

Faculty Senate Minutes #306

Wednesday, February 21, 2007

3:20 PM

Room 630 T

Present (25): Marvie Brooks, Teresa Booker, Orlanda Brugnola, Bettina Carbonell, Troy Coleman, Roddrick Colvin, Edward Davenport, Virginia Diaz, Kirk Dombrowski, Janice Dunham, Jennifer Dysart, Marcia Esparza,, Konstantinos Georgatos, P. J. Gibson, Amy Green, Yi He, Karen Kaplowitz, Jane Katz, Tom Litwack, James Malone, John Matteson, Dagoberto Orrantia, Francis Sheehan, Liliana Soto-Fernandez, Thalia Vrachopoulos

Absent (12): Dara Byrne, Robert DeLucia, DeeDee Falkenbach, Richard Kempter, Evan Mandery, Brian Onieal, Edward Paulino, Nicholas Petraco, Valli Rajah, Peter Romaniuk, Agnes Wieschenberg, Robin Whitney

Guests: Professors Ned Benton, Elisabeth Gitter, Harold Sullivan

Agenda

1. Announcements
2. Approval of Minutes #305 of the February 8, 2007, meeting
3. Review of the agenda of the February 21 College Council meeting
4. Election to fill a vacant seat on the Comprehensive Planning Committee
5. Charter Revision

1. **Announcements.** Noted.

2. **Adoption of Minutes #305 of the February 8, 2007, meeting.** Approved.

3. **Review of the agenda of the February 21 College Council meeting**

The Senate agreed to initiate and support a motion to amend the Minutes of the December College Council meeting by deleting the summary of the objections to the various proposals because those objections were not balanced by the answers supplied at the College Council meeting and because some of the objections were factually incorrect. The action items

comprise five new graduate courses and the revision of the M.S. in Forensic Computing and two new and two revised undergraduate courses.

4. Election to fill a vacant seat on the Comprehensive Planning Committee

Senator Evan Mandery was nominated and elected by unanimous vote.

5. Charter Revision – Version 09 [Attachment A]

The Senate endorsed the latest iteration of the Senate/Chairs Charter Revision Proposals – Version 09 [Attachment A] – which the Council of Chairs had endorsed the previous day, but with the condition that if any Senators want specific items to be further considered, they will identify those items by email to Karen Kaplowitz as soon as possible and those items will be further reviewed and discussed at the Senate's March 8 meeting.

It was also agreed that those items so identified will be emailed to the Senate in advance so Senators can have time to think about them and they will also be included with the printed agenda. The Senate simply did not have sufficient time, because so many had to leave for class to finish its review during this meeting; the Senate adopted this way of proceeding so that the next step of the Charter revision process – the discussions between the Senate/Chairs Task Force and the Administration about the faculty's proposals and the Administration's proposals – can begin to take place as soon as a meeting is scheduled.

The Senate/Chairs Task Force can, thus, temporarily defer its discussions with the Administration about any items that are flagged for review or, alternately, they can have preliminary discussions about those items when they discuss all the other Charter proposals. This course of action was moved by Senator Betsy Gitter and seconded by Senator John Matteson. The vote was 24-0-1.

The meeting was adjourned at 5:15 pm.

Submitted by

Edward Davenport & Virginia Diaz
Recording Secretaries

SENATE/CHAIRS DRAFT IDEAS FOR CHARTER AMENDMENTS Version 09

Charter Section	Issue	Proposal
<p>1. Article I, Section (a) (1): Faculty</p> <p>Faculty is allotted 28 out of 56 seats. Faculty representatives are “reapportioned among the academic departments as of the first of September of the year preceding that in which the election is held, at which time the academic departments shall be rank ordered based on the number of faculty of each department. Each academic department shall be allocated one seat and the remaining seats shall be allocated according to any method duly adopted by the Faculty Senate.”</p>	<p>Some CUNY governance structures allocate a majority of seats to faculty. Although not required by CUNY Bylaws, a faculty majority would be consistent with the policy, academic and curricular responsibilities of the Council.</p> <p>These two sentences set forth contradictory methods of allocation. In the first sentence, seats are reapportioned after departments are ranked by number of faculty. The second sentence allocates one seat to each department and then permits Faculty Senate to allocate the rest.</p>	<p>Delete reference to the number of faculty members. The number of faculty members is one per department, plus eleven designated by the Faculty Senate.</p> <p>Delete section on department ranking by size and simply allocate one seat per department along with eleven seats allocated according to a method adopted annually by the Faculty Senate.</p>
<p>2. Article I, Section (a) (1): Faculty</p> <p>The “faculty” consists of all members of the instructional staff in full and part time titles of: . . . College Laboratory Technician . . .</p> <p>Article II, Section 1: Departments</p> <p>Each full time member of the instructional staff shall be allowed one vote in all College and Departmental elections.</p>	<p>In contrast to sections 9.1 and 8.1 of CUNY’s Bylaws, our Charter includes CLTs in its definition of “faculty” and permits them to vote in departmental elections. Questions have been raised about this inclusion and whether CLTs are eligible for election to Council posts.</p> <p>Article I, Section (a) (1) could be interpreted as permitting CLTs to vote in Council elections and to run for Council positions.</p>	<p>The Charter should explicitly state that, consistent with CUNY Bylaws, CLTs are not eligible to vote in departmental or college elections concerning personnel, academic policy or curricular issues, nor serve on department or college committees with responsibility for personnel, academic policy or curricular issues.</p>

ATTACHMENT A

Charter Section	Issue	Proposal
<p>3. Article I, Section 3(b): Students Student representatives are listed as: Executive Officers of the Student Council – 4; Graduate Students – 2; Senior Class – 2; Junior Class – 2; Sophomore Class – 2; Freshman Class – 2; At Large – 1.</p>	<p>Although it has always been assumed that class representatives are selected from those elected to Student Council, it is not explicitly stated in the Charter.</p> <p>Furthermore, based on the Perez decision, the influence of each seat on the Council is enhanced. Therefore the numbers of seats can be reviewed.</p>	<p>Clarify intent that class representatives are to be selected from those already elected to those posts for Student Government.</p> <p>Review the number and voting status of non-instructional members in light of CUNY norms and Perez.</p>
<p>4. Article I, Section 4(b): Qualification for Council Membership Any student, whether part time or full time, who is in good academic standing is eligible for election to the Council.</p>	<p>Inaccurate language. Student eligibility standards are higher than those required for a determination of “good academic standing.” For example, our student government charter now requires a 2.5 GPA for undergraduates and a 3.0 for graduate students serving on the Council.</p> <p>As of June 2006, the CUNY Eligibility Guidelines apply to a wide array of student leadership positions, including Council membership and service on related committees. According to those guidelines, undergraduates must have a 2.3 average; full-time students must carry 12 credits and part-time students must carry 6 credits.</p>	<p>We should maintain our current GPA requirements and adopt the CUNY credit load requirement.</p>
<p>5. Article I, Section 3(c): Administration 6 seats include: President/ Provost/ VP Student Affairs Vice President for Administrative Affairs Dean of Graduate Studies Dean for Admissions and Registration</p>	<p>Title updates must be made throughout the Charter</p> <p>Dean of Undergraduate Studies should be a voting member of the College Council.</p>	<p>Titles Changes: Senior Vice President for Finance and Administration, Assistant Vice President for Enrollment Management.</p> <p>Add Dean of Undergraduate Studies as a voting member and the Dean of Research as a non-voting member.</p>

Charter Section	Issue	Proposal
6. Article I, Section 3(f): Ex-Officio Members Director of Financial Affairs and Planning	Title update	Title: Executive Director of Finance and Business Services Remove Dean of Undergraduate Studies as ex-officio.
7. Article I, Section 4(d): Qualification for Council Membership-Alumni Any recipient of a John Jay College degree not enrolled in the College is eligible for election to the Council as an alumni representative.	States that alumni representative should not be enrolled. Unrealistic to have alumni come in for meetings; important to fill seats with those who can attend because of stringent quorum requirements.	Designate the Alumni representative as ex-officio without vote. The representative should not be a current employee nor currently enrolled student.
A. Union representation on the College Council	There is need to improve union representation on the College Council. Designate a representative of each college union as a non-voting member of the College Council, who does not count in the quorum. Change the non-instructional staff representative to a non-voting member	Each union may elect a non-voting representative on the College Council.
8. Article I, Section 5: Qualifications for Voting Section 5(a) Each full time member of the instructional staff shall be allowed one vote in an election of Council members and <i>each part time member, one-half vote.</i>	First section gives all part time instructional staff one-half vote in Council elections. Second section, which applies to all College elections, only gives one-half vote to part time members who have served for four semesters. The proposed change is consistent with the principle that people may not vote in elections for positions for which they are ineligible to serve.	Amend Article I, Section 5 limit voting in departmental elections to fulltime (not substitute) members of the faculty as defined in a new section to be added to Article XXX. HEOs (who are part of the instructional staff) would still be able to elect HEO representatives on the Council.

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<p>9. Article II, Section 1: Departments Each full time member of the instructional staff shall be allowed one vote in <i>all College and Department elections</i>. <i>Each part time member who has served four semesters shall be allowed one-half vote in all elections</i>, except in elections for Department Chair, Personnel & Budget Committee and any other committee assignment for which they are not themselves eligible to serve.</p>	<p>Ambiguity as to adjunct's right to vote on departmental policies and serve on departmental and college-wide committees or bodies.</p>	<p>Explicitly state that adjuncts and substitutes are not entitled to vote on departmental policies and curricular issues and elections. This is consistent with Board Bylaws.</p> <p>Explicitly state that adjuncts and substitutes may not serve on or vote for membership on departmental or college-wide committees or bodies unless expressly authorized by the College Charter.</p>

Charter Section	Issue	Proposal
<p>10. Article I, Section 10(b): Committee on Curriculum A Committee on Curriculum shall consist of the following members: the Provost and the Vice President for Academic Affairs, chairperson; the Dean of Undergraduate Studies, the chairperson of each of the teaching departments, the Chief Librarian and the Dean for Admissions and Registration, or his or her regularly assigned (elected or appointed) designee, to be chosen from among the members of that department or office to serve as the voting member for two academic years or for the remainder of an unexpired term; and five students, nominated by the Student Council and elected by the College Council. Other administrative officers, faculty and students may, at their pleasure, meet with the Committee, without vote. The Committee shall elect a vice chairperson from among its faculty members. The Provost and Vice President for Academic Affairs shall provide a secretary to the Committee.</p>	<p>Addition and enhancement of committee membership</p> <p>Title Changes</p>	<p>Add the Academic Director of Undergraduate Studies as a non-voting member of this committee.</p> <p>Designate the Vice President for Enrollment Management as an ex-officio non-voting member, in place of the Dean for Admissions and Registration.</p> <p>Review the voting status of other non-instructional members. In particular, designate the student members as non-voting.</p> <p>Require that departmental representatives must be elected from among the following full-time members of the department: chair, deputy chair, departmental curriculum committee chair, or coordinator of undergraduate program or major. In instances when this is not possible, the department shall elect a representative who is a full-time member of the department.</p>
<p>11. The Charter does not designate a chair for most Council committees.</p>	<p>The result is that some committees remain dormant because no member takes responsibility to call the first meeting.</p>	<p>President, in consultation with the Executive Committee, appoints the committee convener who chairs the initial meeting where a chair is then elected. This applies unless otherwise specified in the Charter.</p>
<p>12. Committee reports</p>	<p>No requirement</p>	<p>Committees should submit yearly reports in writing it to the Council about their activities, including attendance records.</p>

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<p>13. Article I, Section 10(e): Judicial Committee Summary of Current Section: Primary jurisdiction with consent of person involved. 2 instructional staff nominated by Executive Committee and elected by College Council/ two students nominated by the Student Council and elected by College Council/ an attorney chosen by the other four. Committee selects own chair.</p>	<p>This section was replaced by CUNY Bylaws section 15.5. Although the College is following Bylaw requirements, this is not reflected in the Charter.</p>	<p>Amend consistent with CUNY Bylaws section 15.5.</p>
<p>14. Article I, Section 10 (f): P&B P&B membership includes: two students nominated by the Student Council and elected by the College Council.</p>	<p>The inclusion of students in P&B deliberations and votes is a highly unusual practice in CUNY and nationally, and the practice at John Jay should be assessed in light of academic norms associated with the responsibilities and functions of the P&B.</p>	<p>This should be carefully assessed with attention to national and CUNY academic norms.</p>
<p>B. P&B as Budget Committee</p>	<p>Need for ongoing reporting</p>	<p>The President or his designee shall make quarterly reports to the Budget Committee describing the status of the college budget, expenditures and general financial condition on an all-funds basis.</p>
<p>C. P&B Membership</p>	<p>Need to assure sufficient members for quorum.</p>	<p>Add two more seats to the three elected faculty members for a total of five. The two with the lower number of votes are designated as first and second alternate members. They fully participate without vote on the review committees and in the full committee, unless an alternate is replacing an absent faculty member, in which case the alternate member is permitted to vote.</p>
<p>D. Rank of P&B At-Large Faculty</p>	<p>These faculty members should hold the rank of Associate or Full Professor in order to be able to vote for promotions to full professor.</p>	<p>Require that at-large representatives be tenured faculty members holding the rank of associate or full professor.</p>

Charter Section	Issue	Proposal
<p data-bbox="210 279 614 303">E. P&B Executive Committees</p>	<p data-bbox="746 279 1325 469">During searches, at times decisions need to be made quickly about terms of initial appointment. The Personnel Executive Committee would be authorized to act for the P&B in limited situations under guidelines approved by the P&B.</p> <p data-bbox="746 505 1274 629">The Budget Executive Committee would correspond to the "budget working group" which currently meets for budget consultation.</p>	<p data-bbox="1347 279 1876 403">The Personnel Executive Committee shall consist of the President, the Provost and the Chairs of the various review committees.</p> <p data-bbox="1347 439 1887 1017">The Budget Executive Committee shall consist of the President, the Provost, the Vice President for Finance and Administration, the Executive Director for Finance, the Dean of Human Resources, the Assistant Vice President for Enrollment Management, the President, Vice President and Fiscal Committee Chair of the Faculty Senate, the Chair and Vice Chair of the Council of Chairs and a member of the Council of Chairs designated by the Chair of the Council of Chairs. While this committee would normally function in a consensual and consultative mode, the members listed above who are not members of the full P&B would be ex-officio non-voting members of the Executive Committee.</p>

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<p>15 Article I, Section 10(g): Committee on Graduate Studies Membership: Dean of Graduate Studies, Dean of Students, Dean for Admission and Registration, member of Library, Graduate Program Coordinators, BA/MA Coordinator, two graduate students.</p>	<p>Additions and modification of membership</p>	<p>Title and status changes: Vice President for Enrollment Management as ex-officio non-voting member.</p> <p>College Council voted to include the Chief Librarian with vote. Include this in the revision.</p> <p>Include the Academic Director of Graduate Studies as a non-voting member of the committee, if the position is retained.</p> <p>Review the number and voting status of other non-instructional members. In particular, designate the student members as non-voting.</p>
<p>17. Article I, Section 10(i) Committee on Student Evaluation of Faculty The committee shall be responsible for a continuous review of faculty evaluation procedures; for the terms under which they are used; and for the development of guidelines, as may be necessary, for interpretation of the results of these procedures.</p>		<p>Eliminate this committee. Assign this function to the College P&B, which is the primary user of this information and is most aware of shortcomings and deficiencies.</p>
<p>18. Committee on Undergraduate Academic Standards Members: Dean of Undergraduate Studies, Dean of Students, Dean of Admissions and Registration, Chairperson of the Council of Chairs, President of the Faculty Senate, one full-time member of each academic department and student representatives</p>	<p>Title and status changes and addition.</p>	<p>Title and status changes: Eliminate Dean of Admissions and Registration and add Assistant Vice President for Enrollment Management as an ex-officio non-voting member.</p> <p>Add Academic Director of Academic of Undergraduate Studies as a non-voting member.</p> <p>Modify the status of the five student representatives to non-voting.</p>

Charter Section	Issue	Proposal
19. Article I, Section 10: Comprehensive Planning Committee	On April 14, 1999, the Council voted to include this committee in the Charter. Amendment was not forwarded to the Board of Trustees.	The 1999 proposal should be reviewed, updated, and integrated into the proposed document, rather than submitted separately. The function of the committee should be examined to include a central role in the assessment, planning and allocation of space, as recommended in the CAP.
20. Special Committees	Consider whether to establish certain special committees as standing committees.	The faculty recommends that the following committees be established as Charter committees under the College Council: <ul style="list-style-type: none"> • Ceremonial Committee • Faculty Elections • Committee on Undergraduate, Honors, Prizes and Awards • Research Advisory Committee
F. Academic Advisory Committee	Add to the charter as an advisory committee (which does not come under the open meetings law.)	The Academic Advisory Committee shall be chaired by the Provost, and consist of the President and Vice President of the Faculty Senate, the Chair and Vice Chair of the Council of Chairs, the Dean of Research, Dean of Graduate Studies, and the Dean of Undergraduate Studies.
G. Admissions Committee	Reconstitute the Admissions Committee as a formal Council committee. The Committee is already referenced in the Charter.	Formally define the committee in the charter as the Undergraduate Admissions Committee.

Charter Section	Issue	Proposal
H. Advisory Committee on Policy and Procedure	In the Ad Hoc Committee on Policies and Procedures, the President invited the faculty members to propose an approach for ongoing monitoring, awareness and consultation about changes in policies and procedures.	This committee reviews existing and new College policy, procedure, and Bylaws (See Charter Article V Section 1) to assure alignment with CUNY Bylaws and related policy, and to identify internal inconsistencies and dysfunctions. The committee reports problems to the official or governance committee with primary responsibility. The Committee should also monitor that the online index of policies, procedures and bylaws is up-to-date. The committee shall be similar in composition to the ad hoc committee recently created by the President.
I. Council of Chairs		Add Article III Section 3. The Council of Chairs shall be comprised of the elected chairs of academic departments, and other persons as voting or non-voting members as determined by the elected chairs. The members shall elect a Chair, and a Vice Chair for Budget and Analysis. The Council of Chairs shall meet with the President and Provost at least once a semester to discuss matters of concern.
J. Departmental Committees	The authority and responsibility of the departmental P&B committees should be specified, including the authority to create departmental search committees to recruit, assess and recommend candidates for faculty positions to the departmental P&B committees.	Add a new section to Article II stating that each department must elect a committee on grade appeals consisting only of members of the full-time faculty, and a curriculum committee consisting only of members of the full-time faculty.

Charter Section	Issue	Proposal
K. Voting Requirements	The following sections of the Charter use the expression "present and voting" in defining the number of votes necessary for the Council to act. This is inconsistent with the Perez decision which requires that the proportion be based on the total membership, not those present. The sections are Article I, Sections 9.a and b, Article II Section 1, and Article V section 2.	Delete the expression "present and voting" so that the sentences refer to "members."
L. Definition of Faculty	The Charter is ambiguous as to the definition of faculty for purposes of the Charter.	Article III should include a new section titled "Faculty" that defines, for purposes of the Charter, what constitutes faculty, and therefore who is eligible to serve and vote when being on the faculty is a requirement.
M. Election of Faculty Members to College Council Committees	In cases where committee membership of faculty members is based on nomination and election by the College Council, this process will parallel the method used for student nominations and elections.	Where committee membership is based on nomination and election by the College Council, the Faculty Senate shall nominate and the College Council shall elect.
N. Ex-Officio membership on Council Committees	The Chairs and Senate should have a presence on these committees, for awareness and to provide a general faculty and departmental perspective.	The President of the Faculty Senate and the Chair of the Council of Chairs, or their designees, shall be non-voting ex-officio members except in those cases where they are already voting members.
O. Agenda Deadline		Proposals for items to be taken up at the College Council shall be transmitted in writing at least 10 days before the meeting, and the Agenda shall be made available to members at least 7 work days in advance.
P. Faculty Senate	The role and function of the Senate should be more clearly defined.	Article III section 2 should be revised to describe more completely the role and function of the Faculty Senate.
Q. Absentee Ballots	Absentee ballots are not permitted by the Bylaws.	Delete references to Absentee Ballots.

Charter Section	Issue	Proposal
R. Faculty Representation on Search Committees	The current practice is that the Senate recommends the faculty representatives for search committees when the position is at the rank of Dean or above.	This practice should be codified in the charter in the section describing the role and function of the Faculty Senate.
S. Voting Status of P&B Members	Only faculty members should vote in faculty reappointment, promotion and tenure of faculty members.	Limit P&B voting to faculty members only. All other members should have non-voting ex-officio status.
T. Selection and Terms of Office for Graduate Program Directors, and Designation of the Faculties of the Graduate Programs	The Charter is silent as to how Graduate Program Directors are selected, and their terms of office.	Graduate Program Faculties shall consist of those members of the full-time faculty, approved by the Committee on Graduate Studies, and who meet other requirements established in program bylaws which shall be adopted by the faculty of the program to which membership would apply. Program Directors shall be selected by vote of the Program Faculty to a three-year term of office, and are eligible for re-election without term limitation.
U. Membership of Department P&B		In addition to the Department Chair, Department P&B committees shall consist, when possible, of four tenured members of the faculty.
V. Charter Amendments	The amendment procedure in the Charter is inconsistent with the Perez decision. Also, the referendum requirements could be interpreted in several ways.	Modify the Charter to require a 60% vote of the total membership of the College Council. Clarify the provision on amendment by referendum to require a majority vote of the members of the instructional staff.
W. Creation, Merger and Division of Departments	This section of the Charter needs to be reviewed and updated.	The faculty does not yet have a recommendation for this section.
X. Voting Status of Retired Faculty Members	The Charter permits retired faculty members who return as adjuncts to have a half-vote in departmental elections.	Eliminate this.

Charter Section	Issue	Proposal
Y. Adjunct Status on the College Council		The four adjuncts serving on the Faculty Senate shall also be ex-officio non-voting members of the College Council.
Z. Membership of the College Budget Committee	Codifies past practice as to status of these officials.	The President of the Faculty Senate and the Chair of the Senate Fiscal Committee shall be ex-officio non-voting members of the College Budget Committee.
AA. Term of service on the Curriculum Committee	Two-year term may be impractical given changes proposed in item 10.	Eliminate the requirement that members serve a 2-year term.
AB. Voting Percentages for Election to College Council	Charter requires a 30% vote. This is impractical.	Delete this provision.
AC. Judicial Committee role in election disputes	The Judicial Committee has been replaced.	Delete this language. Provide that the College Council resolves election disputes where no other formal method of resolution exists.
AD. Charter Section I.6.B	The nomination approaches are obsolete and superseded by current practice.	Delete all but the first sentence.
AE. Charter Section 1.9.B Council Agenda	We need to clarify the role of the Executive Committee concerning the agenda.	When items are submitted to the Executive Committee must place any submitted item either on the agenda of the College Council or on the agenda of a Council Committee.
AF. College Council New Business	Follow Robert's Rules for new business.	Delete the language inconsistent with Robert's Rules.
AG. Council Committee Rotations	Article I Section 10 second paragraph is obsolete.	The Library and Admissions Committees should have representatives from each department.
AH. Service on more than two Council Committees.	Provision is arbitrary and impractical and inconsistent with the design of certain committees such as Comprehensive Planning which is designed to have representatives of other committees.	Delete the provision.
AI. P&B Personnel Committee invited membership.	The last sentence of the first P&B paragraph relating to personnel, concerning invited members, is intended for the "B" not the "P."	Delete or move the sentence.

Charter Section	Issue	Proposal
AJ. P&B appointment approval	The Charter and the CUNY Bylaws should be evaluated to determine whether these documents require that the P&B make recommendations about new faculty appointments.	<p>This section should include Distinguished Professors and Distinguished Lecturers among the categories of faculty whose actions are subject to consideration by the P&B.</p> <p>If the P&B must review and recommend new appointments, then an efficient and fair approach should be defined in the Charter and the P&B Bylaws.</p> <p>If not, the Charter should at a minimum require P&B review and recommendation for any appointment at the rank of full or distinguished professor, or any appointment with tenure where the candidate does not hold tenure elsewhere already.</p>
AK. P&B Appeals - Article I Section 10.f.2	The term "status" has no meaning in this context.	Delete the term "status" and amend to include the phrase "reappointment, tenure, promotion and compensation" in this section. Also, determine that the new P&B bylaws define how compensation appeals take place.
AL. Committee on Human Subjects	Determine the legal and regulatory requirements and conform the Charter, as necessary.	Action to be determined based on review.
AM. Departmental Election Timing	Departmental elections need to take place in time to organize Council and Senate membership during May, and to handle departmental election appeals.	Require that departmental elections take place not later than the end of the first week in May.
AN. College Council timetable.	The first meeting of a newly-constituted College Council would take place during May.	Require this.

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<p>2. Article I, Section (a) (1): Faculty</p> <p>The "faculty" consists of all members of the instructional staff in full and part time titles of: . . . College Laboratory Technician . . .</p> <p>Article II, Section 1: Departments</p> <p>Each full time member of the instructional staff shall be allowed one vote in all College and Departmental elections.</p>	<p>In contrast to sections 9.1 and 8.1 of CUNY's Bylaws, our Charter includes CLTs in its definition of "faculty" and permits them to vote in departmental elections. Questions have been raised about this inclusion and whether CLTs are eligible for election to Council posts.</p> <p>Article I, Section (a) (1) could be interpreted as permitting CLTs to vote in Council elections and to run for Council positions.</p>	<p>The Charter should explicitly state that, consistent with CUNY Bylaws, CLTs are not eligible to vote in departmental or college elections concerning personnel, academic policy or curricular issues, nor serve on department or college committees with responsibility for personnel, academic policy or curricular issues.</p>

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6. Article I, Section 3(f): Ex-Officio Members Director of Financial Affairs and Planning	Title update	Title: Executive Director of Finance and Business Services Remove Dean of Undergraduate Studies as ex-officio.
7. Article I, Section 4(d): Qualification for Council Membership-Alumni Any recipient of a John Jay College degree not enrolled in the College is eligible for election to the Council as an alumni representative.	States that alumni representative should not be enrolled. Unrealistic to have alumni come in for meetings; important to fill seats with those who can attend because of stringent quorum requirements.	Designate the Alumni representative as ex-officio without vote. The representative should not be a current employee nor currently enrolled student.
A. Union representation on the College Council	There is need to improve union representation on the College Council. Designate a representative of each college union as a non-voting member of the College Council, who does not count in the quorum. Change the non-instructional staff representative to a non-voting member	Each union may elect a non-voting representative on the College Council.
8. Article I, Section 5: Qualifications for Voting Section 5(a) Each full time member of the instructional staff shall be allowed one vote in an election of Council members and <i>each part time member, one-half vote.</i>	First section gives all part time instructional staff one-half vote in Council elections. Second section, which applies to all College elections, only gives one-half vote to part time members who have served for four semesters. The proposed change is consistent with the principle that people may not vote in elections for positions for which they are ineligible to serve.	Amend Article I, Section 5 limit voting in departmental elections to fulltime (not substitute) members of the faculty as defined in a new section to be added to Article XXX. HEOs (who are part of the instructional staff) would still be able to elect HEO representatives on the Council.

Charter Section	Issue	Proposal
<p>9. Article II, Section 1: Departments Each full time member of the instructional staff shall be allowed one vote in <i>all College and Department elections. Each part time member who has served four semesters shall be allowed one-half vote in all elections, except in elections for Department Chair, Personnel & Budget Committee and any other committee assignment for which they are not themselves eligible to serve.</i></p>	<p>Ambiguity as to adjunct's right to vote on departmental policies and serve on departmental and college-wide committees or bodies.</p>	<p>Explicitly state that adjuncts and substitutes are not entitled to vote on departmental policies and curricular issues and elections. This is consistent with Board Bylaws.</p> <p>Explicitly state that adjuncts and substitutes may not serve on or vote for membership on departmental or college-wide committees or bodies unless expressly authorized by the College Charter.</p>

Charter Section	Issue	Proposal
<p>10. Article I, Section 10(b): Committee on Curriculum A Committee on Curriculum shall consist of the following members: the Provost and the Vice President for Academic Affairs, chairperson; the Dean of Undergraduate Studies, the chairperson of each of the teaching departments, the Chief Librarian and the Dean for Admissions and Registration, or his or her regularly assigned (elected or appointed) designee, to be chosen from among the members of that department or office to serve as the voting member for two academic years or for the remainder of an unexpired term; and five students, nominated by the Student Council and elected by the College Council. Other administrative officers, faculty and students may, at their pleasure, meet with the Committee, without vote. The Committee shall elect a vice chairperson from among its faculty members. The Provost and Vice President for Academic Affairs shall provide a secretary to the Committee.</p>	<p>Addition and enhancement of committee membership</p> <p>Title Changes</p>	<p>Add the Academic Director of Undergraduate Studies as a non-voting member of this committee.</p> <p>Designate the Vice President for Enrollment Management as an ex-officio non-voting member, in place of the Dean for Admissions and Registration.</p> <p>Review the voting status of other non-instructional members. In particular, designate the student members as non-voting.</p> <p>Require that departmental representatives must be elected from among the following full-time members of the department: chair, deputy chair, departmental curriculum committee chair, or coordinator of undergraduate program or major. In instances when this is not possible, the department shall elect a representative who is a full-time member of the department.</p>
<p>11. The Charter does not designate a chair for most Council committees.</p>	<p>The result is that some committees remain dormant because no member takes responsibility to call the first meeting.</p>	<p>President, in consultation with the Executive Committee, appoints the committee convener who chairs the initial meeting where a chair is then elected. This applies unless otherwise specified in the Charter.</p>
<p>12. Committee reports</p>	<p>No requirement</p>	<p>Committees should submit yearly reports in writing it to the Council about their activities, including attendance records.</p>

Charter Section	Issue	Proposal
<p>13. Article I, Section 10(e): Judicial Committee Summary of Current Section: Primary jurisdiction with consent of person involved. 2 instructional staff nominated by Executive Committee and elected by College Council/ two students nominated by the Student Council and elected by College Council/ an attorney chosen by the other four. Committee selects own chair.</p>	<p>This section was replaced by CUNY Bylaws section 15.5. Although the College is following Bylaw requirements, this is not reflected in the Charter.</p>	<p>Amend consistent with CUNY Bylaws section 15.5.</p>
<p>14. Article I, Section 10 (f): P&B P&B membership includes: two students nominated by the Student Council and elected by the College Council.</p>	<p>The inclusion of students in P&B deliberations and votes is a highly unusual practice in CUNY and nationally, and the practice at John Jay should be assessed in light of academic norms associated with the responsibilities and functions of the P&B.</p>	<p>This should be carefully assessed with attention to national and CUNY academic norms.</p>
<p>B. P&B as Budget Committee</p>	<p>Need for ongoing reporting</p>	<p>The President or his designee shall make quarterly reports to the Budget Committee describing the status of the college budget, expenditures and general financial condition on an all-funds basis.</p>
<p>C. P&B Membership</p>	<p>Need to assure sufficient members for quorum.</p>	<p>Add two more seats to the three elected faculty members for a total of five. The two with the lower number of votes are designated as first and second alternate members. They fully participate without vote on the review committees and in the full committee, unless an alternate is replacing an absent faculty member, in which case the alternate member is permitted to vote.</p>
<p>D. Rank of P&B At-Large Faculty</p>	<p>These faculty members should hold the rank of Associate or Full Professor in order to be able to vote for promotions to full professor.</p>	<p>Require that at-large representatives be tenured faculty members holding the rank of associate or full professor.</p>

Charter Section	Issue	Proposal
<p>E. P&B Executive Committees</p>	<p>During searches, at times decisions need to be made quickly about terms of initial appointment. The Personnel Executive Committee would be authorized to act for the P&B in limited situations under guidelines approved by the P&B.</p> <p>The Budget Executive Committee would correspond to the "budget working group" which currently meets for budget consultation.</p>	<p>The Personnel Executive Committee shall consist of the President, the Provost and the Chairs of the various review committees.</p> <p>The Budget Executive Committee shall consist of the President, the Provost, the Vice President for Finance and Administration, the Executive Director for Finance, the Dean of Human Resources, the Assistant Vice President for Enrollment Management, the President, Vice President and Fiscal Committee Chair of the Faculty Senate, the Chair and Vice Chair of the Council of Chairs and a member of the Council of Chairs designated by the Chair of the Council of Chairs. While this committee would normally function in a consensual and consultative mode, the members listed above who are not members of the full P&B would be ex-officio non-voting members of the Executive Committee.</p>

Charter Section	Issue	Proposal
<p>15 Article I, Section 10(g): Committee on Graduate Studies Membership: Dean of Graduate Studies, Dean of Students, Dean for Admission and Registration, member of Library, Graduate Program Coordinators, BA/MA Coordinator, two graduate students.</p>	<p>Additions and modification of membership</p>	<p>Title and status changes: Vice President for Enrollment Management as ex-officio non-voting member.</p> <p>College Council voted to include the Chief Librarian with vote. Include this in the revision.</p> <p>Include the Academic Director of Graduate Studies as a non-voting member of the committee, if the position is retained.</p> <p>Review the number and voting status of other non-instructional members. In particular, designate the student members as non-voting.</p>
<p>17. Article I, Section 10(i) Committee on Student Evaluation of Faculty The committee shall be responsible for a continuous review of faculty evaluation procedures; for the terms under which they are used; and for the development of guidelines, as may be necessary, for interpretation of the results of these procedures.</p>		<p>Eliminate this committee. Assign this function to the College P&B, which is the primary user of this information and is most aware of shortcomings and deficiencies.</p>
<p>18. Committee on Undergraduate Academic Standards Members: Dean of Undergraduate Studies, Dean of Students, Dean of Admissions and Registration, Chairperson of the Council of Chairs, President of the Faculty Senate, one full-time member of each academic department and student representatives</p>	<p>Title and status changes and addition.</p>	<p>Title and status changes: Eliminate Dean of Admissions and Registration and add Assistant Vice President for Enrollment Management as an ex-officio non-voting member.</p> <p>Add Academic Director of Academic of Undergraduate Studies as a non-voting member.</p> <p>Modify the status of the five student representatives to non-voting.</p>

Charter Section	Issue	Proposal
19. Article I, Section 10: Comprehensive Planning Committee	On April 14, 1999, the Council voted to include this committee in the Charter. Amendment was not forwarded to the Board of Trustees.	The 1999 proposal should be reviewed, updated, and integrated into the proposed document, rather than submitted separately. The function of the committee should be examined to include a central role in the assessment, planning and allocation of space, as recommended in the CAP.
20. Special Committees	Consider whether to establish certain special committees as standing committees.	The faculty recommends that the following committees be established as Charter committees under the College Council: <ul style="list-style-type: none"> • Ceremonial Committee • Faculty Elections • Committee on Undergraduate, Honors, Prizes and Awards • Research Advisory Committee
F. Academic Advisory Committee	Add to the charter as an advisory committee (which does not come under the open meetings law.)	The Academic Advisory Committee shall be chaired by the Provost, and consist of the President and Vice President of the Faculty Senate, the Chair and Vice Chair of the Council of Chairs, the Dean of Research, Dean of Graduate Studies, and the Dean of Undergraduate Studies.
G. Admissions Committee	Reconstitute the Admissions Committee as a formal Council committee. The Committee is already referenced in the Charter.	Formally define the committee in the charter as the Undergraduate Admissions Committee.

Charter Section	Issue	Proposal
H. Advisory Committee on Policy and Procedure	In the Ad Hoc Committee on Policies and Procedures, the President invited the faculty members to propose an approach for ongoing monitoring, awareness and consultation about changes in policies and procedures.	This committee reviews existing and new College policy, procedure, and Bylaws (See Charter Article V Section 1) to assure alignment with CUNY Bylaws and related policy, and to identify internal inconsistencies and dysfunctions. The committee reports problems to the official or governance committee with primary responsibility. The Committee should also monitor that the online index of policies, procedures and bylaws is up-to-date. The committee shall be similar in composition to the ad hoc committee recently created by the President.
I. Council of Chairs		Add Article III Section 3. The Council of Chairs shall be comprised of the elected chairs of academic departments, and other persons as voting or non-voting members as determined by the elected chairs. The members shall elect a Chair, and a Vice Chair for Budget and Analysis. The Council of Chairs shall meet with the President and Provost at least once a semester to discuss matters of concern.
J. Departmental Committees	The authority and responsibility of the departmental P&B committees should be specified, including the authority to create departmental search committees to recruit, assess and recommend candidates for faculty positions to the departmental P&B committees.	Add a new section to Article II stating that each department must elect a committee on grade appeals consisting only of members of the full-time faculty, and a curriculum committee consisting only of members of the full-time faculty.

Charter Section	Issue	Proposal
K. Voting Requirements	The following sections of the Charter use the expression "present and voting" in defining the number of votes necessary for the Council to act. This is inconsistent with the Perez decision which requires that the proportion be based on the total membership, not those present. The sections are Article I, Sections 9.a and b, Article II Section 1, and Article V section 2.	Delete the expression "present and voting" so that the sentences refer to "members."
L. Definition of Faculty	The Charter is ambiguous as to the definition of faculty for purposes of the Charter.	Article III should include a new section titled "Faculty" that defines, for purposes of the Charter, what constitutes faculty, and therefore who is eligible to serve and vote when being on the faculty is a requirement.
M. Election of Faculty Members to College Council Committees	In cases where committee membership of faculty members is based on nomination and election by the College Council, this process will parallel the method used for student nominations and elections.	Where committee membership is based on nomination and election by the College Council, the Faculty Senate shall nominate and the College Council shall elect.
N. Ex-Officio membership on Council Committees	The Chairs and Senate should have a presence on these committees, for awareness and to provide a general faculty and departmental perspective.	The President of the Faculty Senate and the Chair of the Council of Chairs, or their designees, shall be non-voting ex-officio members except in those cases where they are already voting members.
O. Agenda Deadline		Proposals for items to be taken up at the College Council shall be transmitted in writing at least 10 days before the meeting, and the Agenda shall be made available to members at least 7 work days in advance.
P. Faculty Senate	The role and function of the Senate should be more clearly defined.	Article III section 2 should be revised to describe more completely the role and function of the Faculty Senate.
Q. Absentee Ballots	Absentee ballots are not permitted by the Bylaws.	Delete references to Absentee Ballots.

Charter Section	Issue	Proposal
R. Faculty Representation on Search Committees	The current practice is that the Senate recommends the faculty representatives for search committees when the position is at the rank of Dean or above.	This practice should be codified in the charter in the section describing the role and function of the Faculty Senate.
S. Voting Status of P&B Members	Only faculty members should vote in faculty reappointment, promotion and tenure of faculty members.	Limit P&B voting to faculty members only. All other members should have non-voting ex-officio status.
T. Selection and Terms of Office for Graduate Program Directors, and Designation of the Faculties of the Graduate Programs	The Charter is silent as to how Graduate Program Directors are selected, and their terms of office.	Graduate Program Faculties shall consist of those members of the full-time faculty, approved by the Committee on Graduate Studies, and who meet other requirements established in program bylaws which shall be adopted by the faculty of the program to which membership would apply. Program Directors shall be selected by vote of the Program Faculty to a three-year term of office, and are eligible for re-election without term limitation.
U. Membership of Department P&B		In addition to the Department Chair, Department P&B committees shall consist, when possible, of four tenured members of the faculty.
V. Charter Amendments	The amendment procedure in the Charter is inconsistent with the Perez decision. Also, the referendum requirements could be interpreted in several ways.	Modify the Charter to require a 60% vote of the total membership of the College Council. Clarify the provision on amendment by referendum to require a majority vote of the members of the instructional staff.
W. Creation, Merger and Division of Departments	This section of the Charter needs to be reviewed and updated.	The faculty does not yet have a recommendation for this section.
X. Voting Status of Retired Faculty Members	The Charter permits retired faculty members who return as adjuncts to have a half-vote in departmental elections.	Eliminate this.

Charter Section	Issue	Proposal
Y. Adjunct Status on the College Council		The four adjuncts serving on the Faculty Senate shall also be ex-officio non-voting members of the College Council.
Z. Membership of the College Budget Committee	Codifies past practice as to status of these officials.	The President of the Faculty Senate and the Chair of the Senate Fiscal Committee shall be ex-officio non-voting members of the College Budget Committee.
AA. Term of service on the Curriculum Committee	Two-year term may be impractical given changes proposed in item 10.	Eliminate the requirement that members serve a 2-year term.
AB. Voting Percentages for Election to College Council	Charter requires a 30% vote. This is impractical.	Delete this provision.
AC. Judicial Committee role in election disputes	The Judicial Committee has been replaced.	Delete this language. Provide that the College Council resolves election disputes where no other formal method of resolution exists.
AD. Charter Section I.6.B	The nomination approaches are obsolete and superseded by current practice.	Delete all but the first sentence.
AE. Charter Section 1.9.B Council Agenda	We need to clarify the role of the Executive Committee concerning the agenda.	When items are submitted to the Executive Committee must place any submitted item either on the agenda of the College Council or on the agenda of a Council Committee.
AF. College Council New Business	Follow Robert's Rules for new business.	Delete the language inconsistent with Robert's Rules.
AG. Council Committee Rotations	Article I Section 10 second paragraph is obsolete.	The Library and Admissions Committees should have representatives from each department.
AH. Service on more than two Council Committees.	Provision is arbitrary and impractical and inconsistent with the design of certain committees such as Comprehensive Planning which is designed to have representatives of other committees.	Delete the provision.
AI. P&B Personnel Committee invited membership.	The last sentence of the first P&B paragraph relating to personnel, concerning invited members, is intended for the "B" not the "P."	Delete or move the sentence.

Charter Section	Issue	Proposal
AJ. P&B appointment approval	The Charter and the CUNY Bylaws should be evaluated to determine whether these documents require that the P&B make recommendations about new faculty appointments.	<p>This section should include Distinguished Professors and Distinguished Lecturers among the categories of faculty whose actions are subject to consideration by the P&B.</p> <p>If the P&B must review and recommend new appointments, then an efficient and fair approach should be defined in the Charter and the P&B Bylaws.</p> <p>If not, the Charter should at a minimum require P&B review and recommendation for any appointment at the rank of full or distinguished professor, or any appointment with tenure where the candidate does not hold tenure elsewhere already.</p>
AK. P&B Appeals - Article I Section 10.f.2	The term "status" has no meaning in this context.	Delete the term "status" and amend to include the phrase "reappointment, tenure, promotion and compensation" in this section. Also, determine that the new P&B bylaws define how compensation appeals take place.
AL. Committee on Human Subjects	Determine the legal and regulatory requirements and conform the Charter, as necessary.	Action to be determined based on review.
AM. Departmental Election Timing	Departmental elections need to take place in time to organize Council and Senate membership during May, and to handle departmental election appeals.	Require that departmental elections take place not later than the end of the first week in May.
AN. College Council timetable.	The first meeting of a newly-constituted College Council would take place during May.	Require this.