

## COLLEGE COUNCIL CONSTITUTION

### ARTICLE I - FUNCTION

#### Section I

The College Council shall be responsible, subject to guidelines, if any, as established by the Board of Trustees of The City University of New York for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefore, student attendance including leaves of absence, curricula, and the award of college credit. The Faculty, however, shall reserve the right to confer degrees. The Council shall make its own bylaws, consistent with the policies and regulations of the Board of Trustees, and conduct the educational affairs customarily cared for by a college faculty. The Council may also make recommendations on policy with respect to the facilities, budgetary matters and faculty personnel matters of the College within the framework of the Bylaws of the Board of Trustees.

#### Section II

Upon petition of twenty (20) percent of the membership of the Faculty or the Student Body, and the presentation of such petition to the President, a referendum must be held in order to determine if the Faculty and the Student Body both desire to reverse (repeal) any Council decision. Petition for reversal (repeal) must be filed within four (4) weeks after publication of the action in the minutes of the Council. A decision shall be reversed (repealed) by a two-thirds vote of the Faculty and a two-thirds vote of the Student Body in which at least twenty percent of each constituency must participate.

#### Section III

All actions of the College Council that have been duly presented and passed by the Council for consideration by the Board of Trustees shall be presented to the Board by the President, together with his/her own recommendations.

### ARTICLE II - MEETINGS

#### Section I

The College Council shall meet at least twice each semester as determined by the Steering Committee of the Council. Such meetings shall be incorporated into the College calendar.

#### Section II

Upon petition of twenty (20) percent of the membership of the Council, a meeting must be called in order to deal with matters of Council concern.

#### Section III

Meetings of the College Council and committees of the Council shall follow Robert's Rules of Order.

#### Section IV

The College Council may make bylaws for its own operations consistent with its Constitution and the policies and regulations of the Board of Trustees.

### ARTICLE III - COMPOSITION

#### Section I

The College Council shall be composed of the President of the College, who shall be Chairperson, the Chief Academic Officer of the College, the Registrar, the Chief Administrative Officer of the College, the Chairperson of each instructional department, one departmental delegate from each instructional department, full-time instructional staff delegates-at-large equal to the number of departments, two part-time instructional staff delegates-at-large, twenty student delegates, one alumni delegate, and two delegates elected by the full-time regularly appointed non-probationary supporting staff. One additional non-voting delegate-at-large seat shall be designated for Emeritus/Emerita Teaching Faculty.

#### Section II

- a) Department delegates shall be elected following the election of department chairpersons by the full-time members of the department having faculty rank or faculty status and shall serve a term on the Council equal to that of the department chairpersons. Vacancies shall be filled by the Department for the unexpired portion of the term.
- b) Persons eligible to vote for department delegates shall be eligible to nominate candidates and be nominated for the position of department delegate.
- c) Elections for department delegates shall be conducted by secret ballot. Mail and/or electronic ballots shall not be used.

#### Section III

- a) Delegates-at-large shall be elected by members of the full-time instructional staff who have faculty rank, faculty status or who have received notification of reappointment for the third or succeeding years of full-time service. Persons who have tendered their resignation or who have received notice of non-reappointment shall not be eligible to vote. The term of office for delegates-at-large shall be three years, with elections staggered so that approximately one-third shall be elected each year.
- b) Persons eligible to vote for delegates-at-large shall be eligible to nominate candidates and be nominated for the position of delegate-at-large.
- c) Nominations for delegates-at-large shall be conducted by secret ballot provided that nominees shall have the opportunity to decline nomination before preparation of the final ballot.

Each person eligible to nominate may cast a secret nominating ballot containing no more than two (2) persons.

Those eighteen (18) eligibles who receive the highest number of nominations, plus ties, shall appear as candidates on the final ballot.

- d) Eligible voters shall be entitled to vote for as many candidates as there are vacant positions to be filled. Election shall be by plurality with ties determined by the President of the College.
- e) Vacancies shall be filled from the list of unsuccessful candidates of the previous election with the person having the greatest number of votes among the unsuccessful candidates designated to fill the vacancy until the next scheduled election. Where vacancies for unexpired terms are to be filled at a regular election, the candidates receiving the next highest number of votes after filling the regular three-year term vacancies shall be declared elected for the unexpired term. The longer terms shall be assigned to those with the highest number of votes.
- f) Elections for delegates-at-large shall be conducted in May of each year following the elections of department chairpersons and departmental delegates.
- g) Elections for delegates-at-large shall be conducted by secret ballot. Mail ballots shall not be used. Electronic balloting shall be permitted, as determined and administered by the Committee on Elections.

#### Section IV

- a) Eligible student delegates shall be elected for one year terms in accordance with the constitution and bylaws of the Kingsborough Community College Student Government Association.
- b) Two delegates-at-large shall be elected from part-time instructional staff (“Adjunct faculty”) to serve two-year terms so arranged that the terms are staggered.
- c) Adjunct faculty shall be eligible to vote for delegates-at-large during their third (and successive) year of continuous service. Persons eligible to vote for delegates-at-large shall be eligible to nominate candidates and be nominated for the position of delegate-at-large.
- d) The alumni delegate shall be elected by the Alumni Association to serve a term of three years.
- e) Two delegates shall be elected from the regularly appointed non-probationary supporting staff to serve three-year terms so arranged that the terms are staggered.
- f) Eligibility shall be determined according to the provisions of this article, Section III b.
- g) Vacancies shall be filled according to the provisions of this article, Section III e.
- h) Those elected shall be selected on the basis of a plurality vote with ties to be broken by the President of the College.
- i) Elections shall be held in May of each year.
- j) All elections shall be conducted by secret ballot. Mail ballots shall not be used. Electronic balloting shall be permitted, as determined and administered by the Committee on Elections.

#### Section V

- a) One non-voting delegate-at-large seat shall be designated for Emeritus/Emerita Teaching Faculty. This seat shall have a two-year term.
- b) Nominees for this seat shall be recommended by the President of the College and appointed with the advice and consent of the College Council, with confirmation to be voted

upon at the Council meeting in May of that year. All College Council members shall be eligible to vote in this confirmation process.

#### Section VI

All elections shall be supervised by the Faculty-Student Committee on Elections. This shall also apply to faculty voting under Article I, Section II and Article VI. The committee shall be selected by the Legislative Committee.

### ARTICLE IV - ORGANIZATION OF COUNCIL

#### Section I

- a) The President of the College shall preside as chairperson of the Council. In his/her absence, a designee shall preside over meetings.
- b) The President or a designated Dean shall be a member ex-officio of all College Council standing committees.

#### Section II

The Secretary of the Council shall be chosen by the College Council by a majority vote of the Council. He/she shall also serve as Secretary of the Steering Committee with voting privileges only if he/she is a member.

#### Section III

The Council shall elect a Parliamentarian, who need not be a member of the Council. If he/she is not a member, he/she shall have all rights and privileges of Council membership, except the right to vote.

#### Section IV

- a) The College Council shall be divided into seven committees: two special committees, Steering and Committees; and five standing committees, Curriculum, Instructional, Legislative, Strategic Planning and Budget, and Students. The number of members and the membership of each committee shall be determined by the Committee on Committees and shall include student representation.
- b) Committee members shall serve on a single standing committee for the duration of their terms on the College Council, but may petition the Committee on Committees to request reassignment to an alternative standing committee. Committee chairpersons shall be elected annually, by members of each committee.

The Steering Committee shall be composed of the President or a designated Dean, the Secretary of the College Council, and the chairpersons of the standing committees. A chairperson of a standing committee may be represented by a member of the same committee who shall enjoy the same privileges as the chairperson.

The President of the College shall serve as the chairperson of the Steering Committee.

The Steering Committee shall meet regularly during the academic year and shall meet by call of the chairperson.

## Section V

- a) The College Council Committee on Committees shall be elected from among the members of the College Council. The committee shall be comprised of ten members elected by plurality vote after nominations from the floor, three of whom shall be student members.
- b) Voting shall be by secret ballot. If more than one vacancy needs to be filled, members shall vote for no more than two-thirds of the faculty vacancies and two-thirds of the student vacancies from the list of nominees. Tie votes shall be resolved by the College Council chairperson.
- c) The Committee shall meet immediately after election to elect a chairperson.

## ARTICLE V - POWERS AND DUTIES OF COMMITTEES

### Section I

The duties of the committees follow:

- a) Committee on Committees: shall name the members of each of the five standing committees and determine the number of members based on a list of preferences (a minimum of three) obtained from each member of the Council. It shall schedule a date and place for each committee to meet to elect a chairperson and a secretary and to determine its permanent organization.

The committee shall name replacements to the five standing committees from the list of preferences of each member, which it shall maintain.

The committee shall consider written petitions from any member requesting reassignment to an alternative standing committee for the duration of his/her term, and shall make such decisions at its discretion.

- b) Steering Committee: The Steering Committee shall prepare the agenda for the College Council meetings.

The committee shall refer matters brought to its attention to the appropriate committee. It shall receive all recommendations and resolutions from all standing and ad hoc committees prior to submission to the College Council.

The committee shall submit such recommendations and resolutions to the full College Council or shall return them to the appropriate committee with comments. If a recommendation or resolution is returned to a committee and the committee passes it for a second time and returns it to the Steering Committee, it must be placed on the agenda of the next Council meeting. By submission of a petition signed by one-third of the members of the College Council, the Steering Committee must send to the full Council any recommendations and resolutions submitted to it at the next scheduled meeting.

The Steering Committee shall in addition have power to call the College Council into session, to coordinate the activities of all committees, and shall be responsible for informing the instructional staff regarding its activities each semester (e.g., through the College website).

c) Curriculum Committee: shall be concerned with the formulation, development, modification, and evaluation of curricula.

The committee shall receive proposals from any member of the instructional staff. Such proposals (in approved, standard format) shall be submitted through and approved by appropriate department curriculum committees (and/or other such approval required by the department), forwarded to the Provost for review, and then referred to the chairperson of the committee for purposes of recommendation and evaluation by the committee. Proposals may also be forwarded to the Provost from the Program Director of Liberal Arts or the Chairs of duly appointed college task forces (e.g., General Education).

The chair of the committee shall establish a curriculum proposal submission calendar for each semester in consultation with the Provost, who shall distribute the calendar to department chairpersons.

The committee shall consider proposals for new or modified degrees, certificates, and courses (including "experimental" 82 courses) with regard to such factors as their relation to the college's mission and existing curriculum, as well as their hours, credits, content, learning outcomes, evaluation criteria, and expected articulation.

The committee shall report its recommendations to the College Council for review and approval. (Minor changes--such as course numbering, modifications of course names--shall be reported to the College Council as informational items.)

d) Instructional Committee: shall review matters regarding instruction and the instructional process. This includes, but is not limited to: instruments and procedures to provide evaluative data on instruction and instructional effectiveness; student evaluation of instruction; peer review of instruction; and any issues of personnel, procedures or technologies that may impact the instructional process.

The data provided by instruments shall be considered confidential and made available only to the faculty member directly concerned and departmental and college-wide committees and college officers responsible for the evaluation of instructional effectiveness.

The committee may receive proposals from any member of the instructional staff or the student body through the chairperson of the committee, regarding the instructional process.

e) Legislative Committee: shall be concerned with the Governance of the College, including the constitution and amendments, election procedures, Bylaws of the College Council, and initiation and review of all outside legislation concerning the College.

f) Strategic Planning and Budget Committee: shall review the strategic and financial plans for the College for the purpose of ensuring that assessment results affect planning; planning is evidencebased; strategic plans affect fiscal decisions; and these fiscal decisions support academic priorities, staff and organizational development, facilities plans, and other institutional priorities.

The Committee will approve and/or recommend strategic plans and budget priorities to the College Council. It will not deal with specific budget allocations or monitoring of expenditures.

To enable the Committee to serve as a vehicle for budgetary transparency, the Chief Administrative Officer shall designate an administrator to appear before the Committee at the beginning of each semester to report on the College budget. Based on the report of the budget, the Committee may seek additional related information or available institutional data. The Committee will review the information presented and report to the College Council on its review.

g) Students Committee: shall be concerned with policy pertaining to student recruitment, admission, attendance, retention, discharge, discipline, counseling, academic standards, graduation, ceremonies, student health and other services; extra-curricular activities including athletics, as well as other activities relating to the students.

## Section II

a) Each standing committee shall elect its own Chairperson and Secretary.

b) Each standing committee shall meet regularly and keep minutes of its meetings.

N.B. Consistent with the Governance Charter, standing committees shall be empowered to create sub-committees in order to discharge their responsibilities. Membership on sub-committees need not be restricted to members of the College Council. Sub-committee membership can be utilized as a means of involving a wider range of expertise, a diversity of views on the issues at hand and individuals and groups directly concerned with the subject matter under consideration.

## ARTICLE VI-AMENDMENTS (Proposed Amendments)

a) Amendments to the Constitution may be initiated by the College Council, any standing committee, a member of the Council, or by petition of ten percent of the full-time Instructional Staff or any ten percent of the student body. Proposed amendments shall then be submitted to the Legislative Committee for its consideration.

b) Amendments shall be incorporated into the Constitution after ratification by a two-thirds vote of the Council and after approval by the Board of Trustees.

c) Twenty percent of either the Instructional Staff or the Student Body may petition for the repeal of an amendment, if such appeal is filed within two months of ratification by the Council and approval by the Board of Trustees.

d) All petitions for repeal of an amendment shall be considered in referendum once a year. At such referendums, an amendment shall be considered repealed by a two-thirds vote of the instructional staff and a two-thirds vote of the student body. The two-thirds majority shall be determined by the number who participate in each referendum.

e) All proposed amendments or repeal of amendments must be approved by the Board of Trustees.

**B. Kingsborough Community College Student Government Association**

There shall be a Student Government Association charged with promoting and protecting the interests of all students, and with ensuring appropriate student representation on all campus boards and committees requiring student members. The Student Government shall be structured and governed according to the provisions outlined in the Student Government Association constitution and bylaws, provided that all provisions within said documents remain consistent with policies set forth by the City University of New York Board of Trustees.

**C. Faculty Review Committees** I. Organization of Faculty Review Committees

A. The qualifications of candidates recommended for appointment, reappointment, tenure and advancement to the various ranks are considered and reviewed by the College Committee on Faculty Personnel and Budget. This committee receives recommendations from the Departmental Personnel and Budget committees. Recommendations of the review committees are made to the President and reported to the College Committee on Faculty Personnel and Budget.

B. There are five faculty review committees:

The Committee on Reappointment and Tenure

The Committee on Advancement to Associate Professor

The Committee on Advancement to Professor

The Committee on Reclassification and CLT Series

The Committee on Fellowship Leaves of Absence

C. These committees are each composed of five members - three members of the faculty and two department chairpersons.

Each Department Personnel and Budget Committee shall nominate three members of their respective faculties, regardless of rank.

All faculty members who are nominated must hold faculty rank.

All nominations shall be submitted to the President.

D. The President designates the chairman of each committee under leadership, guidance and coordination of the Dean of Faculty.

E. The following criteria govern the nomination and selection of at-large members to each of the faculty review committees:

-they must be tenured

-they must be of equal or higher rank than that rank to which advancement is sought; or, in the case of the Committee on Reappointment and Tenure, they must hold one of the professorial titles

-there must be no more than one member of a single department on any single committee



- F. Each faculty review committee shall be constituted for one year. To provide continuity of experience and perspective, wherever practicable, at least two members of each committee shall be appointed for a second year.
- G. Candidates are notified by the Department Chairperson as to whether or not they are recommended by the Departmental Personnel and Budget Committee. The recommendations of the faculty review committees are transmitted to the President. He/she then reports those recommendations to the College Committee on Faculty Personnel and Budget.
- H. Departmental Personnel and Budget committees, and faculty review committees, will prepare written reports concerning their recommendations for appointment, reappointment, tenure and advancement.
- I. Members of faculty review committees will not vote on candidates under consideration by their committee who are members of their own departments.

## II. Criteria for Evaluation

A. In accordance with the policy of the Board of Trustees, the evaluation of classroom teaching effectiveness is a basic element in the procedure for recommending reappointment, tenure and advancement of teachers. This procedure is the legal equivalent of an unassembled civil service examination. Consideration is given to such matters as:

- command of subject matter and distinctive methods of the discipline
- ability to communicate with students and colleagues
- effectiveness in stimulating thought
- ability to foster active student participation in the learning process
- ability to develop a conscious sense of a learning experience or the students

In addition, major consideration is given to such areas of performance as:

- service to the students
- service to the instructional department
- service to-the College
- professional development
- scholarly and creative achievement

For Library and Student Development personnel as well as for College Technicians, service to students, service to the department, service to the College, relations with other members of the department, and other appropriate criteria shall be primary foci of evaluation.

B. With respect to initial appointment, the criteria described in paragraph (A) above are applied to the candidate's experience, education and character in terms of the apparent potential and/or achievement described or reflected in interviews, submitted credentials and references.

### III. Verification of Data

- A. Candidates having their qualifications evaluated will submit forms supplied, on request, by the Office of the Dean of Faculty), together with all pertinent supporting materials, to both the Departmental Personnel and Budget Committee and the appropriate faculty review committee.
- B. Each committee will have the responsibility for verification of the data submitted to it by the candidates; written submissions, interviews, etc. may be required as the committees deem necessary.
- C. Quantitative and qualitative evaluations will be made.
- D. Greatest consideration by the committees will be given to a candidate's achievements since promoted last.
- E. In the evaluation of teaching effectiveness, classroom observation will be supplemented by review of materials used in the classroom (e.g. examinations, reprints, et al.) and other standard instruments employed for the evaluation of teaching effectiveness; classroom observation will be scheduled, in advance, in conformity with the spirit of and letter of the contract between the Board of Trustees and faculty bargaining agents.

### IV. Committee on Equivalency and Waivers

In accordance with the provisions of the Bylaws of the Board of Trustees, equivalencies may be granted in technical, creative and career areas. In order to review equivalency criteria, and to determine and recommend to the President those candidates who meet the established criteria, an equivalency committee shall be appointed by the President.

The President is authorized by the Board of Trustees to approve individual petitions for waivers of the Bylaws. He/she may consult with the departmental committee on Personnel and Budget and the College Committee on Faculty Personnel and Budget. It should be noted that a presidential recommendation for a waiver of the Bylaws is subject to the approval of the Board of Trustees and is not tantamount to approval.

#### **D. The President's Advisory Commission**

In accordance with the Board of Trustees policy on governance the President may establish an advisory commission.

The President's advisory commission shall be a source of the widest range of views, expertise, advice and assistance in consideration of college policy formulation.

The President shall nominate for Board of Trustees appointment in accordance with the statement of policy on the Organization and Governance of The City University of New York persons to serve on the President's advisory commission.

The President's advisory commission will meet upon call of the President.

### **E. Voting Eligibility for Lecturers**

Persons holding the rank of Lecturer at the College who have been awarded the Certificate of Continuous Employment shall be enfranchised to vote for Department Chairperson and for members of the Department Personnel and Budget Committee.

### **F. Amendment Procedure**

Each constitution promulgated in conformity with this Governance Plan has provisions for its amendment. The provisions insure that wide participation and more than a simple majority are involved in validating changes recommended. The College Council has the primary responsibility and control over amendments to its Constitution, all such amendments, however, require the approval of the Board of Trustees.

## **APPENDIX**

### **Appendix I. College Committees**

There shall be the College Committee on Admissions and Academic Standing, the College Committee on Academic Review, and the College Student Discipline Committee.

The College Committee on Admissions and Academic Standing shall be concerned with reviewing requests from students for exceptions and waivers concerning admission, loss of matriculation, dismissal, and probation.

The College Committee on Academic Review shall be concerned with hearing appeals of students of the rulings of the Committee on Admissions and Academic Standing, appeals of students on grades and appeals on waivers of College academic requirements.

The College Student Discipline Committee shall be concerned with hearing allegations against students by members of the instructional staff, employees of the College, or other students; conducting hearings; making judgments and recommending penalties to the Dean of Students.

The duty, composition and method of operation of the above mentioned college committees shall be established in the manner in which these committees functioned prior to the implementation of the College Governance Plan.

The above mentioned committees shall become Committees of the College reporting their decisions to the appropriate College officer.

The college committees established above shall implement policy established by the College Council.

Those subcommittees established by the Committee on Students to examine the operations and evaluate the performance of the various above mentioned College Committees will continue to make appropriate policy recommendations with respect to their areas of concern.