian, senior assistant librarian.
17. "Qualified Academic Rank" Rank held by those members of the academic staff having titles of lecturer, or titles of academic rank preceded by the designation "clinical" or "visiting" or other similar designations.
18. "Professional Rank" Members of the Faculty holding the titles of Professor, Associate Professor, Assistant Professor.
19. "Adjunct Staff" For the purposes of these Bylaws persons holding part time appointments are not considered to hold "Academic Rank" or "Qualified Academic Rank."
20. "Contract" The existing Agreement, if any, between the State of New York and the representative of the members of the Professional Services Negotiating Unit as defined under terms of the Public Employees' Fair Employment Act.
21. "Director" Position having responsibilities beyond those of normal committee chair.
22. "Mail" The verb "mail" shall mean direct communication by traditional mail or electronic means.
23. "In writing" This phrase shall mean both hard-copy and electronic versions of documents and communications.

## ARTICLE II: AUTHORITY OF THE FACULTY

The Faculty shall have the responsibility to legislate and act as a policy making body in the performance of its responsibilities as determined by the Board of Trustees and in keeping with the standards of Faculty governance recommended by the State University Faculty Senate.

As prescribed in the Policies, Article X, Paragraph 4, the Faculty of the College "shall have the obligation to participate significantly in the initiation, development, and implementation of the educational program." The appropriate areas of Faculty involvement include matters of educational interest and research and of academic policy. The Faculty shall be responsible, individually and collectively, for,

1. maintaining academic standards;
2. recommending the granting of degrees;
3. developing the College's educational, research, and service programs, and
4. conducting these programs.

Within the educational program, the authority of the faculty in academic matters may extend beyond policy to operational and institutional issues, including technology, campus facilities and resource allocations, which impact the ability of the Faculty to effectively discharge their academic responsibilities. In accordance with the University Senate model and SUNY practices, the faculty are understood to have an appropriate role as participants in institutional decision making; participation of the faculty in academic and any broader operational and institutional areas shall be through formal and systematic consultation through established governance structures and processes. In these areas Faculty authority is expressed in terms of recommendations.

The Faculty may review administrative actions affecting matters within its area of responsibility. It may also express, by formal resolution, its opinion on any question relating to the policies or administration of the College.

Such review, resolution or other action by the Faculty or its committees, taken in accordance with the consultation provisions of these Bylaws and of the Policies, shall be executed by the Faculty or its appropriate committees without undue delay; likewise, administrative presentation to the Faculty of matters requiring consultation shall be timely.

The ultimate responsibility for action taken under these Bylaws is the Faculty when it is in session. It is the responsibility of the Faculty Senate (see **Articles IV and V**) to act for the Faculty when the Faculty Senate is in session and the Faculty is not. It is the responsibility of the Executive Committee (see **Article V, Sect. G**) of the Faculty Senate to act for the Faculty when the Faculty Senate is not in session. It is the responsibility of the Chair of the Faculty Senate (see **Article V, Sect. C.1**) to act for the Faculty when the Executive Committee is not in session. Neither the Chair of

the Faculty Senate nor the Executive Committee nor the Faculty Senate can overturn actions of the Faculty

### **ARTICLE III: MEMBERSHIP**

**A.** The voting Faculty consists of the Chancellor of the State University, the President of the College, the Provost/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, and as provided for in these Bylaws.

**B.** Wherever these Bylaws name an administrative officer, it shall be understood that an appropriate authorized deputy may act in his/her place, with the concurrence of the President and in consultation with the Faculty Senate.

**C.** The President and/or members of the Faculty may nominate other members of the Professional Staff for Faculty membership for one year at a time. Such nominations shall be forwarded to the Faculty Senate, with an indication to whether voting status is being requested for the nominee. The Faculty Senate shall review the request and forward its recommendation to the Secretary of the Faculty for inclusion in the agenda of the next regular or special meeting of the Faculty. If the Faculty votes to extend voting privileges to the nominee, it shall be understood that such privileges are extended to the nominee in his or her official position and shall automatically expire if the nominee vacates that position during the year.

**D.** Faculty with either Management Confidential or full-time administrative appointments shall not serve as representatives of the Faculty on any committee or as a senator from a department or as at-large.

**E. Faculty Holding Joint Appointments**

1. A joint faculty appointment is one in which a faculty member's appointment is shared between a home department and another department or school. Joint faculty appointments are based upon the academic needs of the faculty member, programs, departments and schools.
2. A department will be designated as the home department for faculty governance purposes. The home department will be determined by mutual agreement among the faculty member, the department, the dean of the school/director of the library and the Academic Vice President/Provost.
3. Faculty with joint appointments can serve in only one capacity in the Faculty Senate and on Faculty committees.

## **ARTICLE IV: ORGANIZATION OF THE FACULTY**

**Preamble:** The Faculty Senate shall serve as the deliberative body for organizing and carrying out the business of the Faculty.

### **Section A: Officers of the Faculty**

#### **1. Chairperson**

The President of the College shall be the Chairperson of the Faculty. The Chancellor and the President are empowered to call meetings of the Faculty; the agenda of each faculty meeting shall provide, as a priority order of business, an opportunity for the Chancellor or President to present his/her report.

#### **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.

#### **3. Vice Chair of the Faculty Senate**

The Vice Chair of the Faculty Senate shall serve as Presiding Officer of the Faculty in the absence of the Chair of the Senate.

#### **4. Secretary/Treasurer of the Faculty Senate**

The Secretary/Treasurer of the Faculty Senate shall serve as Secretary and Treasurer of the Faculty.

#### **5. The Senator and Alternate Senator to the State University of New York Faculty Senate**

The Senator and Alternate Senator shall be elected by the Faculty and Professional Staff. They shall represent the Faculty and Professional Staff of the College at the meetings of the State University Faculty Senate and, after each meeting of the Senate, the Senator or Alternate Senator shall report to the Faculty and the Professional Staff on any question raised or action taken affecting the interests of the Faculty or Professional Staff.

## **Section 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.

5. The Faculty may, in meetings of the Faculty, pass resolutions, overrule actions of the Faculty Senate, and otherwise act for the Faculty.

## **Section C: Procedures**

### **1. Notice of meetings**

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

### **2. Quorum**

A quorum at all meetings of the Faculty shall consist of a majority of the voting faculty provided an agenda and due notice has been sent to all faculty members.

3. As far as possible, all reports shall be written and distributed in advance of faculty meetings.

4. All substantive resolutions shall be written and shall contain a rationale framed with reference to Article X of the University Faculty Senate Handbook and shall be submitted to the Executive Committee in time for inclusion in the agenda and for advance distribution and shall have a sponsor or sponsors.

## **ARTICLE V: FACULTY SENATE**

### **A. The Faculty Senate shall:**

1. Serve as the deliberative body for organizing and carrying out the business of the Faculty. The Senate shall meet on the first and third Fridays of each month during the semester, whenever possible.
2. Advise the Chair of the Senate.
3. Initiate studies and investigations pursuant to the purposes and responsibilities of the Faculty.
4. Receive the minutes, reports and recommendations of Faculty committees and deliberate and vote thereon.
5. Be responsible for monitoring the implementation of college policies as reflected in academic and administrative rules, regulations and practices, insofar as these have a direct bearing on the operation of academic programs. It is, however, not empowered to make decisions in areas that are appropriately the purview of other committees.
6. Provide impact statements to the Office of Academic Affairs concerning the possible effects of proposed new policies on the quality of education at Old Westbury (e.g. the academic calendar, major revisions of the class schedule, etc.)
7. Carry out those directives of the voting faculty which are within the jurisdiction of the Senate and not otherwise delegated in these Bylaws.
8. 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.
9. Review Faculty governance and, if necessary, propose changes in these Bylaws, as needed, or no later than every fifth academic year.



**B. The Faculty Senate of the College at Old Westbury shall be composed of:**

- 1.** One representative from each academic department, elected by voting faculty of each department, and one representative with academic rank, selected by the Library. Elections shall be held before the end of the Spring semester, and representatives shall serve two-year terms starting at the beginning of the fall semester after the election.
- 2.** Five representatives from the voting faculty, three from the School of Arts and Sciences, one each from the Schools of Business and Education, who are elected by the voting faculty of their respective schools, and shall serve as At-large Senators. This must be done before the end of the Spring semester, and these Senators shall serve two-year terms starting at the beginning of the fall semester after the election. A faculty member may not serve simultaneously as an at-large senator and a senator representing a department.
- 3.** The State University Faculty Senator.
- 4.** A member of the Appointment, Reappointment, Promotion, and Tenure Committee (ARPT), who is elected by that committee and who serves a one-year term.
- 5.** A member of the Curriculum and Academic Planning Committee (CAP), who is elected by that committee and who serves a one-year term.
- 6.** A faculty member of the College-wide Resource Allocation and Budget Planning Committee, other than the co-chair, who is elected by the faculty members on 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.** For each of the preceding Senators, an alternate shall be elected by the same procedures to serve in the absence of the Senator.
- 9.** Three professional employees [as defined in Policies of the Board of Trustees, Article II, Sect.1(l)] who are not designated Management Confidential and their alternates, 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 starting at the beginning of the fall semester after the election.
- 10.** The President of the College, ex officio without vote.

**11.** The College Vice Presidents, ex officio without vote.

**12.** The Deans of the Schools, ex officio without vote. The Deans may be nominated for voting privilege in the Faculty Senate for one year at a time. Such nominations shall be forwarded to the Executive Committee. The Executive Committee shall review the request and forward its recommendation to the Secretary of the Senate for inclusion in the agenda of the next regular or special meeting of the Senate. If the Senate votes to extend voting privileges to the nominee, it shall be understood that such privileges are extended to the nominee in his or her official position and shall automatically expire if the nominee vacates that position during the year.

**13.** The Chairs of the Standing and Special Committees, are ex officio voting members of the Senate.

**C.** 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, at the Chancellor's and President's discretion.

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. These appointments should consider all requirements for committee membership and be drawn from election runners-up, who will complete the remaining term. If no runner-up is available, a faculty member that meets all requirements should be appointed for a one year temporary term until the following election. A public announcement informing the entire faculty about the appointment should be made.

d) Appoint, with the advice of the Nominations and Elections Committee, committee members not otherwise provided for in these Bylaws. These appointments should consider all requirements for committee membership and be drawn whenever possible from election runners-up, who will complete the remaining term. If no runner-up is available, a faculty member that meets all requirements should be appointed for a one year temporary term until the following election. A public announcement informing the entire faculty about the appointment should be made.

- e) Carry out the directives of the Faculty and Senate, such as those regarding time of meetings, departments, schools, activities and other 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 directed by the Senate or Faculty, or as the Chair sees fit in the absence of such direction.
- h) Be empowered to select the Faculty Parliamentarian.
- i) Act for the Faculty when the Executive Committee is not in session.
- j) Serve ex officio on bodies such as the College Council, Board of Trustees of the College Foundation, as well as all standing committees of the Faculty.
- k) Call a meeting of the chairs of all standing committees to review and share their agendas, and other pertinent issues, within five weeks of the start of the academic year.
- l) Call or convene meetings of the standing committees of the Faculty.
- m) Supervise the Senate Office Secretary.
- n) Relinquish all other Faculty Senate positions.
- o) Publish a comprehensive Annual Report of the activities of the Senate by August 15.

**2. The Chair-elect of the Senate, who shall:**

- a) Be elected by the Faculty Senate at the last Senate meeting of the spring semester or by June 1.
- b) Assume the office of Faculty Senate Chair on August 15 after the election.
- c) Engage in a transition process with the Chair during the interim period between the spring and fall semesters.

**3. 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 during the academic year.
- c) Discharge such duties as shall be assigned by the Chair with the advice and consent of the Senate.

**4. The Secretary/Treasurer of the Senate, who shall:**

- a) Record and publish 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 compile a total record of the activities of the Faculty and place a copy of the file in the Library archives.
- d) Prepare a report concerning membership attendance at all Senate and committee meetings, as well as a listing of all resolutions passed by the Senate, by June 30.
- e) Receive, and disburse with the written acknowledgement of the Chair of the Senate, all funds of the Faculty.
- f) Prepare and submit a Faculty budget, no later than September 30.
- g) Submit, no later than August 31, a financial statement of all funds under the Faculty Senate's control.

**D.** The officers of the Faculty Senate shall be members of the Senate who hold academic rank and shall, with the exception of the Chair-Elect, be elected at a meeting of the Faculty Senate, held no later than September 15, and shall assume office immediately for renewable, one-year terms, for a maximum of four years.

**E.** The Chair-Elect shall be elected no later than the last meeting of the Faculty Senate in the spring semester or by June 1. The Chair-Elect may be the present Chair, but may not exceed the 4-year Chair term limit.

**F.** The Chair of the Senate shall be released from one course of his/her teaching responsibilities each semester during his/her term in office.

**G.** An Executive Committee consisting of the elected Senate officers (Chair, Vice

Chair, and Secretary/Treasurer), the SUNY Faculty Senator, the Faculty Parliamentarian, and one Senator elected by and from the Senate shall have the responsibility for coordinating, setting and distributing the Senate agenda and shall act for the Senate, according to its instructions between meetings. To this end, the officers of the Faculty Senate shall prepare and circulate an agenda and notice of the time and place of the meeting at least one week in advance of each Senate meeting.

The elected Senate officers shall not serve as Chair of the Standing Committees of the Faculty Senate.

## **H. Procedures**

1. Regular meetings of the Faculty Senate shall be held on the first and third Fridays of every month, whenever possible, during the Fall and Spring semesters, at 12:30 p.m. Special meetings of the Senate may be called by the Chair of the Senate, by vote of the Senate, or by a petition signed by a minimum of five senators.
2. The Executive Committee of the Faculty Senate shall normally meet at least one week prior to the regular meeting of the Faculty Senate to set the agenda.
3. Except in the case of special meetings, the Secretary of the Faculty Senate shall, no later than a week prior to the meeting, mail to each member of the Faculty, an agenda and notice of the time and place of the meeting.
4. The Secretary of the Faculty Senate shall publish:
  - a) Senate minutes, attached to the next meeting's agenda.
  - b) Faculty minutes, attached to the next Faculty meeting's agenda.
  - c) The annual reports of Faculty committees, no later than August 31.
  - d) Other reports and statements which advance the work of the Faculty.
5. A quorum of the Faculty Senate shall be a majority of its voting membership.
6. All reports to the Senate shall be made in writing and distributed to Senators in advance of the Senate meeting.
7. Agenda items that require a vote of the Faculty Senate shall be presented to the Executive Committee in writing and in electronic form. The text of these items shall be in the form of resolutions, with the background information for the resolution proceeding as a statement of a rationale. All resolutions shall state clearly the specific action the Senate is to take, as well

as any individuals or groups who are to be apprised of this action (see item 3 for deadline regarding items to be included in the agenda for upcoming Senate meetings).

**8.** Items of New Business may be submitted to the Faculty Office no later than 5:00 p.m. on the day prior to the Faculty Senate meeting. New Business items that require a vote of the Faculty Senate must be presented in writing from the floor of the Faculty Senate, in the form of a rationale followed by a resolution as stated above. No substantive matter thus presented may be brought to a vote until a subsequent meeting of the Faculty Senate. The Chair of the Faculty Senate shall determine whether any such item is substantive or not.

**9.** All substantive resolutions shall be written and shall contain a rationale framed with reference to Article X of the University Faculty Senate Handbook and shall be submitted to the Executive Committee in time for inclusion in the agenda and for advance distribution and shall have a sponsor or sponsors.

**10.** 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.

## **Article VI: SPECIAL COMMITTEES OF THE FACULTY SENATE**

- A.** Accreditation Program for Experiential Learning
- B.** Nominations and Elections

The Faculty Senate has permanent Special Committees that serve a particular need of the Senate or Faculty. The duties, responsibilities, and membership of the Special Committees are described below. The Senate may form other Special Committees as it sees fit. The Faculty may direct the Senate to form other Special Committees.

Committee members shall be appointed by the Senate at the beginning of each academic year, as needed. These appointments should consider all requirements for committee membership, including school representation. All Faculty are eligible to serve as members of special committees. The Senate shall appoint the Chair at the beginning of each academic year. The Chair, or appointed representative, is expected to attend Faculty Senate meetings, as ex-officio member with vote. The Senate may add members, with specified terms, to any of these committees, as needs arise. The appointed members of the Faculty can be removed for cause upon a two-thirds majority in an open ballot vote of the Senate. Vote for removal shall take place only after specific charges in writing have been given to the appointed member charged and that appointed member has been given an opportunity to make a defense. A vote for removal may be reversed by a majority vote of the Faculty.

## **Section A: Accreditation Program for Experiential Learning (APEL) Committee**

### **1. Purpose:**

The Committee, in consultation with academic programs, will assess and validate College level competencies, knowledge and skills acquired by the applicant through non-classroom and/or formal educational experiences. Students may be granted a maximum of 32 credits.

### **2. Membership:**

The Committee shall consist of five members of the voting faculty, one each from the Schools of Business and Education, and three from the School of Arts and Sciences. It is recommended that the three members of the School of Arts & Sciences cover the breadth of the disciplines of that school.

### **3. Term:**

The committee members shall serve two year terms.

### **4. Reporting:**

The Committee shall submit a written report to the Chair of the Faculty Senate by August 1<sup>st</sup> of each academic year.

## **Section B: Nominations and Elections Committee**

### **1. Purpose:**

This committee shall be responsible for preparing slates of nominees for:

- a) Standing Committees of the Faculty
- b) At-large Senators
- c) University Faculty Senator and Alternate, and
- d) the Directors of the Auxiliary Services Corporation

and conducting the election for these positions as specified in the Procedures section below.

### **2. Membership:**

The Committee shall consist of three members of the voting faculty.

### **3. Term:**

The committee members shall serve two year terms.

### **4. Procedures:**

- a) Regular elections

The Committee shall:

- (1) prepare and mail to all voting faculty a list of continuing members and vacancies for positions as specified above and a solicitation of nominations before March 1 of each year.

- (2) solicit additional nominations to prepare a slate of candidates.
- (3) mail school-specific slates 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 March 15, each spring semester.
- (4) mail school-specific ballots to each voting faculty member within one week of the above-mentioned Faculty Senate meeting. Two weeks shall be allowed for return of ballots.
- (5) conduct a coin toss by the Committee Chair that is witnessed by the Chair of the Faculty Senate, or appointed representative, to break ties between qualifying candidates (i.e. have reached the 25% minimum).
- (6) mail the election results to all voting faculty.

b) Other procedures

- (1) 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.
- (2) The Committee shall seek nominations for and conduct special elections.
- (3) When an elected slot becomes vacant after regular elections, the Committee may reach down into the pool of runners-up candidates as long as such candidates have received 25% or more of the faculty vote.
- (4) Shall maintain annual contact with the Chairs of the Standing Committees to assess their membership needs.

c) Bylaws

- (1) The Committee shall administer the voting process for any Bylaws revisions.

**5. Reporting:**

The committee must report on the membership of committees at the first Full Faculty meeting of the Fall semester.



## **ARTICLE VII: STANDING COMMITTEES OF THE FACULTY**

- A.** Academic Policies and Practices
- B.** Appointment, Reappointment, Promotion and Tenure
- C.** Curriculum and Academic Planning
- D.** Faculty Rights and Responsibilities
- E.** Faculty University Awards
- F.** Liberal Education
- G.** Teaching and Learning Resources

**Preamble:** All Standing Committees shall observe the following guidelines:

1. Committee members shall be elected by a minimum of 25% of votes cast by faculty eligible to vote for that position. Committee members shall have staggered terms of two years' service, except where otherwise specified.
2. Only each school's faculty can vote for its designated representatives.
3. Each Committee's Chair shall call a meeting after the annual faculty elections and before the end of the spring term, inviting all continuing and newly elected committee members, to hold an election for the Chair and Secretary, to formulate a list of action items, and to set a meeting schedule for the forthcoming year. If the current Chair is unable to convene such a meeting, or if there is no current chair, the Senate Chair shall convene and preside over such a meeting.
4. Committees shall meet on a regular basis, as appropriate, and make public their schedules of meetings.
5. Committees shall keep accurate minutes that include membership attendance. All such minutes shall be available to the Faculty, except committee activities bound by rules of confidentiality.
6. Each committee shall submit a year-end report in writing to the Chair of the Faculty Senate by June 15.
7. Faculty members may not serve on a committee for more than three consecutive terms.
8. Standing Committee Chairs shall be elected annually by the committee membership, and may serve for no more than three consecutive years. Having completed a term as Chair, the committee member will resume regular membership of the committee until that member's term on the committee expires. The Chairs, or their appointed representatives, are expected to attend Faculty Senate meetings, as ex-officio member with vote. They have the responsibility to keep the Faculty Senate updated on the workings of the committees they represent.
9. The chair of each Standing Committee make available the pertinent sections of the Faculty Bylaws to the membership of that committee.
10. Standing Committee Chairs also serve as ex-officio voting members of the Faculty Senate. They shall keep the Faculty Senate updated on the workings of the

committee they represent.

11. Faculty may serve only in one capacity on a given committee. If a faculty member is simultaneously elected to an At-large and School designated position on the committee, then the election to the position representing the School takes precedence.
12. Committees shall be empowered to form subcommittees and *ad hoc* task forces, including additional people not on the full committee, to carry out the work of the committee, except as noted under a specific committee's procedures. Any such changes shall be made in consultation with the Senate Chair.
13. Standing Committee members shall be removed for dereliction of responsibility, unexcused non-attendance or for other cause, in consultation with the Senate Executive Committee; the Senate Chair shall inform the removed member in writing. In cases where the committee member contests her/his removal, the matter shall be referred for resolution to the Faculty Rights and Responsibilities Committee, whose determination shall be final. During any such disputed removal, the individual shall remain a member of the committee, without vote.
14. Only faculty may vote as members of Standing Committees.

#### **Section A: Academic Policies and Practices Committee (APPC)**

1. **Purpose:**

The Academic Policies and Practices Committee shall:

- a) conduct a continuing review of all phases of current academic policy and practice to ensure that they are consistent with the guidelines and standards established by the Board of Trustees and appropriate accreditation bodies;
- b) recommend changes in academic policies and practices to the Faculty Senate for action;
- c) coordinate hearings regarding students' academic standing.

2. **Membership:**

The Academic Policies and Practices Committee shall be composed of

- a) seven faculty members, (one of whom shall be designated as the coordinator of hearings) and a student representative chosen by the Student Government Association, and
- b) one professional staff representative nominated by the Office of the Registrar and one professional staff representative nominated by the Division of Student Affairs, to provide institutional information and expertise.

3. **Term:**

Faculty members of the Academic Practices Committee shall be elected for staggered terms of two years.

## **Section B: Appointment, Reappointment, Promotion, and Tenure Committee (ARPT)**

### **1. Purpose:**

The ARPT Committee shall review candidates for initial appointment, reappointment, continuing appointment and promotion under strict rules of confidentiality and shall develop policy as follows:

- a) In cases of reappointment, promotion and tenure it shall review department/school recommendations in terms of the Criteria established by the College for Faculty and listed in the ARPT manual (see Appendix III) and make recommendations based on the Preamble to those Criteria and the categories outlined in the Criteria.
- b) In cases of initial appointment, it shall review department/school or search committee recommendations in at least two respects: how well proposed appointments fit college-wide and department/school priorities that have been established; how well department/school recruiting procedures and the results thereof have carried out the College's specific affirmative action goals (See Article VII, Preamble).
- c) Recommend to the President, through the Academic Vice President, all initial appointments to Academic or Qualified Academic Rank (other than visiting or adjunct staff), reappointment, continuing appointments and promotions.
- d) Develop and apply instruments for student evaluation of faculty.
- e) Provide departments/schools and candidates with outlines of the materials and information needed by the Committee to make its recommendations, and provide and keep current a manual containing a format for the collection and submission of such materials.
- f) Provide departments/schools and candidates with timetables for the submission of recommendations and materials that will allow the Committee to complete its work well within the notification deadlines established in the Policies and the Contract, and allowing time for appeals as provided in this Section.
- g) Encourage departments/schools to develop useful and regular faculty assessment and support such processes, including processes involving the hiring, assessment and retention of adjunct faculty.
- h) Ensure uniformity of department/school and college standards in the evaluation of faculty.

### **2. Membership:**

- a) The Appointment, Reappointment, Promotion, and Tenure Committee shall consist of seven faculty representatives as follows: one representative (tenured) each from the Schools of Business and Education, three representatives (tenured) from the School of Arts and Sciences and two at-large representatives (one of which must be untenured), with no more than one representative from any one department. Faculty representatives to the Committee shall, as nearly as possible, be balanced in terms of the College's affirmative action goals (see Article VII, Preamble).

- b) Faculty with management confidential appointments, whether solely or jointly with a faculty appointment, cannot participate in, or vote in, the faculty governance reappointment, promotion, and tenure process. No faculty may serve during the year in which they apply for reappointment, promotion and/or tenure, following a (1) year reappointment (warning reappointment) or in their terminal year.
- c) Any member of the Committee who has previously voted on or aided in the preparation of a candidate's file shall recuse him or herself from the proceedings during a review process.
- d) The Chair shall receive one course release each semester.

**3. Term:**

The committee members shall be elected for staggered terms of two years so that three or four members of the committee will be replaced every year. For the initial implementation of this provision, please see 2006 Bylaws.

**4. Procedures:**

- a) The specific procedures and procedural requirements for the functioning of this committee are codified in the ARPT Manual (Appendix III), which is part of the Bylaws and must be adhered to for all cases coming under the aegis of ARPT. Subcommittees of the ARPT Committee may be constituted only from within the membership of the ARPT Committee.
- b) Preliminary Screening
  - (1) For all cases involving initial appointment (other than visiting or adjunct staff) reappointment, continuing appointment or promotion, a department/school must forward a file containing its recommendation to the ARPT. A three-person subcommittee will review each file for completeness, accuracy and consistency in accordance with the Committee's Manual. If the file is incomplete, the department/school and, in cases of reappointment, promotion and tenure, the candidate will be consulted.
  - (2) In initial appointment cases, a department/school (or in the case of departments being introduced, a properly constituted search panel) shall forward a file containing its recommendation, including an explanation of how the appointment will fill the priorities established for the line and documentation on the search and candidate, according to the procedures established in the ARPT manual. In no case shall a candidate, whose nomination has failed to follow these procedures, be appointed to the College Faculty, providing--it is understood--that the Committee shall deal in a timely fashion with the recommendations presented to it.
  - (3) In reappointment, promotion and tenure cases, the department/school shall submit a file containing the materials specified by the ARPT Manual:
    - (a) a candidate has the right to respond to the department/school's recommendations or amplify them orally or in writing; a candidate

may also initiate an action by the ARPT Committee by filing with the Committee in writing a proposal for his or her own reappointment, promotion, or tenure;

(b) additional materials may be added to the file only with the candidate's knowledge; the candidate may add new materials to the file at any time to support his/her reply to a particular stage of the review or recommendation before it is sent to the President.

(4) When the file is complete, the ARPT subcommittee shall examine the department/school's recommendation to determine that it is consistent with the file and shall make a recommendation for action to the whole committee.

c) Action

(1) In all reappointment, promotion, and tenure cases, after action on the case, the Committee shall submit its recommendation, negative or positive, together with its reasons for so recommending, in writing to the candidate, the department/school and the Academic Vice President (for comment and forwarding to the President). In the case of split or negative votes in the department/school in regard to reappointment, promotion or tenure, the committee may request personal reports and/or interview candidates. In initial appointments, if ARPT concurs with the department/school recommendation, it will send the file on with a brief note of concurrence. If not, it will provide a full rationale for disagreement.

(2) When a negative recommendation is contemplated,

(a) in the case of initial appointment, the Committee shall provide opportunity for discussion to be held between the affected department/school or search panel and the Committee before final action;

(b) in case of reappointment, tenure and promotion, the candidate shall be informed in writing and given the opportunity to appeal to the Committee before the recommendation is forwarded. For the purposes of this section, a "negative recommendation" is defined as one denying reappointment, promotion or tenure, but not one which recommends reappointment for a term different from that proposed by the department/school or candidate. A notice of intention to appeal shall be timely, but in any case shall be made in writing by the candidate no later than ten days after being formally notified of the anticipated negative recommendation. To permit such appeal and response, a candidate shall be supplied with a written statement providing any pertinent information immediately subsequent to a candidate's notice of intention to appeal. Such an appeal shall be made in writing, except that at the discretion of the Committee, it may be conducted, in whole or in part, in the form of an interview with the candidate. (Normally, candidates who have already been interviewed will not be expected to

appear again before the Committee.)

(c) candidates shall also have the right to respond to a negative recommendation by the Committee prior to a final decision by the President. Such response shall be made in writing to the President.

(3) The Committee may, at its discretion, interview candidates. It also may interview other relevant personnel provided the candidate is notified and has access to a summary of the proceedings with sufficient time for a response.

(4) A copy of the ARPT recommendation shall simultaneously be provided by the Committee to the candidate and to the Chair of his or her department and Dean of his or her school.

(5) The Chair of ARPT shall meet the Academic Vice President to discuss cases prior to the Academic Vice President arriving at a decision.

(6) The President or designee shall meet with the Committee or its representatives to discuss decisions prior to issuing them formally. The President must be provided a minimum of fifteen working days to review recommendations and documentation.

(7) Nothing contained herein shall foreclose a candidate from utilizing the grievance procedures provided for in the Contract in cases where applicable.

d) Administrator evaluations

(1) The Provost shall provide ARPT, the School or Library and the candidate, the date for the submission of the candidate's file to his/her office. The Dean or Library Director must send his/her evaluation of the candidate to the Office of the Provost at least two weeks prior to that date. The Dean or Library Director must concurrently provide a copy of the evaluation to the candidate. If the candidate has a joint faculty appointment in two different schools, a copy of any evaluation of the candidate sent by the secondary department's dean to the home department's dean must concurrently be provided to the candidate.

(2) The Dean or Library Director may have access to the candidate's file at any point after the file has been submitted to the Department/School.

**5. Reporting:**

The committee shall issue each term a summary report to the Senate of its actions taken, including how these compare with School or Department recommendations and with administrative disposition of the Committee's recommendations. (Such a summary report is not expected to include reasons for the Committee's actions.) In addition, the Committee shall apprise the Faculty Senate of recurrent problems that arise in its work and shall make recommendations for alterations in its composition and procedures or in the Criteria when appropriate.

## **Section C: Curriculum and Academic Planning (CAP) Committee**

### **1. Purpose:**

The Committee is charged with guiding the overall curricular development and academic planning of the College including continuous review of all aspects of current academic offerings to ensure that they are consonant with the overall guidelines established by the Board of Trustees, by the officers of the State University of New York, and the standards developed by appropriate accreditation bodies, except those specifically delegated to other standing committees.

The Committee also has the following responsibilities:

- a) To review and approve all proposals bearing on the curriculum of academic programs. No changes in the academic programs may be implemented without the approval of the committee. All proposals shall include a detailed analysis of the impact on the allocation of college resources.
- b) To forward to the Faculty Senate for action, the following types of recommendations:
  - (1) Changes in policies and practices relating to curriculum development.
  - (2) General principles that will guide curriculum development at the College.
  - (3) Long range academic plans that will guide overall curriculum development of the College.
  - (4) Guidelines and procedures for the assessment of existing academic programs, including the criteria to be used in the selection of outside evaluators.
  - (5) Proposals concerning new programs, majors, and minors; significant revisions of existing college-wide programs; phasing-out, terminating, deactivating, or deregistering existing programs; and college-wide rules and regulations affecting curricular options for students (such as independent study, internships and minors), that have been approved by the Committee.
- c) To evaluate and approve periodic program reviews that are conducted at the school or department level in accordance with the SUNY guidelines (as approved by the Old Westbury Faculty Senate); and forward such approved reviews to the Director of Assessment and the Office of the Provost.
- d) To review the sections of departmental Year End reports (prepared for the Office of Academic Affairs) that describe any changes made over the past year concerning curriculum development and resource uses, such as new or terminated course offerings, degree requirements, use of teaching resources, and curricular links with other programs/departments/schools or other institution forwarded to CAP by the Chairs of the departments.
- e) To assess the progress made on implementation of recommendations from prior program reviews.

- f) To facilitate inter-program/departmental cooperation in curriculum development.
- g) To make recommendations concerning the allocation and reallocation of faculty lines.
- h) To receive and review program/departmental requests for additional faculty resources. In some cases, in the absence of an appropriate department to request faculty resources, the Senate, after considering a request by the Administration to the Executive Committee of the Senate, and if finding the request appropriate, may instruct the ARPT Committee to appoint a three-member ad-hoc selection panel to identify candidates for new positions or replacement of positions. The selected candidate or candidates will then be proposed to the ARPT Committee for approval and recommendation to the Academic Vice President.

## **2. Membership**

The Committee shall be composed of nine members elected from the voting faculty: one representative each from the Schools of Business and Education and three representatives from the School of Arts and Sciences, and four at-large representatives, with no more than one representative from any one Department. In addition, the Academic Vice President, Director of First-Year Program, Director of General Education, and Director of Assessment, are members ex officio without vote. The Committee shall elect a Chair from the voting faculty membership at the beginning of each academic year. The Chair of the Committee shall receive one course release in the spring semester of the chair's term.

## **3. Term:**

Faculty members on the committee shall be elected for staggered terms of three years so that three members will be replaced every year. In the implementation of the three additional at-large members:

- a) The faculty member receiving the greatest number of votes shall be designated for a three-year term, the faculty member with the second most votes shall be designated for a two-year term, the faculty member receiving the third most votes will be designated for a one-year term.
- b) Existing committee members will complete their designated terms.

For the initial implementation of this provision for the entire committee, please see 2006 Bylaws.

## **4. Procedures:**

- a) CAP recommendations approved by the Faculty Senate will be forwarded to the Office of Academic Affairs, for adoption as official College policy.
- b) The Committee shall designate a representative to the RABPC at the same meeting at which the Chair and Secretary are elected.
- c) When a program or proposal is not approved by CAP, the Committee shall submit a detailed rationale for its decision to the program and to the Senate in a



timely fashion. A new proposal, including the suggested changes, can be resubmitted.

- d) By the end of each fall semester, and based upon published criteria, the Committee shall make recommendations to Academic Affairs and the College prioritizing the allocation of resources and faculty lines according to the curricular needs of the College.

## **Section D: Faculty Rights and Responsibilities Committee**

### **1. Purpose:**

The Committee shall:

- a) Provide faculty, students, departments, schools, and administration a venue for resolution of issues, complaints, or grievances arising from alleged violations of the Statement of Faculty Rights and Responsibilities (Appendix II). The committee provides for mediation procedures for resolving such issues (see Appendix II, Part V).
- b) Conduct an ongoing review of the Faculty Bylaws, based on input from Standing and Special Committee Chairs.
- c) Form Academic Grievance Committees, to serve as binding arbitration panels for all students' academic grievances brought in accordance with the Academic Grievance Procedures for Students described in the College Catalogs.
- d) Initiate and oversee formal five-year review of Faculty Bylaws, and constitute a Bylaws Committee to review periodically the relevance and appropriateness of existing Faculty Bylaws.
- e) Provide a workshop for faculty members every fall semester reviewing the bylaws and outlining their rights and responsibilities.
- f) Serve as an advisory group for the development of substantive Bylaws-related issues that require consultation with the College Administration.

### **2. Membership:**

The Committee shall be composed of seven members elected from the voting faculty: one representative each from the School of Business and Teacher Education, three from the School of Arts and Sciences and two At-Large members.

In the initial implementation:

- g) The two faculty member from the School of Arts and Sciences receiving the most votes shall be designated two year terms. The faculty member from the School of Arts and Sciences receiving the third most votes shall be designated a one-year term.
- h) The faculty member from the School of Teacher Education receiving the most votes shall be designated a two-year term
- i) The faculty member from the School of Business with the most votes shall be designated a one-year term.

j) The faculty member receiving the most At-Large votes shall be designated a two-year term. The faculty member receiving the second most At-Large votes shall be designated a one-year term,

The Committee can request that Faculty Senate appoint additional members to serve on the Bylaws Committee during the formal five year Bylaws review.

**3. Term:**

The committee members shall serve staggered two year terms so that two will be replaced every year.

**4. Reporting:**

The FRR Committee's report to the Faculty Senate shall maintain confidentiality as described in Appendix II.

**Section E: Faculty University Awards Committee (FUAC)**

**1. Purpose:**

The Committee shall, according to the guidelines in Appendix V, evaluate candidates for the Distinguished Faculty, Chancellor's "Excellence in" and Creative Activities Awards that are available at the College under the SUNY Board of Trustees Policies; as modified, the Committee shall also evaluate candidates for the Excellence in Librarianship and Excellence in Professional Service Awards.

**2. Membership:**

The Committee shall consist of eight voting members, including a student representative a Distinguished Service Professor, a Distinguished Teaching Professor, a Chancellor's Award recipient, the Old Westbury Faculty Senate Chair (or designee), one member designated annually by the President to act in a voting ex officio capacity and three faculty at the rank of Professor or Associate Professor with more than 10 years at the College, in compliance with university guidelines

The Committee membership shall be modified, as stated in the SUNY Guidelines, for selection of candidates for Excellence in Librarianship and Excellence in Professional Service.

**3. Terms:**

- a) Five Faculty representatives shall be elected by the Faculty from a slate prepared by the Nominations and Elections Committee and serve a staggered term of two years so that three or four members will be replaced every year. In the initial implementation of this provision, the three faculty receiving the greatest number of votes shall be designated for two year terms, and the two faculty with the next greatest number for one year terms.
- b) The student representative shall be selected by the student government, and he/she shall be approved by the committee membership according to the specifications in Appendix V.
- c) An Alternate Chair shall be elected for whenever the Chair is unable to preside over meetings.

## **Section F: Liberal Education Committee**

### **1. Purpose:**

The Liberal Education Committee bears sole responsibility for:

- a) Maintaining and refining all of Old Westbury's undergraduate college-wide curricular requirements that are separate from academic degree programs (hereafter "college-wide curricular requirements"). These include, but are not limited to, the SUNY General Education program, college-wide course requirements and college-wide proficiencies. Academic departments that offer courses satisfying college-wide curricular requirements shall ensure appropriate course content and teaching approach. Committee decisions regarding a given requirement will be made in close consultation with the academic departments(s) responsible for implementation.
- b) Establishing and reviewing procedures with respect to the adoption and removal of courses into and out of college-wide curricular requirements.
- c) Coordinating with Academic Affairs the assessment of college-wide curricular requirements.
- d) Making recommendations to the Senate with respect to resources necessary to make college-wide curricular requirements effective.

### **2. Membership:**

- a) The General Education Committee shall consist of one representative for each learning domain/proficiency and for each college-wide curricular requirement
- b) To be eligible to serve, a faculty member shall have a history of teaching in the learning domain and/or proficiency area that s/he represents.
- c) One professional staff representative nominated by the Office of the Registrar and one professional staff representative nominated by the Academic Advising Office, to provide institutional information and expertise.
- d) The Chair of the Committee shall receive one course release in the spring of that year.

### **3. Terms:**

Committee members shall be elected for staggered three-year terms.

### **4. Procedures:**

The Liberal Education Committee shall establish and publish procedures and deadlines for the timely submission of courses for inclusion in the college-wide curricular requirements, for SUNY General Education Domain Review and learning outcome assessment.

## **Section G: Teaching and Learning Resources Committee**

### **1. Purpose:**

The Committee shall plan objectives, implement strategies and prioritize resource requests to improve effectiveness and facilitate innovation in faculty teaching to support such activities. The Administration shall provide a reasonable budget for these activities. The activities of the Committee shall include:

#### **a) Teaching for Learning Hub:**

- (1) Assist faculty with problems arising with respect to teaching.
- (2) Assist faculty by organizing workshops focusing on issues related to knowledge acquisition and teaching skills for all students.
- (3) Promote interdisciplinary exchanges to help understand modes of teaching and research in one field with possible applications in another.
- (4) Develop and distribute resources to improve student learning, prepare learning materials and redesign courses and systematic instruction.
- (5) Create an effective environment for teaching and learning.
- (6) Communicate teaching methods, innovative pedagogical practice, and relevant issues to the College as a whole.
- (7) Connect faculty with available campus services.

#### **b) Library:**

- (1) Provide advice and counsel to the Library Director with respect to the following:
  - (a) general policy on budget priorities for academic services,
  - (b) encouraging liaison with Departments, and
  - (c) informing the Faculty and students about developments in the Library.
- (2) Communicate the needs and views of the Faculty and students to the Director of the Library.

#### **c) Instructional (Academic) technologies:**

- (1) Facilitate faculty understanding and utilization of informational technologies.
- (2) Provide faculty with a forum to discuss and disseminate instructional and informational technologies.
- (3) Participate in prioritizing and allocating resource for faculty informational and instructional technology needs, such as providing input to the appropriate entities and the Chief Information Officer (CIO) regarding allocation of relevant funds.

### **2. Membership:**

The Committee shall consist of seven faculty elected from the voting members of the College Faculty. The committee shall include at least one faculty member from

each of the three Schools of the College and the Library. The Chair of the Committee shall receive one course release in the spring semester of the Chair's term.

**3. Term:**

The faculty members of the Committee shall serve two year staggered terms so that three will be replaced every year. For the initial implementation of this provision, please see 2006 Bylaws.

## **ARTICLE VIII: ACADEMIC ORGANIZATION**

### **Section A: The Department Chairs**

1. The curricular program of the College shall be organized into academic departments. These departments, except for the Library, are organized under the following schools: the School of Arts and Sciences, the School of Business and the School of Education. Academic departments may be increased or diminished by procedures defined in the Policies and/or Contract.

2. Each academic department shall elect a chair from among the faculty of the program. The election of the Chair shall involve all department faculty with Academic rank or Qualified Academic rank. Departments shall file in writing with the Office of Academic Affairs the results of the elections. Procedures must conform to accepted standards of academic practice, allowing the full participation of relevant parties in any procedure adopted by a department.

a) The designation of a chair is subject to acceptance by the President upon the recommendation of the Academic Vice President.

3. Chairs shall be elected for three year terms, beginning September 1 and ending August 31, and shall be released from one course each semester of their teaching responsibilities during their terms in office.

a) Between the time when chair-designates are elected, and September 1, when they assume office, the current chair shall continue to be responsible for all functions but he or she shall brief the designate on all major issues and developments to ensure a smooth transition.

4. The chairs shall be the designated representatives of their departments who assume administrative responsibilities to focus and facilitate the work of the department. The chairs are therefore responsible, with the cooperation and support of members of their departments, for, among other duties:

- a) guiding program development and delegating responsibilities within departments to that end;
- b) assuring that courses offered by faculty satisfy student and program needs;
- c) assuring that courses proposed and taught within a department by faculty members from outside the department have departmental approval before submission to the catalog or schedule;
- d) organizing program offerings and preparing them for the catalog;
- e) assuring that skills development proceeds within their departments;
- f) conducting internal evaluation of programs and preparing written reports that reflect faculty and student evaluations of program performance and development;
- g) reporting department staffing needs as determined by the department to the Dean of the School, to the Vice President for Academic Affairs and to CAP;
- h) submitting timely budget requests for personnel, supplies, equipment, temporary services, etc. to the Dean of the School and Vice President for Academic Affairs, and overseeing expenditures of program funds;
- i) assuring that students in their program areas are advised about their options in the program, their progress toward degree requirements, and other matters of concern to students--in short, coordinating advising within the program;
- j) insuring that departments adopt practical methods of advising applicants for admission to the College who need consultation about their study plans;
- k) serving on whatever administrative bodies may exist within their schools, such as a Dean's Council.

**5.** In the performance of their functions, chairs shall be responsible to their respective departments, schools, and to the Office of Academic Affairs.

**6.** Each chair shall make an annual report to his or her department, school, and to the Office of Academic Affairs. The section of the Year-End Report

concerning curricular development and resource uses, such as new or terminated course offerings, degree requirements, use of teaching resources, and curriculum links with other programs/departments or other institutions shall be forwarded to CAP. [see Bylaws: **Article VII, Section C: CAP: 1**]

7. All recommendations by the chairs shall accurately reflect the views of their departments and, where specified by the Contract and/or the Policies of the Board of Trustees, will be advisory upon the Chief Administrative Officer.

## **Section B: The Schools and Library**

### **1. Organization and Deans**

a) All the curricular programs of the College, except for the Library, are organized into academic departments that reside in a School.

b) The Library is an independent unit that serves all departments in the Schools. For the purpose of governance and these Bylaws, the Library will be considered as a separate department outside the school structure.

c) The Chief Academic and Administrative Officer of a School is the Dean, who is appointed by the President of the College.

d) School Deans are ex officio members, with voting rights if so extended by the Senate, of the Faculty Senate.

e) School Deans shall not serve as representatives of the Faculty on any committee or as Senators from a department or as at-large.

f) In the performance of their functions, Deans shall be responsible to the Office of Academic Affairs.

g) Deans are responsible for monitoring the implementation of College policies as reflected in academic and administrative rules, regulations and practices, insofar as these have a direct bearing on the operation of their School's academic programs.

h) Deans may create administrative structures to effectively and efficiently carry out their responsibilities with regard to their School's academic programs. For example, a Dean's Council consisting of Department Chairs, School Committee Chairs, Directors within the School, and other appropriate School faculty and administrative staff members.

## **2. Faculty Rights and Responsibilities**

- a) A School's faculty has the right to create whatever committees it deems necessary, utilizing whatever procedures it deems appropriate, to carry out its responsibilities with regard to its academic programs, provided they do not violate the provisions of these Bylaws. Specifically, files involving initial appointment, reappointment, continuing appointment or promotion shall conform to the requirements of **Article VII**, Sect. B and Appendix III.
- b) A School's faculty have the rights and responsibilities to participate in the work of the School, including participating on School committees and School administrative structures, as detailed in Appendix II, Statement of Faculty Rights and Responsibilities.
- c) A School's faculty shall have the right to participate in an advisory role in the selection of the Dean.
- d) A School's faculty has the right to be represented in the Faculty Senate and on Standing Committees and Special Committees as provided for in these Bylaws.

## **ARTICLE IX: CONDUCT OF BUSINESS**

- A.** 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 either by mail or electronically, provided that all other requirements of these Bylaws are met.
- B.** All business of the Faculty, the Faculty Senate and Faculty Committees shall be conducted under Robert's Rules of Order Newly Revised, except where otherwise specified in these Bylaws.

## **ARTICLE X: AMENDMENTS TO THE BYLAWS**

- A.** Proposals for changes or amendments to these Bylaws shall be made in writing to the Chair of the Faculty Senate who shall submit them to the Bylaws Committee for evaluation.
- B.** The Bylaws Committee will present the results of their deliberations to the



Faculty Senate, for their advice and consent, prior to the submission of the results to the Faculty for a vote.

**C.** 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.

**D.** Voting on changes or amendments to these Bylaws shall be by mail ballot and shall be approved by two-thirds of those voting. The ballot shall be constructed by the Bylaws Committee and the voting process shall be administered by the Nominations and Elections Committee.

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

**F.** Where the Policies of the Board of Trustees require the approval of the President of the College (consultation issues, Article X, Section 5, Paragraph B of the Policies of the Board of Trustees) such approval shall be in writing and the proposed changes or amendments shall not take effect until that approval is received. This approval or lack thereof shall, in no way, affect the implementation of the rest of the Bylaws.

## **APPENDIX I: COLLEGE-WIDE COMMITTEES**

**Section A: Auxiliary Services Corporation Board of Directors**

**Section B: Faculty Judicial**

**Section C: Resource Allocation and Budget Planning**

**Section D: Student Life**

**Section A: Auxiliary Service Corporation Board of Directors**

**The following is a summary of the bylaws document for the Auxiliary Services Corporation.**

### **1. Purpose:**

The CORPORATION shall be a not-for-profit, tax-exempt corporation within the meaning of Sections 501(c) (3) and 509(a) (3) of the Internal Revenue Code and its regulations. Its purpose is to establish, operate, manage and promote auxiliary services for the benefit of the College at Old Westbury community and members of the public where students, faculty or staff have a significant interest in the quality or price of the services provided (excluding residence halls).

### **2. Membership**

The Board of Directors shall consist of eighteen (18) voting members representing basic constituencies as follows: Students – 6; Faculty – 6;

Staff – 4; Alumni – 1; and the President of the COLLEGE or designee shall be an ex-officio voting member of the Board. The Executive Director shall be a non-voting ex-officio member of the Board. The number of Directors may be increased or decreased from time to time by a vote of the members of the Board, but in no case shall the number of Directors be less than seven.

Directors representing students shall be composed of the following: the President of the Student Government Association, or designee; the President of the Resident Hall Governing Body, or designee; the officer within Student Government elected to represent the commuter population, or designee; one non-resident student and two students who may be either graduate or undergraduate students. Directors from the faculty shall be elected by the Faculty. Directors from the staff shall be appointed by the President of the COLLEGE. The Director representing the alumni shall be selected by the Alumni Association. No person younger than the minimum legal age shall be eligible to serve as a Director.

### **3. Term:**

The term of office will be two (2) years except that of the students occupying the seats specified in Section 3 above, who will serve until they cease to hold the offices designated. In order to provide continuity of Board membership, approximately one half of the faculty positions will become vacant on alternate years. Faculty and staff may serve successive terms. Terms of office will begin and end at noon on July 1 of each year.

Officers of the CORPORATION shall be elected by the Board of Directors from among the members of the Board and shall hold office for a minimum term of one year or until their successors have been elected. Officers shall consist of a President, a Vice President, a Secretary, a Treasurer, and such other officers as may be elected.

Vacancies occurring for any reason other than normal expiration of a term of office will be filled by the original electing/selecting authority. The remaining Directors shall continue to manage affairs of the CORPORATION pending appointment of successor Directors.

### **4. Reporting:**

The Faculty representatives to the ASC Board of Directors shall provide a written report to the Chair of the faculty Senate by August 1<sup>st</sup> of each year.

**For a copy of the full text of the Auxiliary Services Corporation bylaws please consult the Faculty Senate Office. This includes the following Articles:**

#### **I: Name and Purpose**

- II: Membership**
- III: Directors**
- IV: Meetings**
- V: Officers**
- VI: Committees**
- VII: Assets and Funds**
- VIII: Authorized Activities**
- IX: Seal**
- X: Amendments**

## **Section B: Faculty Judicial Committee**

### **1. Purpose:**

The purposes of the Committee are 1) to provide a pool of faculty who will serve on Judicial Board Hearings; and 2) to serve as a continuing source of input and feedback to the Judicial Officer as to the effectiveness, efficiency, and fairness of the College's judicial process as a whole.

### **2. Membership:**

- a) Voting members of the Committee shall include twenty (20) tenured or untenured members of the faculty, as follows: three (3) from the School of Business, three (3) from the School of Education, ten (10) from the School of Arts and Sciences, and four (4) elected from the Faculty At Large. Runners up from any of the school-specific categories may be designated as At-Large members, if At-Large vacancies exist, and provided runners-up receive the required threshold of votes stipulated in the Faculty Bylaws (i.e., 25% of constituency).
  - i) If the need arises, and acting in response to a request from the Campus Judicial Officer, additional faculty members may be appointed to the Committee by the Faculty Senate Chair, bringing the total number of faculty serving on the Committee to a maximum of 25.
- b) The Campus Judicial Officer shall serve ex officio as a member of the Committee. The Committee may, as the need arises, invite to serve in an advisory capacity appropriate representatives from the campus community (e.g., the Dean of Students, the Director of Residential Life, the Vice President for Student Affairs or his/her designee, a representative from University Police, a representative from the Student Government Association). Student representatives shall be selected by the Student Government Association.
- c) The Committee Chair shall serve as liaison between the Judicial

Officer and members of the Committee, in order to help ensure the timely and effective exchange of information.

- d) A faculty member serving on the Student Life Committee shall serve as liaison.

**3. Term:**

- a) Members shall be elected for staggered terms of two years, in order to provide continuity. In the initial implementation of this provision, the faculty within each School who receive the greatest number of votes shall serve for two years, and the remaining members will serve for only one.
  - i) As is true for all elected committees of the faculty, members of the Faculty Judicial Committee shall be expected to serve through their entire term (i.e., from June to June). This will ensure that faculty are available to serve on a Judicial Board, if the need should arise, during the first few weeks of the fall semester before the Hearing Schedule for the year has been formally established.
- b) Members who have been appointed by the Faculty Senate Chair to fulfill a need for a larger pool of faculty on the Committee (see item 2i, above) shall be required to serve no more than one year. This term shall end in June with the election of new members to the Committee, regardless of the appointee's actual length of service at that time.

**4. Procedures:**

- a) The Committee shall conduct its first meeting no later than the second week of the semester. During this meeting, the Committee shall elect a Chair by simple majority vote. Also at this time, the Committee shall determine each faculty member's availability during two daily three-hour periods – one from 9:30-12:30 and one from 1:00-4:00 – as a first step toward establishing the Hearing Schedule for the academic year ahead.
- b) By the end of the third week of the semester, the Chair shall convey this information to the Judicial Officer, who will then create a draft Hearing Schedule that allows for two pre-established hearing days per week. The draft Schedule will be shared with the Committee, revised if necessary, and confirmed as workable.
  - i) Both the Committee and the Judicial Officer acknowledge that changes to the Hearing Schedule may

be necessary from time-to-time to accommodate unforeseen circumstances, and agree to work together to promote the consistency of a two-hearing-days-per-week schedule, so that students who request a hearing may receive one in a timely manner.

- ii) If no hearing takes place on the day a faculty member is scheduled to serve, the faculty member shall be considered to have fulfilled his/her obligation for that date. To the extent possible, the Judicial Officer will provide timely notice to Committee members as to whether a hearing will take place at the time they are slated to serve.
- c) All faculty members of the Committee must attend a brief training session given by the Judicial Officer during the first two weeks of the fall semester. The purpose of this training is to ensure that each faculty committee member:
  - i) Is aware of Judicial Hearing protocol;
  - ii) Is familiar with the Code for Student Conduct and the sanctions associated with specific Code violations; and
  - iii) Has received proper training on the issues defined in the Code of Conduct, as well as others of concern to the campus community (e.g., civility, intercultural understanding, conflict resolution, etc.).
- d) The entire Committee shall meet at least once per semester to share insights, discuss possible Committee initiatives, and make recommendations to the Judicial Officer, as they deem necessary, for maximizing the effectiveness of the judicial process and ensuring the fair and timely adjudication of all cases brought forth.

#### **4. Reporting:**

The Committee shall provide a written report to the Chair of the Faculty Senate by August 1<sup>st</sup> each year.

### **Section C: Resource Allocation and Budget Planning**

#### **1. Purpose:**

- To develop a budget committee with sufficient autonomy to ensure institutional integrity and campus constituency representation.

- To develop a budget committee with structure, function and sufficient context of support to address issues of budgetary fairness and effectiveness as they relate to the faculty, administration, and the campus.
- To establish a budget committee that operates openly and transparently having access to all necessary data and information to enable full participation and input from all campus constituencies.
- To establish benchmarks with selected peer institutions for unit-based efficiencies and for achievement and assessment of goals.
- To recommend to the President and annual Operating Budget and Capital Plan budget consistent with available funding. Provisions for contingencies should be included.
- To make available to the campus community an annual balanced Operating Budget and Capital Plan Budget.
- To develop annual and three year funding projections based on market and economic conditions and trends, SUNY's allocation formula and other relevant data necessary to advance the Mission of the College.
- To align budget planning with implementation and assessment of the Strategic Plan. To review justification for any change to the Strategic Plan; provide recommendations on same to the President.
- To timely address budget enhancements, reallocations and reductions. To provide recommendations on same to the President and recognize the College's administration must/will act as the need requires.
- To leverage all sources of revenue from all funding streams, consistent with SUNY regulations and the Old Westbury mission.
- To build and maintain trust through a transparent process that proceeds with a clear understanding on the part of all stake holders of revenue and expenditure patterns.

## **2. Membership:**

The committee will be composed of the following fifteen (15) members, all of whom will have voting rights.

- Co-chairs: Provost and Chair of Faculty Senate (ex officio)
- One representative from the Schools of Education and Business and two representatives from the School of Arts and Sciences
- Chair of CAP Committee (ex officio)
- Librarian (ex officio)
- SGA President (ex officio)
- CFO (ex officio)
- VP Student Affairs (ex officio)
- VP Enrollment Services (ex officio)
- MC representative
- UUP Non-Teaching Professional representative
- CSEA representative

## **Selection of Non-Ex Officio Members:**

- Faculty members are selected and appointed by the President from a slate prepared by Faculty Senate.
- Administrators and staff are appointed by the President upon consultation with the relevant unit.
- All members have voting rights.

### **3. Term:**

All members serve 2-year terms such that no more than 50% of the members' term expires at one time.

Upon the formation of the committee, initial terms will be 1-1/2 years and 2-1/2 years.

Replacement of members, except ex officio members, to fill a vacancy will require nominated candidates to receive a 2/3 vote of approval from the committee membership for recommendation to the President.

### **4. Reporting**

The faculty representatives of the Committee shall provide a written report to the Chair of the Faculty Senate by August 1<sup>st</sup> each year.

## **Section D: Student Life**

### **1. Purpose:**

- a) The major functions of the Student Life Committee shall include an ongoing review of facilities, activities, and resources available to enhance the quality of life for both residential and commuter students, an ongoing investigation of impediments and obstacles to an enhanced quality of life for students, and an exploration of and pursuit of the means to an enhanced quality of life for the students of the college.
- b). The Student Life Committee shall make recommendations to the faculty for faculty action where appropriate, and recommendations to the Office of Student Affairs where appropriate.
- c) The Student Life Committee shall report on its activities once a year to the Faculty Senate, the student government, and the Office of Student Affairs.

### **1. Membership:**

The Student Life Committee shall be composed of six faculty members, an equal number of students, and appropriate administrative personnel, e.g., the Vice President for Student Affairs, the Director of Student Activities, and the

Director of Residential Life, the director of OSSD, the Dean of Students or their designees.

**3. Term:**

The faculty members of the committee shall be elected by the faculty at large for staggered two-year terms. Student members shall be elected or appointed in accordance with student government practices. The administrative members shall be appointed by the Office of Student Affairs and serve as ex officio members without voting privileges.

**4. Reporting:**

The Committee shall provide a written report to the Chair of the Faculty Senate by August 1<sup>st</sup> each year.

## APPENDIX II. STATEMENT OF FACULTY RIGHTS AND RESPONSIBILITIES

### PREAMBLE

This document sets forth Faculty Rights and Responsibilities with respect to the College, its students, its programs, and its Administration, and it provides for mediation procedures for resolving breaches of these rights and responsibilities and conflicts with respect to them.

Faculty has a variety of rights and responsibilities which are not explicitly stated in this document. The failure of this document to state such a right or responsibility explicitly shall not be interpreted as implying that such a right or responsibility does not apply.

In particular, nothing in this document shall imply any waiver of any faculty rights specified or implied by collective bargaining agreements or laws and regulations pertaining to collective bargaining, by the Policies of the Board of Trustees, by other sections of the Faculty Bylaws, by applicable Federal, State, or local laws or regulations, or by other currently existing source of faculty rights, and nothing in this document shall imply any waiver of a faculty member's right to academic freedom in carrying out his or her College duties.

### Part I. RIGHTS AND RESPONSIBILITIES WITH REGARD TO THE COLLEGE

A. Faculty have both the right and the responsibility to participate in the work of the faculty as a whole and in the work of its committees. In particular:



1. Faculty have the right to be nominated, or to nominate themselves, for election or appointment, as may be appropriate, to any faculty committees.
2. Faculty have the right to be informed of their nomination to a committee and have the right to decline such nomination.
3. Faculty have the right to decline to serve on any particular committee at any particular time.
4. Faculty who accept election or appointment to a committee have the responsibility both to attend and to work conscientiously on that committee for the stipulated term.
5. Faculty elected or appointed to a committee have the right, as well as the responsibility, to participate actively in all aspects of the committee's business and share equitably in the discharge of its duties and obligations.
6. Faculty elected or appointed to a committee have the responsibility to attend all meetings for the duration of the elective or appointive term.
7. Faculty elected or appointed to a committee have the right both to participate in the selection of the committee's leadership and to be eligible for assuming such leadership.
8. Faculty have the right to resign from a committee, but has the responsibility in such instance to state the reason for such resignation, in writing, to the committee's chair and to the Chair of the Faculty Senate.
9. Faculty have a right to expect that their service on college committees will be taken into account, through informative collegial letters of reference, in tenure and promotion reviews, as well as decisions pertaining to sabbaticals, merit increases, grant applications, and leaves of absence.

B. Faculty have the right to participate freely and expressively in the work of the faculty as a whole, and in its particular committees. In particular:

1. Faculty have a right, in the course of their participation in the work of the faculty and its committees, to engage in debate, pose questions, put forth challenges, make motions, etc. without fear of harassment, threats, or intimidation in any form to any degree.
2. Faculty have the responsibility to respect the rights of others to engage in debate, pose questions, put forth challenges, make motions, etc. without fear of harassment, threats, or intimidation in any form to any degree.
3. Faculty, in general, have a responsibility to respect the integrity of

faculty committees by honoring committee procedures as specified in the Faculty Bylaws. In particular, faculty have an obligation to refrain from lobbying committees or individual members of committees responsible for making recommendations on personnel matters, whether on their own behalf or in relation to the candidacies of others.

C. Faculty have the right to freely engage in research, scholarly study and artistic expression and to disseminate the results through all means of direct presentation, at conferences, exhibitions and in other arenas, and indirectly through all means of publication, including both print and electronic, with full proprietary rights (except as restricted below). In particular:

1. Faculty have the right to study any aspect of any subject without restriction (except under restrictions guided by 5 below), including the pursuit of artistic expression.
2. Faculty have the right to seek financial support of their endeavors from any legitimate and legal source without restriction, except insofar as the work supported requires campus facilities, campus services and/or faculty time that would otherwise be invested in teaching at the college. In such cases, faculty have an obligation to secure the support of the institution.
3. Faculty have a right to speak and publish in any forum via any medium without prior restriction or subsequent penalty, but also have an obligation to distinguish clearly between their personal voice and that of the university.
4. Faculty receiving institutional funding for their work have an obligation to credit the institutional support, when presenting their work in external arenas.
5. Faculty have a responsibility to conduct all such activities within the bounds of established college and university policies, copyright and patent laws, safety codes, human subject policy and other legal restrictions as set in the law.

D. Faculty have the right to engage in instructional activities, within the limitations of their areas of expertise and departmental assignment, without fear of censorship, harassment, threats or intimidation in any form to any degree. In particular:

1. Faculty have the right to present lectures, assign readings, assign written exercises and engage in other instructional activities, within the limits of program or departmental policy and practices, without fear of intervention, censorship, harassment, threats or intimidation in any form to any degree.
2. Faculty have the right to use all college facilities, including but not

limited to: laboratories, studios, libraries, archives, performance facilities, computational and other electronic equipment, exhibition space, communications facilities, specialized personnel and any resources or facilities beyond the college available to those with faculty status in the course of carrying out their instructional responsibilities.

3. Faculty have the right to expect a reasonable array of instructional facilities, including but not limited to space, furniture, communications equipment, climate control, chalk, laboratories, studios, libraries, archives, performance facilities, computational and other electronic equipment to be available on a regular basis, and in such a state of repair as to facilitate instruction.

4. Faculty have a responsibility to conduct all instructional activities in an ethical manner that is respectful of the rights of others to do likewise, in a manner that does not interfere with the instructional activities of others or the instructional activities of the college.

E. Faculty have rights under the constitution of the United States, state and local law and collective bargaining agreements, such as freedom of speech and freedom of assembly which cannot be abridged or superseded by or within the context of the college, in particular:

1. Faculty have the right to speak freely on all subjects including the college (and the university), its administration, faculty, student body, and other organized groups, policies, decisions, mission or physical conditions.

2. Faculty have the right to assemble, form picket lines and respect the picket lines formed by other, to the extent permitted by law.

3. Faculty have the responsibility to respect the rights of others, including the college (and the university), its administration, faculty, student body, and other organized groups in their right to speak freely on all subjects and to engage in organized activities which they have the right to engage in under the Constitution of the United States, state and local law.

F. Faculty have a right to engage in all activities in external arenas - whether personal, scholarly, civic or political. But faculty also has a responsibility to take into consideration the effects of their behavior on the college and university.

## **Part II. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO STUDENTS**

A. Faculty have the responsibility to discharge their academic duties in an educationally sound and professionally competent manner consistent with

the mission of the College.

B. Individual faculty have the right and responsibility, consistent with curricular requirements of the program in question, to determine course content, course objectives and requirements, selection of instructional materials, modes of instruction, procedures for evaluating students, etc., for their own courses, and for communicating these in a clear and timely manner to students. Faculty will return papers in a timely fashion, and provide feedback to students about their performance.

C. Faculty have the responsibility to explain grading procedures. Faculty have the responsibility to assign grades in a fair and timely manner and to apply grading criteria (their own and College wide). Policies regarding withdrawals, incompletes, and credit/no credit should be explained.

D. Faculty have the responsibility to be prepared for each class by keeping apprised of both current knowledge in their specializations and innovative teaching methodologies.

E. Faculty's right of academic freedom shall not be abridged in any way whatsoever with respect to the context of course material, issues related to it, or other academic situations. Faculty have the responsibility not to impose their views with respect to issues on matters outside the content of the course. Faculty have the responsibility to disclose their own biases with respect to controversies within their field and to present various sides of these controversies fairly.

F. Faculty have the responsibility to ensure that the right of students to speak freely, express opinions, ask questions, engage in debate, within the context of the course and related matters, shall be safeguarded without prejudice by faculty. This is not inconsistent with the right of faculty to guide discussions and maintain overall course goals and maintain order and respect.

G. Faculty should not seek, promote, or accept compromising or exploitative relationships with students (i.e. academic, sexual, business/financial or otherwise).

H. Faculty have the responsibility to avoid arbitrary treatment of students, either by favoritism or discrimination by sex, gender identity, race, national origin, ethnicity, creed, age, sexual orientation, health status, physical characteristics, political belief, or disability.

I. Faculty have the responsibility of discharging their scheduled academic duties, both inside and outside the classroom, in a punctual and professional manner. Faculty must meet their classes, be on time, conduct class for the scheduled period, and should not conduct personal business during class time. Faculty must not cancel class except under rare and exceptional circumstances

(e.g. significant illness, an emergency, urgent college business or necessary professional activities). When known in advance, the faculty member should arrange for coverage of the class or appropriate learning activities.

J. Faculty have the responsibility to post and maintain office hours with the reasonable needs of students in mind and to inform students of any changes in office hours, whether temporary or permanent.

K. Faculty have the responsibility to be available for advising. Faculty has the responsibility to offer appropriate advising for students, even for students who haven't approached them. Faculty should not underestimate the importance of reaching out and mentoring students in an informal way. Faculty have the responsibility to advise students of their own best judgment. Faculty must be aware of program and college requirements and must communicate these to students in a comprehensive and lucid manner. Faculty has the right and responsibility to refer students elsewhere, when such counsel elsewhere would be more appropriate.

L. Faculty may enlist students in the research process as data gatherers, analysts, co-researchers, or co-authors (in accord with the ethical guidelines outlined by the Human Subjects Committee, when appropriate). When faculty engage students in research in any capacity, faculty have the responsibility to avoid exploitation. This includes acknowledging students as co-authors, when appropriate. Faculty have the responsibility to include students' names on any subsequent publications or presentations regarding research in which the student was involved.

M. Faculty have the responsibility to make appropriate accommodations in their teaching, advising, and other student-related activities for students with physical, sensory, emotional, or learning disabilities in accord with applicable legislation, regulations, and court decisions.

### **Part III. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO PROGRAMS, DEPARTMENTS AND SCHOOLS**

A. Faculty have both the right and the responsibility to participate in the work of the Program, Department or School. In particular:

1. Faculty have full voting privileges, and the responsibility to use them, within committees of the Program, Department or School.
2. Faculty have the right to abstain from voting and to a secret ballot upon request.

B. Faculty have the right and responsibility to attend all meetings of the Program, Department or School save under unusual and exceptional circumstances.

1. Faculty have the right and the responsibility to attend all meetings of all committees or subcommittees of which the faculty is a member.
2. Faculty have the right to participate in all meetings of which the faculty is a constituent, engage in debate, pose questions, and put forth challenges without fear of harassment or threats of intimidation in any form or degree.
3. Faculty have the responsibility to respect the rights of others to engage in debate, pose questions, and put forth challenges, without fear of harassment, threat, or intimidation in any form or degree.
4. Faculty have the right to expect that Program, Department and School processes will be in accord with the Bylaws and that the processes of Programs, Departments or Schools will be democratic and respectful of all Program, Department or School members.
5. Faculty have the responsibility to respect the democratic decision-making processes of the Program, Department or School and to cooperate with Program, Department or School decisions made using these processes.

C. Faculty have the right and responsibility to participate in all Program, Department or School decisions regarding curriculum. In particular:

1. Faculty have the right and the responsibility to participate in all Program, Department or School-wide decisions regarding courses taught, allocation of assignments, teaching methodology, course schedules, and curricular content in accordance with the curricular need of the Program, Department or School, mission of the College, and approved procedures of the Faculty. This does not preclude the Program, Department or School (as a whole) from delegating specific programmatic authority to sub-committees or to relevant Program, Department or School members.
2. Faculty have the right to be kept informed of decisions in a timely manner and to be kept abreast of developments that affect the curriculum of the Program, Department or School. They have an obligation to implement Program, Department or School decisions for which they have responsibility in a timely manner.
3. Faculty have the right and the responsibility to participate in the Program, Department or School's personnel and resource decisions.
4. Faculty have the responsibility to discharge the duties and obligations of the Program, Department or School curriculum, including but not limited to:

holding to class schedules, observing specified office hours, providing appropriate advisement to students, and maintaining reasonable records of student performance.

D. Faculty, in academic Programs or Departments, have the right to elect their chair, according to the governance structure of the Program or Department, and the responsibility to serve when elected, unless cause can be shown for declining.

E. Faculty have the right to periodic Program, Department or School evaluation of their own teaching, college service, and professional activities, and the responsibility to review the activities of other members of their Program, Department or School, in accordance with the procedures established by the College and its Bylaws and their Schools. In particular:

1. Faculty have the right to fair and equitable treatment in matters of reappointment, promotion, and tenure, in accordance with the procedures established by the College and its Bylaws and their Schools.

2. Faculty have the responsibility to help evaluate their peers, in a manner that is collegial, preserving of personal and professional confidentiality, and free from discrimination, harassment, threats or intimidation, and in accordance with the procedures established by the College and its Bylaws and their Schools.

3. Faculty have the responsibility to behave fairly and equitably during any evaluation of other faculty, both within the Program, Department or School and outside the Program, Department or School, and to observe procedures established by the Program, the Department, the School, the Appointment, Reappointment, Tenure, and Promotion Committee, and other relevant bodies for handling such matters.

F. Save in extraordinary and unusual circumstances, every Faculty member has the right to be affiliated with a Program or Department and to enjoy all rights and responsibilities of the members of that Program or Department.

#### **Part IV. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO ADMINISTRATION**

A. All faculty have the right to academic freedom in carrying out their College duties.

B. Faculty have the right of "due process" in the procedures and decisions concerning hiring, reappointment, promotion, tenure, and termination, including termination for cause, as set forth in the Faculty Bylaws, the Policies of the Board of Trustees, and collective bargaining agreements between SUNY and the bargaining agent representing the faculty.

C. Faculty have the right to seek redress of grievances through any of the several channels provided for this purpose, as outlined by the Board of Trustees of the State University of New York, the Faculty Bylaws of the College at Old Westbury, and the collective bargaining agent representing the faculty.

D. Faculty have the right of membership in organizations of collective representation and participation in collective representation without prejudice.

E. All faculty have right and responsibility to assign honest grades and to make honest evaluations of student performance free from unwarranted administrative influence, fear of prejudicial judgment, or reprisal.

F. Faculty have the right to further their professional aims through constructive self-development in research or other creative activities connected with their specialization and an academic responsibility to do so.

G. Faculty have the right to be free from arbitrary reassignment with respect to their academic assignments and tasks, as long as there remains a demand for the competencies, expertise, and specialization for which they were hired.

H. Faculty have the right to work in an atmosphere free from fear or intimidation. This includes:

1. Faculty members have the right to carry out all of their college-related activities free from discrimination due to race, religion, ethnicity, national origin, sex, sexual orientation, or disability, and free from violations of their right to privacy.

2. Faculty members shall have the right to refuse college-wide administrative assignments without fear of prejudicial judgment or reprisal.

3. Faculty have the right to function free of fear of prejudicial judgment or reprisal as a consequence of activities conducted away from the College and not directly interfering with their carrying out their appropriate functions at the College.

I. Faculty have the right to be consulted with respect to decisions impacting on their academic functions, in accordance with the policies of the Board of Trustees of the State University of New York, the Bylaws of the College at Old Westbury, and the agreements between the bargaining agent for the faculty and the College and



University.

J. Faculty have the right to be notified in timely fashion of administrative deadlines and administrative decisions affecting them (e.g., decisions with respect to sabbatical leave).

## **Part V. MEDIATION AND ARBITRATION PROCEDURES**

### **A. Organizational Structure**

1. The Committee on Faculty Rights and Responsibilities is established to provide Faculty, Students, Programs, Schools and Administration a venue for resolution of issues, complaints, or grievances arising from alleged violations of earlier sections of this Appendix (see **Article VI**, Sect. C).

### **B. Proceedings of the Committee: General Issue**

1. Proceedings of the Committee on Faculty Rights and Responsibilities are intended to be non-punitive.

2. The use of the procedures described herein does not preclude the simultaneous or subsequent use of other existing procedures for resolving grievances (e.g., union procedures). No faculty member shall be required to use this procedure in preference to other existing procedures. However, faculty members have a responsibility to respond collegially to requests from the Committee that they participate in mediation efforts undertaken by the Committee. *Faculty requesting mediation should be aware that union (UUP) grievance procedures have requirements as to the time frame within which complaints must be made. It is the responsibility of the individual faculty member requesting mediation to determine if their ability to act within the union time frames is potentially jeopardized by the time required for mediation efforts to be initiated and followed through to resolution under this Rights and Responsibilities mediation procedure, and if so, to make their own judgment as to how to proceed.*

3. All proceedings of the Committee on Faculty Rights and Responsibilities are confidential. Submission of materials to the Committee does not imply any waiver of confidentiality or any authorization to the Committee to disclose these materials or their contents, unless explicitly so stated by the person submitting them, in writing. Any documents submitted to the Committee remain the property of the person submitting them.

a) Except for Academic Grievance Committees, the Committee will keep no permanent records of its deliberations or of its detailed findings and will not retain any records or other documents submitted to it. It will make no substantive report discussing its

deliberations or findings or any outcome of its deliberations, to any individuals or groups other than those involved in the dispute it is trying to mediate. It may, however, maintain Committee files indicating that a dispute has been brought to it under a specified section of this Rights and Responsibilities document; whom the parties to the dispute were; and that it has successfully mediated or is attempting to mediate or has unsuccessfully tried to mediate such a dispute.

4. In participating in the efforts of the Committee on Faculty Rights and Responsibilities, all parties agree that these proceedings are a good faith effort to resolve differences, and all parties agree to hold the Committee and its members harmless for any consequences of its deliberations.

#### C. Procedures of the Committee on Faculty Rights and Responsibilities

1. Any person or group having an issue, complaint, or grievance under this Rights and Responsibilities statement shall submit their request for mediation in writing to the chairperson of the Committee on Faculty Rights and Responsibilities.
2. Within two weeks of the submission of this petition, the Chairperson of the Committee shall convene a special session of the Committee to determine whether the matter falls within the Committee's jurisdiction. If requests for mediation are received during intersession or in the last two weeks of a semester, the special session shall be convened not later than the second week of the following semester (Fall or Spring term only).
3. At this stage, the Committee shall have the power to merge complaints, issues, or grievances, if, in its judgment, they are closely enough related to constitute or form a single issue. Timeliness is of importance in filing. The Committee shall have the prerogative to judge an issue as not being amenable to an equitable and just effort at mediation because of the unavailability of relevant information (e.g., because of the passage of time).
4. If the Committee judges that the matter falls within its jurisdiction and is timely, and if the originator of the petition for intervention wishes to proceed, all parties to the dispute shall be notified in writing within one week of the Committee's intention to proceed. Such notification shall specify a time, arranged through consultation with the involved parties for all parties involved to meet with the Committee for initial discussion with intent to resolve the issue(s) at hand.
5. After the initial meeting, the Committee shall, as it sees fit, initiate further information gathering and/or mediation sessions.
  - a) When a dispute involves one or more persons who are not

faculty members (e.g., students, staff), the Committee may, at its discretion, invite a person from the non-faculty group involved to take part in the work of the Committee with the respect to that particular dispute. In such a case, the ad hoc member shall be selected in consultation with the appropriate association or governing bodies representing that category of persons (e.g., the Student Government, the CSEA). The confidentiality and other provisions described above (in Part V.B.3) shall apply to any such ad hoc member.

b) Under normal circumstances, the Committee shall seek to bring the issue to a conclusion within one month of the initial special session of the Committee. At the conclusion of its information gathering, it shall meet (separately and/or together) with the principals to the dispute, one or more times as it shall be necessary and recommend resolutions to them.

6. After a dispute is resolved, or after such time as the panel shall determine that it is unlikely that a resolution will result from its intervention, and if both parties to the dispute agree, the Committee on Faculty Rights and Responsibilities shall not reconsider the dispute until at least one full calendar year has passed.

#### Procedure of Academic Grievance Committee (AGC)

The procedures below pertain to alleged violations or misapplication of college and/or course academic policies and do not apply to other areas with separate forms of redress, such as issues of sexual harassment, discrimination or discipline, which are addressed elsewhere. They are also directed at a student grievance alleging that he or she has been treated unfairly, in violation of established academic policy or practice. The procedures below reflect the college's commitment to a fair and prompt resolution of student academic grievances.

#### Grievance Resolution Process

1. When the Faculty Rights and Responsibility Committee receives a formal grievance complaint, the committee shall convene a three-person Academic Grievance Committee (AGC) within three weeks.
2. The AGC shall include one faculty member from the department (or a related one) in which the instructor resides. If the Faculty Rights and Responsibilities Committee does not contain such a member, the Executive Committee, in consultation with the department chair shall name such a person to the AGC. If the chair is involved in the grievance case, the Executive Committee will consult the Dean of the School to find an appropriate representative. It shall meet and

- review the materials presented and solicit a response from the instructor for each count in the student's case.
3. The AGC's decision must be made in writing to the student, the instructor, and the Executive Committee/School Dean within three weeks of the date of the establishment of the AGC. In the case of a grade appeal, the AGC will familiarize itself with the standards and objectives of the course and evaluative material presented. Its concerns shall be limited to consideration of the fair application of standards and objectives, and whether the standards and objectives were made known to the student in a reasonable manner. The difficulty of the standards shall not be an issue.
  4. The burden of proof shall be on the student, who may be asked to appear before the AGC.
  5. AGC hearing shall require the following documents:
    - An account of the case in detail;
    - All information about the conference with the instructor;
    - A statement of the reasons the student believes he or she is aggrieved or, in the case of a grade, why it should be reconsidered. The statement should also include an allegation of any adverse effects on the grievant, known to the grievant at the time of filing.
    - A description of the remedy sought.
    - All relevant supporting materials (including, but not limited to, syllabus(i), test(s), quiz(zes), paper(s), and any graded evaluation(s)), which should be identified and listed in an index.
  6. The review of grievances or appeals shall usually be limited to the following considerations:
    - Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
    - Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
    - Given the proper facts, criteria, and procedures, was the decision one which a person in the position of the decision maker might reasonably have made?
  7. In the case of a grade appeal, if the majority of the AGC feels no case can be made, the original grade will remain. If it finds that the standards and objectives were not reasonably known to the student or were unfairly applied, it may recommend a higher or lower grade and give its reasons for so recommending.
  8. In the case of a grievance, if the majority of the AGC adjudges the grievance to be without foundation, the student's appeal shall be denied. If, in the judgment of the AGC, there is a basis for the grievance, the written decision must include specific recommendations for redress. The decision of the AGC is final.
  9. Under normal circumstances, the issue is to be brought to a conclusion within two month of the establishment of the Committee.
  10. In conformance with state regulations, the Executive Committee's office shall maintain adequate documentation about each formal complaint and its disposition

for a period of at least six years after final disposition of the complaint. Copies shall go to the Provost, Dean and department chairs.

11. Once the AGC has been convened to hear a complaint, principals and committee members shall have the obligation to maintain the confidentiality of the proceedings and of all materials presented to review proceedings.

### **APPENDIX III: MANUAL FOR REAPPOINTMENT, TENURE AND PROMOTION**

**Revisions in the ARPT Manual are pending and will be made to be consistent with Article VII, Sect. B.**

### **APPENDIX IV: CRITERIA FOR APPOINTMENT**

Preamble: Candidates for appointment at SUNY/COW shall be evaluated according to the following criteria, and bearing in mind the College's commitment to an equitable environment based upon specific affirmative action goals (see **Article VII**, preamble).

1. Teaching ability, and especially demonstrated capacity to work with the kinds of students toward whom Old Westbury is oriented.

("Teaching Ability" shall include a candidate's responsiveness to the distinctive and varied needs of the students; the ability to maintain reasonable standards of responsiveness to student needs, including feedback, conferences, etc., as well as, of course, knowledge of the field being taught, high standards of performance for self and students, and effectiveness in carrying out teaching objectives.)

2. Definable Experience relevant to the specific kinds of teaching and other work for which a candidate is being considered.

(A Ph.D. or other advanced degree may represent such experience, as may a record of research and publication, especially for candidates being considered for the more traditional academic areas at the College. In other cases, a record of creative works or performances may be more pertinent. In still other instances, active participation in community service or organization or in other efforts directed toward social change may be. The central question in initial appointment is how well such experience prepares a candidate to meet specific curricular and other needs defined by the College. Programs, departments and Schools will be expected to put forward and justify academic or

experiential criteria relevant to a position for which a candidate is being considered.)

3. Community Service

(Since Old Westbury is in many respects a "community-oriented" College, work in the surrounding communities, especially when related to teaching or other possible activities at the College for which a candidate is being considered, may be a relevant factor.)

4. Scholarly Inquiry, especially in relationship to teaching.

(Since Old Westbury is primarily an undergraduate institution, our main criteria necessarily deal with matters directly concerned with teaching undergraduates. Demonstrated productivity, in whatever scholarly or creative work a candidate engages, can be, especially in senior appointments, an important criterion providing that such activity contributes to a candidate's effectiveness as a teacher.)

## **APPENDIX V: PROCEDURES FOR FACULTY UNIVERSITY AWARDS**

The following procedural details are recommended. Additional elements of procedure will likely be developed in the future.

The nomination and evaluation process shall begin in October with a call for nominations from the committee (i.e. prior to, but in anticipation of, the formal invitation to the campus to submit nominees).

A detailed checklist of items required by the Committee to be included in nominees' files shall be sent to each nominee and nominator.

The following items are to be included in the detailed checklist and are required for all nominees for DTP and EIT, although the emphasis on each will vary depending on which award is being sought:

1. Updated Vita including campus and university service.
2. Representative Teaching Materials: Syllabi from the last three years, representative exams or projects, representative supplementary materials, printouts, and special projects.
3. Student evaluations from at least the last three years.
4. Grading records for at least the last three years.

5. Peer review of student evaluations and/or teaching.
6. Peer letters on curriculum development, team teaching, collaboration etc., if available.
7. Letters of support from former students (alumni).
8. External letters of support are encouraged, but only insofar as they relate to the criteria.
9. Nominator's Evaluation of the candidate, prepared with the participation of the candidate. This must address the following:
10. Teaching techniques and innovations
11. Instructional policy/grading and motivating students. How are seriousness and high expectations encouraged?
12. A record of inspiring and motivating students. (Indicate the achievements of graduates.)
13. Special projects and involvements with students or groups; accessibility to students.
14. How scholarship relates to teaching.

The following items are to be included in the detailed checklist and are required for all nominees for DSP:

1. Updated Vita Statement as described in SUNY guidelines
2. Nominator's Evaluation of the candidate, prepared with the participation of the candidate. This must address the following:
  - (a) Candidate's service to the campus
  - (b) Candidate's service to the University
  - (c) Candidate's service to the community
  - (d) Candidate's service to the State of New York
  - (e) Candidate's service to the nation
  - (f) List of the candidate's most outstanding qualifications
  - (g) List of the candidate's major achievements

Draft summary statements on all nominees will be prepared by at least two members of the Committee. Assignments to prepare these draft statements shall be made at random. These drafts would be read to the full Committee for discussion and

modification prior to a later meeting where a vote would be held. This procedure helps to focus on the strengths and weaknesses of each candidate and ensures a better-documented record of the Committee's deliberations. The draft summary statement of the candidate who prevails in the vote then becomes the basis for the final summary statement which is required by the SUNY guidelines. Statements on candidates not selected can be made available to them for use in preparing for a re-nomination in a subsequent year.

Files must be completed before the deliberations start and, subsequent to the initiation of the process, no material can be added.

### **Conflict of Interest and Confidentiality**

Faculty should not serve on the FUAC in a year in which a member of their program/department will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.

Faculty should not serve on the FUAC in a year in which a colleague with whom he/she has a close personal or professional relationship will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.

Students should not serve on the FUAC in a year in which a faculty member in their major program/department will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.

Students should not serve on the FUAC in a year in which the student is, or is likely to be, a student in a class taught by a faculty member who is nominated for an award, and must withdraw from the Committee in the event that such a nominee enters the process.

The proceedings of the Committee being strictly confidential, there should be no discussion or direct contact between Committee members and the nominee regarding his/her candidacy. Any necessary communication with the nominee must be through the mediation of the nominator. Committee members should not discuss the Committee's deliberations with anyone not on the Committee.

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

### **Definition**

The process by which advice, suggestions, recommendations or other input is taken into account in the making of decisions or the establishment of policy at the College and the process by which all relevant parties are informed of decisions and policies. Consultation may take place either in instances required by the SUNY Board of Trustees (as outlined in the Trustees' Handbook) or upon solicitation by the President or his/her designee. It is understood that consultation, as specified in the Policies of the SUNY Board of Trustees is advisory to the President and that the President (or his/her



designee) is not obligated to accept advice, suggestions or recommendations developed in the process of consultation.

### Purposes

The aims of consultation are to:

- a) facilitate frank and open dialogue at the College;
- b) provide aid in decision making;
- c) utilize the fullest array of knowledge, experience, familiarity and talent of the faculty and staff;
- d) maximize service to the students;
- e) facilitate the creation of consensus within the institution;
- f) increase faculty, staff and student understanding of the basis for administration's policies and decisions;
- g) increase decision makers' understanding and awareness of the concerns, preferences, and dispositions of faculty, staff and students and the basis of those concerns and preferences;
- h) avoid unproductive conflict.

### Foci

It is expected that consultation will take place in any areas that affect:

- a) the faculty of the College;
- b) academic or co-curricular experience or activities of students.

### Forms

Consultation with faculty will take place between administration and appropriate official faculty governance bodies or representatives within a number of settings, including:

- a) at face to face meetings on either a regular or irregular basis;
- b) by indirect means (such as written communication, sharing information, telephone or other electronic media) when such means facilitate timely communication between administration and the Faculty constituency;
- c) by means of communication with official Faculty representatives and obligatory interaction and feedback to constituencies.

### Procedures

All instances of consultation with official governance bodies or their representatives should involve:

- a) written communication specifying the area or issue for which recommendations are being solicited and clarifying the Administration's concerns;
- b) provision of relevant written documentation along with written

- administrative analysis of what such documentation implies;
- c) the provision of timely written recommendations along with appropriate documentation and rationale from the consultants/consultative bodies;
  - d) a timely written response or an oral response followed by a written document (except where the laws of confidentiality prohibit, such as in personnel decisions) from the President or his/her designee, indicating what decisions were made and, the basis for such decisions. The response should be particularly detailed in those cases where recommendations are not followed.

**Bylaws Committee, 2011 Edition**

Fred Millán, Chair, Associate Professor, Psychology  
Werner Sbaschnik, Senior Assistant Librarian, Library  
Zhihong Shi, Assistant Professor, Finance

Approved by Full Faculty Vote on August 2, 2011