

Faculty Assembly Bylaws



State University of New York
Institute of Technology at Utica/Rome
May 2014

PREAMBLE

These Bylaws are enacted by the faculty of the SUNY Institute of Technology in order to fulfill its responsibilities as determined by the Board of Trustees of the State University of New York and by the professional status of its members.

The Education Law of New York establishes the Board of Trustees and charges it with the responsibility for and conduct of the University. The trustees, in turn, have promulgated Policies which provide basic principles of policy determination and organization. These Policies vest system-wide authority in the Chancellor of the University and local authority in campus Presidents; at the same time, they recognize the value of establishing appropriate vehicles for the involvement of faculty and other staff in the policy-making process, or governance.

Article X of the Policies, among other provisions, empowers the faculty to develop Bylaws for the conduct of its affairs. This Article provides that provisions of the Bylaws concerning consultation with the faculty are subject to the approval of the president and that substantive action in the course of conducting faculty affairs be taken in cognizance of her/his legal authority: "All actions under Bylaw shall be advisory upon the Chancellor and the chief administrative officer of the college." * When the President accepts the provisions of such Bylaws, the Trustees (through Article X) and the Chancellor respect this endorsement and expect that these provisions become part of local policy, to provide a reliable framework for campus governance.

As stated in the 2000 Resolution on Faculty Governance passed by the SUNY University Faculty Senate: "Meaningful faculty consultation can only occur when direct communication of the issue needing resolution exists between the administration and the elected faculty representatives of the faculty governance organization or the entire faculty. Ongoing, complete communication of important issues between the administration and the faculty governance body will help improve decision making in the university."

In promulgating these Bylaws, the faculty accept in general the principles of academic responsibility outlined in the 1966 AAUP Statement on Government of Colleges and Universities. The primary purpose of this present document is, therefore, to provide mechanisms to facilitate the involvement of faculty as a group in governance issues, in a manner consistent with AAUP principles. In no way are these Bylaws designed to preclude involvement in appropriate areas of professional competence by other members of the College community.

The usefulness of such Bylaws and structures depends upon their adaptability to changing circumstances while at the same time continuing to inspire the confidence of all affected parties. By participating actively in the structures described herein, the faculty at SUNY Institute of Technology will make a substantial contribution to the College and insure continued confidence in their ability to affect policy formulation in a positive manner.

* Policies of the Board of Trustees, Article X, Section 5 (b).

ARTICLE 1

DEFINITION OF FACULTY AND GRADUATE FACULTY

- I. The voting faculty (hereinafter referred to as the faculty) of the College shall be composed of the following individuals:
 1. The Chancellor
 2. The President
 3. All full-time teaching faculty and librarians
 4. The Chief Academic Officer
 5. The heads of the academic units

- II. The graduate faculty are members of the voting faculty who are nominated by their academic units. The graduate faculty must meet Graduate Council criteria for education, demonstrated scholarly ability and rank.

- III. The Executive Committee of the Faculty Assembly, as described in Article 4 of these Bylaws, shall establish a list of all faculty at least one week prior to the commencement of each academic year and shall amend that list as appropriate. Decisions of the Executive Committee are appealable to the Faculty Assembly, and may be reversed upon a two-thirds vote of those present and voting at a regularly scheduled meeting of the Assembly.

- IV. The faculty of each academic unit shall have the authority to make rules providing for participation in academic unit meetings of all other members of the College community including but not limited to part-time faculty.

ARTICLE 2

POWERS AND RESPONSIBILITIES OF THE FACULTY

- I. The faculty shall have primary responsibility for the formulation of policy at the undergraduate and graduate levels in the areas of curriculum; subject matter and methods of instruction; assessment activities related to general education, academic programs/majors, and institutional assessment plans; academic code; grading; academic standing; graduation requirements and those aspects of student life which relate to the educational process. The faculty shall also certify students' successful completion of degree requirements.
- II. With respect to areas where faculty responsibility is shared jointly with other sections of the College community, the faculty shall have the authority to review and consider policies and to forward recommendations it deems appropriate to the administrative officers of the College or to other campus constituencies.
- III. In reviewing recommendations made by the faculty, the President and/or other administrative officers of the College (or their designees) shall follow the procedures contained in Article 6 of these Bylaws.

ARTICLE 3

FACULTY ASSEMBLY

- I. The faculty shall exercise its powers and responsibilities through the Faculty Assembly (hereinafter referred to as “The Assembly”) which shall consist of all voting faculty as defined in Article 1.
- II. In addition, the Assembly shall have the following duties and responsibilities.
 - A. It shall elect the Executive Committee of the Assembly, the members of which shall serve as the Assembly’s administrative officers.
 - B. It shall receive and consider those recommendations of its various committees so mandated by the Bylaws or that it deems appropriate to review. It shall have no authority to review matters the consideration of which is prohibited elsewhere by these Bylaws.
 - C. In addition to its standing committees, the Assembly may establish such committees it deems necessary for the performance of its responsibilities. The Assembly may adopt procedures for such committees, or may delegate that function to any or all committees created under this article.
 - D. It shall forward recommendations concerning policy to appropriate administrative officers of the College and to other campus officers or bodies as may be appropriate.
 - E. Upon recommendations of the Executive Committee, the Assembly shall consider and approve its budget. Such budget recommendations shall be forwarded to the Chief Academic Officer.
- III. Meetings
 - A. The Assembly shall meet in regular monthly sessions during the academic year. The Executive Committee shall have the power to cancel any meeting with due cause.
 - B. The Executive Committee may call special meetings at times it deems appropriate. In addition, the Executive Committee shall call a special meeting of the Faculty Assembly upon petition by one-third of the faculty or at the request of the President. Such meeting(s) shall take place within one calendar week of the receipt of the petition or request.

IV. Voting

- A. Each member of the Assembly shall have one vote.
- B. Unless otherwise specified in these Bylaws, decisions of the Assembly, including election of officers, shall be taken upon a majority of those present and voting.
- C. Election of officers shall be by secret ballot.

V. Procedural Matters

- A. For purposes of conducting business, a quorum shall exist where at least one-third of the faculty are present at an Assembly meeting called pursuant to these Bylaws.
- B. Assembly meetings shall be conducted according to Roberts Rules of Order.
- C. Except as provided by the Bylaws, all meetings of the Assembly or its committees shall be open to the College community.

ARTICLE 4

EXECUTIVE COMMITTEE

I. Composition

- A. The Executive Committee shall consist of the Chairperson and the Secretary of the Assembly, the Chairpersons of the standing committees and the Faculty Senator. The Faculty Senator will serve as a nonvoting member of the Executive Committee.
- B. The Chairperson of the Assembly shall serve as the Chairperson of the Executive Committee. In her/his absence, committee members shall serve as Chairperson in the following order: Secretary of the Assembly, then Chairperson of the Academic Affairs Committee.

II. Selection

- A. Members of the Executive Committee shall be elected by the Assembly during its April meeting of each academic year. Newly elected Committee members' term of office shall commence at the start of the next academic year.
- B. Members shall serve for a period of two calendar years, at which time they remain eligible for re-election. Terms shall commence on the first day of the fall semester following the election, and shall continue until the next officer-elect to the position commences their term. Terms of office of the Chairperson and Secretary shall be staggered. No person shall be allowed to serve in the same position consecutively for more than two full terms. If the person's first term was to fill a mid-term vacancy for a period of one calendar year or less, that year shall not count towards their two term consecutive limit.
- C. Should a vacancy occur during the academic year, the Assembly shall elect a replacement for the remainder of the term.
- D. No person shall serve as a member of a standing committee representing an academic unit at the same time as s/he serves as the committee's Chairperson.

III. The Executive Committee shall have the following duties and responsibilities.

- A. It shall prepare an agenda for meetings of the Assembly, which the Assembly by a two-thirds vote of those present and voting may add to, delete from or alter. The agenda and minutes of the meeting shall be circulated to the members of the Faculty Assembly.

- B. It shall have the power to call Faculty Assembly Meetings. The Executive Committee shall report on the status, actions, and recommendations of the Executive Committee, and actions of the Assembly and its committees (except personnel recommendations).
 - C. It shall have the power to appoint faculty members (as defined in Article 1) on committees which may be established by any administrative officer of SUNYIT. Such appointments shall be overturned only by a two-thirds vote of the faculty present and voting at any regularly scheduled Assembly meeting.
 - D. It shall carry out the decisions and instruction of the Assembly.
- IV. For the purposes of conducting business, a quorum shall exist where at least three voting members of the Executive Committee are present at a meeting called pursuant to these Bylaws.

ARTICLE 5

STANDING COMMITTEES

- I. Standing Committees of the Assembly shall consist of the Academic Affairs Committee, the Academic Personnel Committee, the Curriculum Committee, the Planning and Budgeting Committee, the Academic Quality Committee, the Technology Committee, the Committee on Evaluation of Academic Administrators, the Graduate Council, and the Online Learning Committee.
- II. Composition
 - A. Each standing committee shall be composed of:
 1. A Chairperson, elected by the Assembly in accordance with Article 4 of these Bylaws (except for Graduate Council and the Committee on Evaluation of Academic Administrators). The Committee on Evaluation of Academic Administrators shall elect a chair from among its members at the first committee meeting of the fall semester.
 2. One faculty representative from each academic unit except as otherwise described below:
 - a. The Planning and Budgeting Committee shall consist of one representative from each academic unit, an at-large member from the voting faculty, and a chairperson other than an academic unit representative, who shall be elected in accordance with Article 4 of these Bylaws. In addition to serving as a standing committee of the Faculty Assembly, this committee will represent the faculty on the college-wide Planning and Budgeting Committee.
 - b. The Graduate Council shall be determined by its own bylaws.
 - c. The Academic Personnel Committee shall consist of faculty members holding continuing appointment and as determined by its own bylaws.
 - d. The Committee on Evaluation of Academic Administrators shall be limited to full time faculty holding tenured or tenure-track appointments.

- e. The Executive Committee shall review, at the end of each academic year, the list of schools academic units represented on the standing committees (except for Graduate Council and Planning and Budgeting) and make appropriate changes as necessary, to achieve appropriate, balanced representation, and a workable committee size.
 - 3. Nonvoting members
 - a. The Registrar and the Director of Admissions, or their designees, shall serve as nonvoting members of the Academic Affairs Committee, Curriculum Committee, and Graduate Council.
 - b. Where appropriate, standing committees may invite any other member(s) of the college community to serve as a nonvoting member(s).
- B. The faculty of the academic units shall select their representatives to the standing committees by majority vote prior to the first Faculty Assembly meeting of the academic year. Members so elected shall serve for a period of one year and may be reelected (except for Graduate Council). Should a vacancy occur during the academic year, the affected academic units shall select a replacement for the remainder of the term. If an academic unit opts to decline to send a representative to any committee for that term, they may do so by majority vote of the unit. The unit head shall notify the committee of the decision before the second committee meeting of the academic year, and the committee shall adjust its voting membership number accordingly. If an academic unit representative misses more than three consecutive committee meetings, the committee chair will ask the unit to either elect a replacement representative or vote to decline representation for the remainder of the term.
- C. The membership of each standing committee will be communicated to the Faculty Assembly at the second full assembly meeting of the academic year.
- D. Each committee may select one of its members to serve as secretary. It shall be the chairperson's responsibility to publish minutes of the committee meetings.

III. Except for the Academic Personnel Committee, all standing committees shall report back to the Faculty Assembly. Specific duties and responsibilities are as follows:

A. Academic Personnel Committee

1. The Academic Personnel Committee shall have the following duties and responsibilities:
 - a. To develop policies governing its operations in accordance with Articles 3 and 6 of these Bylaws.
 - b. To submit policies governing its operations to the Assembly for review and approval in accordance with Articles 3 and 6 of these Bylaws.
 - c. To review recommendations and reports from academic unit personnel committees concerning the promotion, reappointment and continuing appointment of faculty.
 - d. Where no academic unit committees exist, solicit information concerning a faculty member and to initiate such reports.
 - e. In either c or d (above), to make such recommendations as are required to the appropriate administrative officers of the College. No such report shall be forwarded to the Assembly for consideration.
2. The Academic Personnel Committee shall have access to all relevant information available concerning each candidate it reviews.
3. In reviewing each candidate, the Committee shall apply those substantive and procedural standards which are enunciated in the Policies of the Board of Trustees and the Agreement between the State of New York and the certified faculty bargaining agent.
4. Meetings of the Academic Personnel Committee shall be closed.

B. The Curriculum Committee shall have the following duties and responsibilities:

1. To consider and make recommendations to the Assembly concerning policy and procedures regarding the development, alteration, review and approval of undergraduate curricula and programs.
2. Acting on behalf of the Assembly, consider and approve/disapprove all additions, deletions, and changes to undergraduate academic programs and curricula.

- C. The Academic Affairs Committee shall retain jurisdiction for all other areas of the faculty's primary responsibility which have not been delegated to other committees. Such areas of responsibility generally include but are not limited to admissions; academic code; grading; academic standing; subject matter and methods of instruction; research; graduation requirements; academic freedom and those aspects of student life which relate to the educational process.
- D. The Planning and Budgeting Committee shall involve itself in the College budgeting and planning operations as observer and participant. It shall communicate faculty concerns about the budget and shall communicate to the faculty the status of the budget.
- E. Graduate Council shall have the following duties and responsibilities:
 - 1. To consider and make recommendations to the Assembly concerning policy and procedures regarding the development, alteration, review and approval of graduate curricula and programs.
 - 2. Acting on behalf of the Assembly, consider and approve/disapprove all additions, deletions, and changes to graduate academic programs and curricula.
- F. Academic Quality Committee shall have the following duties and responsibilities:
 - 1. To consider and make recommendations to the Assembly concerning policy and procedures regarding the development, alteration, review and approval of general education, academic programs/majors and institutional assessment plans.
 - 2. Acting on behalf of the Assembly, consider and approve/disapprove all additions, deletions, and changes to general education, academic programs/majors and institutional assessment plans.
- G. The Technology Committee shall have the following duties and responsibilities: to review and make recommendations with respect to the technological infrastructure, including, but not limited to computing, distance learning, and presentation systems, and policies and procedures associated with the use of technology in the institution's educational program.
- H. The Committee on Evaluation of Academic Administrators shall be responsible for the implementation of the Assembly's adopted policy on the evaluation of academic administrators, shall report to the Assembly on its activities, and shall make recommendations concerning changes to the policy.

- I. The Online Learning Committee shall consider and make recommendations to the Assembly concerning policies, procedures, and use of resources regarding the development, support, efficacy, and quality of online learning, teaching, and training on the campus.
- IV. The Faculty Assembly may refer to its committees other matters as it deems appropriate.
- V. Additional Procedures
 - A. A quorum of a committee shall be a majority of its voting membership (except for Graduate Council).
 - B. Committees may create such subcommittees as they deem necessary. The personnel of the subcommittees shall be selected by the parent committee. Each committee chairperson shall inform the Assembly of any changes in committee or subcommittee membership at the first Assembly meeting following any change.
 - C. Committees may add or remove nonvoting consultants at their discretion, such as student representatives.
 - D. Except as may be provided by these Bylaws, committees shall make rules governing their operations. Such rules shall be submitted to the Assembly for its approval.

ARTICLE 6

DISPOSITION OF RECOMMENDATIONS

- I. Where the Assembly or its committee established pursuant to these Bylaws makes a recommendation to an administrative officer of the College, it shall be the duty of the appropriate chairperson to transmit the recommendation in writing to the appropriate administrative officer within 5 calendar days.
- II. With respect to recommendations prepared by the faculty in accordance with these Bylaws, the following policies and procedures shall apply:
 - A. The President and/or other officers of the College (or their designees) shall normally accept the recommendations of the faculty in those areas where faculty have primary responsibility. Where unusual circumstances preclude adoption of the recommendation, substantive reasons shall be provided in writing.
 - B. If the President (or her/his designee) finds a recommendation unacceptable, s/he shall so notify the body which forwarded the recommendation before making a final decision with respect to the recommendation's disposition. In notifying the appropriate bodies, s/he shall state the reasons s/he has reached her/his tentative decision. If the body requests, the President (or her/his designee) shall meet with that body in a timely fashion to discuss her/his tentative decision.
 - C. Where extraordinary circumstances external to the College compel emergency administrative action outside the provisions of these Bylaws, the President (or her/his designee) shall consult with the Executive Committee of the Assembly prior to taking such action. Any policy implemented in this manner shall be reviewed by the Faculty Assembly in a timely fashion. As stated in the 2000 Resolution on Faculty Governance passed by the SUNY University Faculty Senate: "This communication should occur as soon as an issue is identified in all cases, the faculty representatives should have time to provide a meaningful response. Normally a minimum of 30 days should be allowed. In special circumstances, a shorter time for faculty response may be required."
 - D. Administrative officers shall send to the Chairperson of the Faculty Assembly a copy of all correspondence in any matter related to Assembly action.
- III. Action by the President and/or his/her designee shall normally be completed within thirty days of receipt.

ARTICLE 7

AMENDMENT PROCEDURE

The faculty may amend these Bylaws in accordance with the following procedure:

- I. Where an individual or group desires to amend the Bylaws, such intention must be introduced as a resolution at a regularly scheduled meeting of the Assembly. The resolution must contain the precise wording of the proposed change, but may contain, in addition, supportive material.
- II. If approved by one-third of those present and voting, the proposed amendment must be placed on the agenda of the next regularly scheduled Assembly meeting, or on the agenda of a special meeting called for that purpose in accordance with Article 3 of these Bylaws.
- III. At least 10 calendar days prior to the meeting at which the amendment is to be considered, the Chairperson of the Assembly shall send a notice to all faculty members containing the following information:
 - A. The precise wording of the proposed change without the supportive material referred to in Paragraph I of this Article.
 - B. The time, date and place of the Assembly meeting at which the amendment is to be considered.
- IV. The amendment shall be adopted upon a two-thirds vote of those faculty members present and voting.
- V. Amendments relating to the personnel review process, searches for academic administrators, or other matters for which the Policies of the Board of Trustees require approval of the President shall be effective only upon such approval.

ARTICLE 8

CONFLICT CLAUSE

Insofar as any provision of these Bylaws conflicts with the Policies of the Board of Trustees of the State University of New York, the Agreement between the State of New York and the appropriate bargaining agent or any applicable State or Federal Law, Rule or Regulation, the provision or portion thereof of these Bylaws shall be null and void.

ARTICLE 9

SAVING CLAUSE

In the event a Bylaw provision or portion thereof is rendered null and void pursuant to Article 8, or in the event that a court renders a decision invalidating one or more Bylaw provisions or portions thereof, the remaining provisions shall continue in full force and effect.

ARTICLE 10

ACADEMIC UNIT POWERS

- I. The faculty of each academic unit is authorized to promulgate its own rules consistent with these Bylaws.
- II. The faculty of each academic unit shall have the authority to make rules providing for participation in academic unit meetings of all other members of the College community but not limited to part-time faculty.

ARTICLE 11

RATIFICATION

These Bylaws shall be ratified at a meeting for such purpose upon a vote of two-thirds of the faculty (as defined herein) present and voting.