

THE CITY COLLEGE OF NEW YORK
GOVERNANCE PLAN

[Amended and Approved by the CUNY Board of Trustees on May 2, 2016]

NOTES

1. All titles within this Governance document refer to current organizational structure. It is to be understood that if a position takes on a new title, it is to be the new title which is to fill the appropriate role.
2. Where Chairman or other such title is used, it is to be understood not as a sex designation, but a convenient shorthand term.
3. For Bylaw purposes, the position of Vice Provost for Student Affairs will carry with it the responsibilities of Dean of Students.
4. For purposes of the Bylaws and the rights and responsibilities granted therein, Lecturers and Instructors who have received notice of reappointment on an annual salary basis for a third or later year of continuous full-time service, and all individuals in professorial titles, shall have Faculty rank.

PREAMBLE

The Governance of The City College is the concern of all its members. All its constituencies – students, faculty, and administration – contribute to the maintenance and development of The College; each of the constituencies has its particular area of concern.

Because each constituency has the right to govern itself in areas that are its exclusive concern and responsibility, this document sets forth the powers and organization of the various bodies within The College and guarantees their autonomy on matters exclusively within their jurisdiction. But because the constituencies are interrelated, and because all must participate in the well-being of The College as a whole, this Governance document also provides for communication between constituencies and advisory roles and joint participation on matters of mutual or general concern.

ARTICLE I
The Faculty Senate

There shall be a Faculty Senate of The City College in addition to the several Faculties and the Faculty Council of the College of Liberal Arts and Science.

1. Membership

The Faculty Senate shall be composed of Senators with vote, and the following ex officio members without vote: the President, the Vice President, the Vice Provost, the Registrar, the Director of Admissions and Records, the Chief Librarian, the Ombudsman, all full Deans, five members of the Executive Committee of the Senate and two members of the Executive Committee of the Graduate Student Organization. Senators shall be persons holding Faculty rank, and elected by each department. Senators shall be elected in the Spring, for three year terms. The number of Senators shall annually be determined in accordance with this formula: Departments having ten or fewer full-time persons of Faculty rank, including the Chairman: one Senator; Departments having eleven to twenty-five such persons: two Senators; Departments having twenty-six to fifty such persons: three Senators; and Departments having fifty-one or more such persons: four Senators. For these purposes, any Program, Center, or Institute, or College-wide Departments such as Department of Student Personnel Services or Library, which has ten or more full-time persons of Faculty rank assigned to it, shall be considered a School. Full-time members of Faculty rank who are members of Programs, Centers, or Institutes who are themselves not represented by any of the above provisions shall collectively elect a Senator or Senators consonant with the formula above, as though they were a School (to a maximum of four representatives). Vacancies in unexpired terms shall be filled from the appropriate constituency, in a manner to be determined by the Senate. The Senate may, by its own action, increase the ex officio membership at any time.

2. Organization

The Faculty Senate shall elect an Executive Committee from among its elected membership. The number of members of the Executive Committee shall be determined by the Bylaws of the Senate, except that the number of members may not be changed during the annual term of office for which a particular Executive Committee is elected. The Executive Committee shall elect, from among its members, its Chairman, and it shall also elect a Secretary, who will have the duties customarily exercised by such officers.

The Executive Committee shall be empowered to act for the Senate, when the Senate is not in session, on all matters under that body's jurisdiction. It shall report such actions to the Senate. It shall act as a Committee on Committees.

The Chairman of the Executive Committee of the Senate shall preside over meetings of the Senate, or, in his absence, a member of the Senate designated by the Chairman. He shall be the Chairman of the Executive Council.

He shall be an ex officio member, without vote, on all standing committees, except the Executive Committee, of the Senate.

The Faculty Senate shall establish such standing and ad hoc committees as it determines. Each committee shall elect its own Chairman and such other officers as may be appropriate.

Included among the Senate's standing committees shall be ones with the following functions:

a. a committee on administration which examines the conduct of administrative affairs, confers with appropriate officers of administration, and makes regular reports to the Senate. Its members shall minimally be the Chairmen of those standing committees of the Senate concerned with administrative functions at The College, as determined by the Senate Bylaws.

b. a committee on financial planning which participates in the creation of 'the tentative budget by the President for the Chancellor, and participates in the formulation of the long-range economic policies of The College. It shall participate in the planning for the allocation of the actual budget when it is received. The Vice President for Administrative Affairs shall be a member, ex officio without vote.

c. a committee on educational policy which shall consider and make recommendations to the Faculty on questions of educational policy which are not wholly within the purview of the Faculties or Faculty Councils of the various Schools.

Such questions shall include the creation and approval of new Schools or new Programs, Institutes or Centers involving more than one School. Reports and recommendations emanating from this Committee shall be brought before the Faculty Senate, and, as approved or modified by the Senate, referred to the Provost for appropriate action. The Committee shall be composed of a faculty representative elected from among each of the Curriculum Committees of the various Schools, 5 elected representatives of the Faculty Senate, and the Provost ex officio.

d. a committee on extension and urban services which keeps under continuous review the performance of the entire College in the light of obligations and opportunities appropriate to an academic institution in an urban setting.

e. a committee on student discipline: the Senate shall annually select three Faculty members to represent it on the Joint Committee on Student Discipline.

When a vacancy occurs in the Presidency of The College, the Faculty Senate shall select the Faculty members of an ad hoc committee to advise with the Board of Trustees in filling the vacancy. When a vacancy occurs in a College-wide position such as: the Vice Presidents; the Vice Provosts; Dean of the School of General Studies; and Librarian; the Faculty Senate shall select the Faculty members of an ad hoc committee to advise with the President in filling the vacancy.

3. Powers

Through its Executive and standing committees, the Faculty Senate shall have the power to request and receive information (when not inconsistent with Bylaws of the Board of Trustees, contractual agreements and regulations of The College) appropriate to or necessary to the performance of its duties, from students and student organizations, Faculty members and Departments, Schools and Divisions, officers of administration, and such other sources as may be appropriate. It may address communications to the Board of Trustees, which, on being submitted to the President of The College, shall be forwarded to the Board of Trustees without

delay by the President, together with his comments thereon. The Faculty Senate shall, in addition to, the powers and duties implied in the creating of the standing committees listed above, be the authentic voice of the Faculty of The City College of The City University of New York in all matters which may appropriately be brought before it, including:

- a. the academic status, role, rights, obligations and freedoms of the Faculty;
- b. student activities (as described in Article II) - upon the achievement of a 30% vote in an election for the Student Senates, student activities shall devolve upon the respective Senates.
- c. all College-wide matters;
- d. the allocation of resources for educational objectives, for research and scholarly activities, and for the development and maintenance of the physical plant of The College;
- e. the establishment and location of new units of The College and the appointment of principal administrative officers thereof;
- f. the appointment and retention of the principal administrative officers at the College level;
- g. the Faculty responsibilities (i.e., admissions policy, retention standards, credits, curriculum and degree requirements, the granting of degrees, and personnel matters) for inter-school or College-wide Programs. Institutes and Centers, which are not wholly within the purview of the Curriculum Committees or Faculties of the various Schools;
- h. the relations between The College and local community, or between the College and Governmental units or agencies; and
- i. the general public relations of The College.

The Faculty Senate shall not assume the prerogatives and powers appropriate to the several Faculties of the constituent Schools and of the College of Liberal Arts and Science. Decisions within each School as to matters of curriculum and instruction are reserved to the constituent Faculties, and decisions as to the academic standing and progress of students and the conferring of degrees rest with these several Faculties, subject only to the Board of Trustees. The Faculty Senate may pass on such matters in review before its appropriate committees or in plenary session; but it may not infringe upon the powers explicitly reserved to the several academic Faculties. In this regard, questions of jurisdiction shall be resolved by the President on recommendation of the Provost.

4. Meetings

The Faculty Senate shall meet regularly at least twice each semester. Special meetings shall be called by the Chairman of the Executive Committee, by the President, or on the written request of any ten Senators.

5. Bylaws

The Faculty Senate shall adopt its own Bylaws, consistent with this Governance document.

ARTICLE II The Undergraduate Senate

There shall be an Undergraduate Senate representing the interests of all undergraduate students.

1. Membership

The Undergraduate Senate shall be composed of thirty undergraduate Senators, elected for annual terms, during the month of April. They shall take office following Commencement Day. All registered students, who are matriculated, shall be eligible to vote. The several Schools and the Divisions of the College of Liberals Arts and Science, the SEEK Department (freshman and sophomore SEEK students represent the electorate; all other SEEK students will vote in their respective School), shall be represented in proportion to the full-time and part-time enrollment in the electorate. There shall also be the following members, ex officio without vote: The Vice President for Student Affairs, the Chairman of the Senate Committee on Student Affairs, and a member of the Faculty appointed by the Executive Committee of the Faculty Senate.

2. Organization

The officers of the Undergraduate Senate shall be elected as part of the general election for the Senate. A student may serve no more than two terms in the same executive office. These officers, consisting of a President, Executive Vice President, Campus Affairs Vice President, Evening Affairs Vice President, Community Affairs Vice President, University Affairs Vice President, and Treasurer, shall be in addition to the thirty Senators indicated above. The respective officers shall chair the appropriate standing committees. When a vacancy occurs in Undergraduate Senate or in its Executive Board, the Senators shall move to fill vacancies within thirty (30) school days from the appropriate constituency.

The Undergraduate Senate may create such standing and as hoc committees as it determines. Among the standing committees shall be:

- a. an executive committee composed of the officers of the Senate and a representative, ex officio without vote, selected by and from the matriculated students at CWE;
- b. a committee on finances which shall, at the beginning of each semester, recommend to the Undergraduate Senate, the allocation of monies from the Student Activities Fee, and shall keep the budgetary concerns of student activities under continuous review, making appropriate recommendations to the Undergraduate Senate. Membership shall minimally include the Vice President for Finance and Management or his/her designee, ex officio, without vote;

c. a committee on educational affairs which shall keep under continuous review all matters having to do with curriculum and instruction, and make recommendations to the Undergraduate Senate. Membership shall minimally include the Provost or his/her designee, ex officio, without vote;

d. a committee on campus affairs which shall keep under continuous review all matters having to do with out-of-class activities and facilities (except intercollegiate and intramural sports) and make recommendations to the Undergraduate Senate. Membership shall minimally include the Vice President for Student Affairs or his/her designee, ex officio, without vote;

e. a committee on community affairs which shall keep under continuous review the performance of the entire College in the light of obligation and opportunities appropriate to an academic institution in an urban setting and make recommendations to the Undergraduate Senate. Membership shall minimally include a representative from the Office of External Relations or his/her designee, ex officio, without vote;

f. a committee on university affairs which shall keep under continuous review University policy and procedures as they relate to the interests of The City College and make recommendations to the Undergraduate Senate. Membership shall minimally include a representative from among those elected to the University Faculty Senate.

g. a committee on evening affairs - which shall keep under continuous review all matters having to do with out of class activities services, and facilities offered to students attending classes the evening and make recommendations to the Undergraduate Senate. Membership shall minimally include the Vice President for Student Affairs or his/her designee, ex officio, without vote.

When a vacancy occurs in the Presidency of The College, the Undergraduate Senate shall nominate the undergraduate student members of an ad hoc committee to advise with the Board of Trustees in filling the vacancy. When a vacancy occurs in a College-wide office such as: Vice Presidents; the Deputy Provost; and Librarian; the Undergraduate Senate shall select the undergraduate student government representative(s) to serve on the search committee to advise with the President in filling the vacancy.

In addition to the above, the Undergraduate Senate may elect committees from its membership corresponding to standing committees of the Faculty Senate and to standing committees of the several Faculties. These standing committees of the Undergraduate Senate shall have such powers as are mutually agreed upon by concurrent actions of the respective bodies.

3. Power

The Undergraduate Senate shall, subject to such rules and guides as may be established by the Board of Trustees and Faculty Senate, have jurisdiction over extracurricular activities, including the setting of general policy governing student activities (e.g., chartering regulations, publicity

regulations, etc.). The Vice President of Student Affairs shall administer the policies set by the Undergraduate Senate for extracurricular activities.

Through its Executive Committee and standing committees, the Undergraduate Senate shall have power to request and receive information (not inconsistent with bylaws of the Board of Trustees, contractual agreements and regulations of The College) appropriate or necessary to the performance of its duties, from students, student organization, Faculty members, Departments Schools and Divisions, and officers of administration. It may address communications to the Board of Trustees which, on being submitted to the President, together with his comments thereon. The Undergraduate Senate shall, in addition to the powers and duties implied in the creating of the standing committees listed above, be the authentic voice of the undergraduate students of The City College of The City University of New York in all matters that may appropriately be brought before it.

In any matter within its jurisdiction to which the Undergraduate Senate addresses itself, if a petition is signed by five percent of the total undergraduate student body requesting a general referendum, that referendum shall be held and its results shall be binding upon the Undergraduate Senate.

4. Bylaws

The Undergraduate Senate shall adopt its own Bylaws, not inconsistent with this Governance document.

ARTICLE III The Graduate Student Council

There shall be a Graduate Student Council representative of all candidates for advanced degrees in all the Schools and the Divisions at City College of New York.

1. Name

The name of this organization shall be the Graduate Student Council of The City College of New York.

2. Purpose

It will be the primary responsibility of this Organization to create a cohesive community between the graduate programs at the City College and to support the distinct professionally oriented interests of graduate students through the organization of community events and programs that address those interests.

This organization shall represent the interests of all graduate students of The City College of New York, and shall, where appropriate:

a. open reciprocal channels of communication where fruitful throughout the academic community;

b. secure meaningful participation in decision-making bodies within the academic community;

c. organize and hold colloquia centering around issues meaningful to its members, and engage in all other activities necessary to represent graduate students.

3. Membership

All graduate students registered at The City College of New York of The City University of New York (including Ph.D. candidates resident on this campus) shall be eligible for membership within the Graduate Student Council of The City College of New York.

4. Graduate Student Council – Structure

The Graduate Student Council shall be elected from among those students who are registered at the City College. The Graduate Student Council shall be elected from among those graduate students who are registered at The City College. Those representatives serving on the Graduate Council shall be called Councilors. The Vice President for Student Affairs or his or her designee will also be an ex officio member without vote of the Graduate Student Council.

Elections shall take place during the month of April each academic year. Tenure of office shall be one year, and vacancies occurring during the academic year shall be filled by appointment of the remaining Councilors from the School in which the vacancy occurs or from the current active members of the Graduate Student Council.

Each School and Division will be allotted three seats in the Council and shall elect its own representatives to the Graduate Student Council. However, if when the Council convenes its first meeting, there are not enough members to fill the seven officer positions, each School and Division is granted the opportunity to nominate additional members in order to fill the seven officer positions.

Based upon registration in the fall semester of the academic year, and including resident Ph.D. candidates, each academic year, no later than the second week of May, the Chairman of the Graduate Student Council shall appoint one member to convene the first meeting of the next academic year.

At this meeting the Graduate Student Council shall elect its own officers from among its own membership. The officers shall include: Chairperson, Vice Chairperson, , Secretary, Treasurer, Executive Officer of Legislative Affairs, Executive Officer of Academic Affairs, and Executive Officer of Community Affairs and these will have the duties customarily exercised by these officers.

The Graduate Student Council shall establish such standing and ad hoc committees as it determines in its bylaws. In addition, in the spring semester of every year a committee on elections shall be formed, and it will be responsible for:

a. securing the names of the nominees from the School committees, and

- b. carrying out the election of representatives to the Graduate Student Council as a whole.

The Graduate Student Council shall, in addition to the functions stipulated and implied above:

- a. embody its own procedures in Bylaws, consistent with this governance document, which shall take effect when approved by two-thirds of those present and voting at a regular meeting;
- b. establish a schedule of regular meetings which shall be published to all interested members of the College community;
- c. select the graduate membership of the standing committee on discipline and all other campus bodies on which the graduate students are officially represented.

When a vacancy occurs in the Presidency of The College, the Graduate Student Council shall recommend the graduate student members of an ad hoc committee to advise with the Board of Trustees in filling the vacancy. When a vacancy occurs in a College-wide position, such as: The Vice Presidents; Provost; Deputy Provost; or Deans of the Schools and Divisions, and Chief Librarian; the Graduate Student Council shall recommend the graduate student members of an ad hoc committee to advise with the President in filling the vacancy.

In addition to the above, the Graduate Student Council may elect members from its organization to participate in standing faculty committees. These standing committees shall have such powers as are mutually agreed upon by concurrent actions of the respective bodies.

5. Graduate Student Council – Powers

The Graduate Student Council shall have powers and duties with reference to graduate students broadly comparable to those for undergraduates assigned to the Undergraduate Senate.

The Graduate Student Council shall, subject to such rules and guidelines as may be established by the Board of Trustees, and the President, and under the consultation of the Vice President for Student Affairs or his or her designee, have jurisdiction over extracurricular activities, including the setting of general policy governing student activities (e.g., chartering regulations, publicity regulations, etc.). The Graduate Student Council will be the authentic voice of the graduate students of The City College of New York of the City University of New York in all matters that may be appropriately brought before it.

6. Graduate Student Council – Impeachment

Any Graduate Student may request the impeachment of an officer of the Graduate Student Council. A two-thirds vote of the membership of the Council will be required to impeach an officer.

ARTICLE IV
The Policy Advisory Council

There shall be a Policy Advisory Council to advise the President.

1. Membership

The Policy Advisory Council shall consist of: the President, Vice Presidents; Vice Provosts; all full academic Deans; the Dean of the School of General Studies; the Executive Committee of the Faculty Senate; the Chairman of the Administration Committee of the Faculty Senate; the elected head of the Undergraduate Senate and four other members of the Undergraduate Senate; the elected head of the Graduate Student Association and one other graduate student. There shall also be a representative of the Alumni Association; a representative of the City College Fund; two representatives of the non-teaching staff (administrative (without Faculty rank or status), clerical, custodial, etc.), chosen annually. The part-time instructional staff shall choose two representatives annually, in the month of September, to represent them in the Policy Advisory Council.

The President may invite additional members of the College constituency, or others, to sit with the Policy Advisory Council for the discussion of particular items.

2. Organization

The Policy Advisory Council shall meet regularly once a month, and special meetings may be called as necessary.

The President shall preside at meetings of the Policy Advisory Council or, in his absence, the Provost or a designee of the President.

The Policy Advisory Council shall establish a steering committee and such other standing and ad hoc committees as it determines.

The Steering Committee of the Policy Advisory Council shall consist of: the President or his designee, ex officio; two deans elected by the Deans who are members of the Council; two undergraduate students elected by undergraduates who are members of the Council; one graduate student elected by graduate students who are members of the Council; and the Chairman and one other member of the Executive Committee of the Faculty Senate. The Steering Committee shall elect its own officers.

The Steering Committee shall establish the agenda of the Council meetings, call special meetings of the Council, and act for the Council in the event of emergency situations affecting the good and welfare of The College. One item of the Council agenda shall always provide for remarks of the President, the Academic Vice President, and the Chairman of the Executive Committees of the several Senates.

3. Functions

The Policy Advisory Council shall review and keep under continuous study all matters of major policy affecting The College, its students, its officers of instruction and administration, its programs of instruction and research, its faculties, its services to the urban community, its finances, construction programs, and any other items of policy consideration which may appropriately be brought before it.

Article V The Review Committee

The Review Committee, which shall be the Personnel and Budget Committee of the College, shall consist of: the Provost/Academic Vice President as Chairman; the Deputy Provost; the Deans of the several Schools and the full Deans of the College of Liberal Arts and Science; the Vice Presidents; the Vice Provost; the Dean of the School of General Studies; the Chief Librarian. The Chairman of the Faculty Committee on Personnel Matters and the Chairman of the Executive Committee of the Faculty Senate shall be members *ex officio*, with vote. The Deputy Provost shall sit with voice and without vote, and in absence of the Academic Vice President, shall chair the meeting. The Chief Librarian shall not be present during personnel actions. The functions of the Committee shall be to advise the President with respect to:

- a. recommendation for appointments and reappointments;
- b. recommendation for the conferring of tenure;
- c. recommendation for promotions in rank;
- d. personnel recommendations, policies and procedures; and
- e. proposals and policies having budgetary implications.

In voting on academic personnel matters, the voting members of the Review Committee shall consist of: the Academic Vice President, the Deans of the several Schools, the full Deans of the College of Liberal Arts and Science, the Dean on the Review Committee to whom the Library reports, the Chairman of the Faculty Committee on Personnel Matters, and the Chairman of the Executive Committee of the Faculty Senate.

ARTICLE VI Faculty Committee on Personnel Matters

There shall be a faculty committee on personnel matters, advisory to the President, to consider the tenure and promotions process as a whole, receive references from the Review Committee, consider general criteria for personnel matters, and advise on the appointment of Distinguished Professors. The Committee shall be composed of members of the Faculty elected for a term of three years, as follows:

- a. The Chairperson of the Faculty Senate Executive Committee or his/her designee;
- b. One member elected by each of the Faculty Councils of the Divisions of the College of Liberal Arts and Sciences, as follows:

1. Science
 2. Social Science
 3. Humanities
 4. Arts: Leonard Davis Center
 5. General Education and Guidance
- c. One member elected by each of the Faculty Councils of the Schools, as follows:
1. Architecture
 2. Education
 3. Engineering
 4. Nursing
 5. Sophie Davis School of Biomedical Education/CUNY Medical School
- d. One member elected by the Library Department by the members with faculty rank.

In the event that a new School or Division of a School comes into being, there shall be representation from that unit consistent with the preceding paragraphs.

ARTICLE VII Executive Council

There shall exist an executive council, chaired by the Chairman of the Executive Committee of the several Faculty Councils. This Council shall meet at least twice each semester, to exchange information from among the several Faculties and the Faculty Senate. The Faculty Committee on Personnel Matters shall report its general findings to this Council. Special meetings may be called by the Chairman or by any two members of the Council.

ARTICLE VIII Personnel and Budget Committees

The Faculty of each School in The City College shall establish a committee or committees on faculty personnel and budget. The manner of constituting the several Committees and the procedure to be followed by them shall be subject to the approval of the President and the Dean of the School involved.

Where no Personnel and Budget Committee exists, The Review Committee shall be the Personnel and Budget Committee. The Executive Committee of Programs, Centers and Institutes shall be their Personnel and Budget Committees and shall be referred to the Review Committee through the appropriate academic administrator.

In all cases the Dean or appropriate administrator shall sit ex officio without vote. This Committee shall receive from the several Departments all recommendations for appointments or reappointments with tenure, to the instructional staff, and for promotions in

rank. It may, if procedures approved by the President and Dean call for such actions, also receive recommendations from the several Departments for appointments and reappointments without tenure, and for compensation to be paid appointees. It shall recommend action thereon to the Review Committee. The Committee may also recommend to the Review Committee special salary increments. The President shall consider such recommendations in making his recommendations on such matters to the Board.

The Committee shall consult with the Dean on the budget request submitted by the Dean and shall consult with the Dean on allocation of funds and personnel.

ARTICLE IX Departmental Structure

Each Department and Program shall have a set of Bylaws, under which it will operate, which shall be ratified by a two-thirds vote of the members with Faculty rank of the Department. The Bylaws shall, minimally, include an Article on an executive committee in which, in each Department, the size shall be determined by the total number of Professors, Associate Professors, Lecturers, Instructors, and the full-time equivalent of part-time staff in comparable titles: five Faculty members for Departments with seventy-five or fewer; seven Faculty members for Departments with more than seventy-five but fewer than one-hundred; and nine Faculty members for Departments with one-hundred or more. The Chairman of the Department shall be a member of the Executive Committee, and he will also automatically serve as Chairman of the Executive Committee. He and the other members of the Executive Committee are to be elected at the same time, and for a term of three years. A majority of the Executive Committee shall consist of tenured persons in the Department. The Executive Committee shall serve as the Appointments Committee, the Personnel and Budget Committee (except as set forth below with respect to Faculty Tenure and CCE Procedures), and the Committee on Educational Policy of the Department.

The Executive Committee shall consider all matters related to appointments to the instructional staff, and reappointments thereto without tenure and without a Certificate of Continuous Employment (“CCE”) for lecturers; applications for sabbatical and other leaves; and the Departmental budget as submitted for approval by the Chairman. It shall transmit its recommendations to the appropriate Personnel and Budget Committee.

The Bylaws of the Department shall also include a minimum requirement for stated meetings, and shall be consistent with the regulations of the Board of Trustees and The College. Department Bylaws, which shall exist as of the adoption of this document, shall be brought into conformity with this Governance plan.

To ensure student involvement on questions of appointments, reappointments and tenure, the voting Faculty members of each Department must select one of the following plans, by a vote of a majority of those eligible to vote at a regular meeting:

1. that there be elected annually, from among the Department majors and graduate students, two students of at least junior status, who shall sit, with voice and vote, on the

Departmental Executive Committee, the Departmental Tenure Committee, and the Departmental CCE Committee; or

2. that five students from among the Department majors and graduate students, who shall be of at least junior status, shall sit as a committee in their own right, advisory to the Executive Committee, on matters of appointment and reappointment, and advisory to the Departmental Tenure Committee and Departmental CCE Committee on matters of tenure and CCE, respectively, and who may transmit their votes to the appropriate Personnel and Budget Committee. They shall also communicate with the appropriate College or School committees on curriculum and teaching.

Under either “plan a” or “plan b” the nomination and election procedures shall be carried out during the month of April, under the aegis of the Vice Provost for Student Affairs. For students to be legally elected under “plan a” the following minimal participation is required:

a. in Departments with fewer than one-hundred majors and graduate students, no less than thirty majors and graduate students or fifty percent, whichever is smaller, must vote;

b. in Departments with more than one-hundred majors and graduate students, thirty percent must vote.

If this fails, then the Departments shall be under “plan b” provided that at least fifteen percent of the majors and graduate students in the Department have voted. If none of the previous conditions are met, the Vice Provost for Student Affairs will make recommendations to the President as to the appropriate structure. At least each time, at the election of the Chairman, the Department shall consider its choice of either “plan a” or “plan b.”

A new Department may, at the discretion of the President, be exempted from the requirements herein for a maximum of five years after its establishment.

Programs, Centers, and Institutes shall, to the extent appropriate, conform to the guidelines for Department governance described herein.

FACULTY TENURE, CCE, AND PROMOTION PROCEDURES

A. Promotion Procedures

Promotions shall be recommended by departmental promotion committees to the School or Divisional Personnel and Budget (“P&B”) Committee, which shall make recommendations to the Review Committee (College-wide P&B Committee), which shall make recommendations to the President. There shall be established in each department promotion committees to consider promotions for each rank, including full professor. All members of the department of higher rank shall be included on the promotions committee of a faculty member who applies for promotion. The department chairperson shall be the chairperson of each promotions committee, except in the event the department chairperson does not hold equal or higher rank than the candidate seeks. In that event, the members of the department will elect a faculty member of the highest rank to be chairperson of the promotions committee. The positive votes of a majority of those eligible to vote, with the exception of faculty members on approved leaves of absence, unless such faculty members on approved leave notify the department chairperson of their intention to participate as voting members and attend relevant meetings of the departmental promotions committee, shall be required for an affirmative recommendation for promotion.

B. Procedures for Tenure and Certificate of Continuous Employment (“CCE”) for Lecturers.

Tenure of tenure-track faculty members shall be recommended by departmental tenure committees, and CCE of lecturers shall be recommended by departmental CCE committees, to the School or Divisional P&B Committee, which shall then make recommendations to the Review Committee (College-wide P&B Committee), which shall then make recommendations to the College President. In the case of departments that are not part of a school or division, tenure of tenure-track faculty members and CCE of lecturers shall be recommended by departmental tenure committees (departmental CCE committees for lecturers) to the Review Committee (College-wide P&B Committee), which shall then make recommendations to the College President.

There shall be established in each department a departmental tenure committee to consider appointment and reappointment with tenure (including reappointment with early tenure) of tenure-track faculty members. There shall be established in each department a departmental CCE committee to consider reappointment of lecturers with CCE. All tenured faculty members of the department shall be included as voting members of the departmental tenure committee of a faculty member who is eligible for reappointment with tenure or who applies for early tenure, with the exception of faculty members on approved leaves of absence, unless such faculty members on approved leave notify the department chairperson of their intention to participate as voting members and attend relevant meetings of the departmental tenure committee. All faculty members of the department with tenure, as well as all lecturers with CCE, shall be included as voting members of the departmental CCE committee of a lecturer who is eligible for reappointment with CCE, with the exception of faculty members on approved leaves of absence, unless such faculty members on approved leave notify the department chairperson of their intention to participate as voting members and attend relevant meetings of the departmental CCE committee. The department chairperson shall be the chairperson of each departmental tenure

committee, except in the event that the department chairperson is not tenured and has been appointed department chairperson pursuant to a waiver granted by the Board of Section 9.1.b of the Board Bylaws, in which event the tenured faculty member who is most senior by reason of service as a tenured faculty member in the department shall be the chairperson of the departmental tenure committee. The department chairperson shall be the chairperson of each departmental CCE committee. The positive votes of a majority of those eligible to vote shall be required for an affirmative recommendation for tenure or CCE.

C. Advisory Panels and Internal and External Evaluators

The several departmental committees on tenure and promotion shall establish advisory panels consisting of three persons in the department who hold higher rank than the candidate, in the case of promotion, or three tenured persons in the case of tenure; one member of each advisory panel shall be chosen from a list of three submitted by the candidate. Where a department lacks a sufficient number of faculty who hold higher rank or tenure, qualifying members from other departments may be included in consultation with the dean, and subject to approval by the College President. The role of the advisory panel shall be to develop the departmental list of internal and external evaluators. The chairperson shall solicit letters of evaluation from all persons on the advisory panel's list, as well as from all persons on the candidate's list.

D. Chairperson's Report.

The chairperson of the department shall prepare a chairperson's report for each candidate for promotion, tenure, or CCE, except for promotion of candidates to a higher rank than that held by the chairperson, in which event the chairperson's report shall be written by the chairperson of the promotions committee. The chairperson's report shall contain the chairperson's summation of the candidate's record and evaluations and the chairperson's recommendation on the personnel action.

E. Confidentiality

The name and evaluations of the external and internal evaluators shall be treated as confidential and shall not be available to the candidate.

F. Appeals

The negative vote of the aforementioned committees on a promotion, tenure, or CCE candidacy may be appealed to the next higher committee, up to the College President.

ARTICLE X
The Faculty Councils

The Faculties of each of the constituent Schools shall include members of Faculty rank of the Departments of the Schools and the Dean of the School, with vote, and the following ex officio members without vote: the President, the Vice Presidents, the Vice Provosts, the Dean of the School of General Studies, the Chief Librarian, the Director of Admissions and Records, the Registrar, in the Professional Schools no fewer than two nor more than six students selected annually from among the Department Executive and Advisory Committee members, and in the College of Liberal Arts and Science two students from each Division elected annually from among the Department Executive and Advisory Committee members.

The Faculty Council and the Faculty of a School shall be one and the same except when that number exceeds 150, when it shall be a representative, body elected by the Faculty. In the latter case, it shall include two delegates with vote from each Department, and all members ex officio. One delegate shall be the Department Chairman, and the other a person of Faculty rank elected by the Department. In addition, the delegates at large, equal to the number of instructional Departments shall be elected. The nature of nomination and election of delegates at large shall be determined in each Faculty Council in such a way that the delegates at large have Faculty rank. Vacancies shall be filled in the same manner. Each of the delegates, except the Chairman, shall be elected for a three-year term in May of the appropriate year, by secret ballot of the members entitled to vote in each Department. The Faculty Council shall have the power to add other individual staff members to the membership of their respective Faculties, ex officio and without vote, because of the educational responsibilities they serve.

The Faculty shall be responsible for and conduct all the educational affairs customarily cared for by a College Faculty. The Faculty Council shall have the same responsibilities and powers, subject only to the right of the Faculty to reverse any specific vote of the Faculty Council by a two-thirds vote of those entitled to vote for delegates at large to the Faculty Council, at a meeting duly called on notice of the action to be considered.

The Faculty Council shall meet at least twice each semester. It may also be convened upon call of the President or the Dean of the School, or by petition of ten percent of its membership, or by the Executive Committee.

The Faculties and Faculty Councils shall each elect annually an Executive Committee from among their voting members, the number of members to be determined by the Bylaws of that body, except that the number of members may not be changed during the annual term of office for which a particular Executive Committee is elected. The Executive Committee shall elect a Chairman from among its members, and shall also elect a Secretary. They shall exercise the customary duties of such offices.

The Executive Committee shall advise with the President or his designee, and with the Dean when the Council is not in session, on all matters in that body's jurisdiction. It shall report its action to the Faculty or Faculty Councils.

The Faculties and Faculty Councils shall be responsible for the formulation of policy relating to the admission and retention of students, subject to the guidelines of the Board of Trustees, and curriculum, awarding of College credits, and granting of degrees. When a vacancy occurs in the position of Dean of Faculty or Faculty Council shall elect a committee to advise with the President on the choice of the candidates. There shall be a Committee on Course and Standing to carry out the retention and probation educational affairs customarily cared for by a College Faculty. The President shall preside at its meetings, or, in his absence, the Vice President Provost, or the Dean of the College.

The Bylaws of the several Faculties and Faculty Councils shall be brought into conformity with this Governance document upon its approval. The Agenda of each meeting shall include remarks by the Dean and by the Chairman.

The Faculty Council of the College of Liberal Arts and Science shall be named the General Faculty Council of the College of Liberal Arts and Science and may, through the adoption or amendment of its Bylaws, which Bylaws may not be inconsistent with this charter or the Bylaws of the Board of Trustees, establish such Divisional Faculty Councils as it deems appropriate. The General Faculty Council may also, through adoption or amendment of its Bylaws, delegate to the Divisional Faculty Councils such powers as it deems appropriate.

ARTICLE XI The Office of the Ombudsman

The Office of the Ombudsman is not intended to replace the normal channels of administrative process. It is an exceptional procedure, to be used only when the normal channels do not adequately respond.

a. The areas of responsibility of the Ombudsman are:

- i. Equity - to help individuals in specific cases to seek just and equitable treatment;
- ii. Critical Review - to help administrative functionaries (whether connected with student government organizations or with the officers of the Faculty or the administration) to improve their process and procedures, not only to correct a particular inequity or injustice, but also to prevent its recurrence; and
- iii. Recommendation and Report - to recommend such changes in procedure and practice as may be appropriate, and to make final, public report on his actions.

b. The methods appropriate to the Ombudsman will be those which are appropriate to the foregoing functions:

- i. As to Equity, the Ombudsman will

- (a) afford full opportunity for the presentation, in confidence, of any complaint or grievance, from any student or any member of the Faculty or the staff alleging unfairness, inequity, discourtesy, undue delay, or other malfunctioning in the processes of The City College;
- (b) investigate, in confidence, to determine the degree of validity of the complaint.
- (c) mediate or otherwise resolve the problem, arriving, in confidence, at what appears to be a just resolution (including the dismissal of the complaint or recommendation of action based on the verified complaint); and
- (d) report the disposition of the specific case directly to the Office of the President.

Notwithstanding the foregoing, in all cases of alleged inequity, injustice or malfunction, the Ombudsman will not be expected to concern himself with the normal operations of grievance process or disciplinary procedures which are established by the Board of Trustees or by appropriate College bodies and authorities, except that he may, on the sole basis of his own judgment, inquire into possible or alleged unfairness or inequity resulting from possible bias or malfunction in any of these proceedings, and make confidential report thereon to the Office of the President.

ii. As to critical review, the Ombudsman will

- (a) be receptive to all suggestions, comments and criticisms regarding the general functioning of College processes and procedures (as distinguished from individual grievances or complaints of inequity);
- (b) make appropriate inquiries;
- (c) make recommendations, in confidence, to the administrative officer who heads the particular unit involved; and
- (d) report to the Office of the President as to the disposition of such recommendations.

iii. As to recommendation, the Ombudsman will, in addition to any recommendations submitted in connection with the foregoing functions, from time to time and annually, make such report and recommendations as he deems wise, directly to the Office of the President, with such substantiation as may be appropriate.

The primary task of the Ombudsman is to serve as a confidential investigator in any specific case of alleged inequity, unfairness or maladministration, and therein to be the impartial spokesman, both to the person or persons making the complaint and to the person(s) against whose performance the allegation is brought. The Ombudsman is to have access to all relevant facts in the case. He is to enjoy the complete cooperation of the individual officers(s) of instruction or administration against whom complaints have been brought. He is to receive cooperation from any complaint. He is to carry out his work in privacy and with full respect for the rights and immunities of all parties.

Having completed his inquiries, he will make such disposition of each case, as, in his sole judgment, is best. He may dismiss the charges as being without foundation or merit. He may recommend corrective action to achieve justice or equity in the particular case. He will determine the question of equity and fairness not on the basis of opinion or bias or preference, but on the basis of whether or not the rules, guidelines, and other governing statutes have been followed honestly and fairly, and without undue delay. If he finds a particular rule or regulation or statute is itself unfair or makes for inequity, he may convey that finding to the Office of the President; but he may not at the same time make a finding against an individual who has faithfully adhered to the guidelines then governing the case.

His secondary, but no less important, task is to make recommendations which seem appropriate to him for changes in the rules, practices, procedures and regulations by which administrative functionaries of the student body, Faculty or administration are guided.

Thirdly, he may recommend changes in procedures and practices which do not involve changes in the rules, regulations, guidelines and statutes.

In arriving at any of the foregoing recommendations, he will consult carefully and fully with the particular officers and offices involved, keeping the President informed of progress.

In addition, should the Ombudsman arrive at conclusions which are critical of the operations and practices of the Office of the President, or Presidential disposition of specific cases duly reported by the Ombudsman to the President, he will so inform the President; and if there is no resolution of the problem which is satisfactory to him, the Ombudsman may take the matter directly to the Board of Trustees, informing the President as he does so.

The powers of the Ombudsman include:

- a. access to all records pertinent to any allegation of inequity or injustice or other grievance coming under his jurisdiction;
- b. the right to inquire of any officer of instruction or of administration, or of any member of the clerical and custodial staffs, or of any student, in connection with his proper inquiries, and to receive full and complete answers;
- c. the right to mediate or otherwise arrive at a compromise or to arrive at his own proposal for solution of the problem at hand;
- d. the right to present his recommendations for solution to the parties involved and to report such recommendations to the supervisory officers of the person(s) involved and to the President; and, having completed the foregoing processes, in confidence;
- e. the right to make final public report in the matter.

The Office of the Ombudsman shall be headed by a member of the tenured Faculty, elected by the Faculty each year, at the same time as the election for the Faculty Senate. The electorate shall be the same as for the Faculty Senate. Nominations shall be by petition of at least twenty-five signatures. The Faculty Senate will make a good faith effort to find a least two candidates. Failing this, a single candidate will be sufficient. A reduced teaching schedule should be afforded for the Ombudsman.

In the Office of the Ombudsman there shall also be a student, preferably one who is in his final year as an undergraduate, elected at the same time as the election for the Undergraduate Senate. The electorate shall be the same as for the Undergraduate Senate. Nominations shall be by petition of at least twenty-five signatures, and there shall be at least two candidates. Failing this, the Undergraduate Senate shall nominate a sufficient number. The Student Ombudsman will perform his duties in consultation with the Faculty Ombudsman, when desirable.

ARTICLE XII Joint Committees

A committee on student affairs shall keep under continuous review the standards and conditions of extracurricular activities, as well as regulations affecting freedom of expression and student conduct. The membership shall consist of five: two Faculty, two undergraduate students, and one graduate student. The Faculty Senate shall annually select the Faculty members; the Undergraduate Senate, the undergraduate student members; and the Graduate Student Association, the graduate student member of the Committee. The Vice Provost for Student Affairs shall be an ex officio member.

A committee on student discipline shall establish a proper judiciary, establish structures and procedures, and codify rules and regulations governing conduct, leaving to the judiciary the safeguarding of due process within the academic community. The Committee shall also be responsible for continual review of the effectiveness of structures, procedures, rules, and regulations. The Committee membership shall consist of six: three Faculty, two undergraduate students, and one graduate student. The Faculty Senate shall annually select the Faculty members; the Undergraduate Senate, the undergraduate student members; and the Graduate Student Association, the graduate student member of the Committee. All structures, procedures, and codes developed by the Committee shall be in effect when approved by the parent bodies concerned. In case of failure of ratification by the bodies, such proposals shall be brought before a joint conference of six representatives (three Faculty, two undergraduate students and one graduate student) for agreement and final ratification by the bodies. In the absence of a final ratification, the Vice Provost for Student Affairs shall make recommendation to the President who shall establish appropriate procedures.

The College also establishes the practice of Faculty-Student Joint Committees in Curriculum and Teaching. At the Department level, in the Curriculum Committees of the several Faculties, and the Committee on Educational Policy, student members are to be included. Each Faculty and its Departments are responsible for developing and implementing the specific measures for carrying out this policy.

From time to time other joint Committees should be set up by the mutual agreement of the respective bodies.

The budget prepared by the Student-Faculty Intercollegiate Athletic Committee shall be sent for consideration and final decision to both the Faculty Senate and the Undergraduate Senate after consultation with the Vice Provost for Student Affairs. In the event that the two bodies should disagree on any item, a final decision shall be made by the Committee consisting of: three Executive Committee members of the Undergraduate Senate, to be chosen by the Undergraduate Senate; three Executive Committee members of the Faculty Senate, to be chosen by the Faculty Senate; and one member mutually agreed upon by the other six Committee members.

ARTICLE XIII Community Advisory Committees

One or more community advisory committees may be established by the President as one means of soliciting the advice of the community's citizenry with respect to the goals, programs and directions of The College. The Committees shall have full opportunity to initiate as well as to react. Members of the administrative staff, Faculty, and student bodies may be invited to meet with the Committees.

ARTICLE XIV

I. Amendment Procedure

A proposal to alter the Governance Charter of The City College may be initiated by the President, or by a majority vote of the Faculty Senate, or by a majority vote of the Undergraduate Senate and the Graduate Student Association and the Evening Student Senate acting jointly, or by a petition of five (5%) percent of the student body, or by a petition of ten (10%) percent of the Faculty which is eligible to vote for members of the Faculty Senate.

The initiator of the proposal shall choose which of the two alternative amendment procedures specified below shall be followed. Should the proposed amendment fail, the President, or the Faculty Senate by resolution, or the Undergraduate Senate, the Graduate Student Association and the Evening Student Senate acting jointly by resolution, may elect that the other amendment procedure be utilized.

A. Referendum Process

In a valid Referendum, thirty (30%) percent of the eligible voters must vote. Eligible voters are all those eligible to vote for members of the Faculty Senate or a student government association. Both a majority of the Faculty voting and a majority of students voting are necessary for the proposed amendment to be submitted to the Board of Trustees of The City University of New York for consideration.

B. Legislative Process

The President, after consultation with the Faculty Senate, the Undergraduate Senate, the Graduate Student Association and the Evening Student Senate, shall determine which of these organizations are the affected legislative bodies. Each of the affected legislative bodies must vote in favor of the proposed amendment in order for it to be transmitted to the Board of Trustees of The City University of New York for consideration.

The affected legislative bodies shall vote on the proposed amendment in the following manner. The proposal shall be presented at a meeting at which a quorum is present. At least sixty (60%) percent of the members present must vote in favor of the proposed amendment for it to be approved by that legislative body.

If the proposed amendment receives the approvals specified in either the Referendum or in the Legislative Process, the President shall transmit it to the Board of Trustees of The City University of New York for their consideration.

II. Records

All findings, actions, reports and recommendations of the bodies and offices described in the Governance Charter shall be made in writing. One or more copies must be sent to The College's Archives, and be made available to all members of The College.

III. Governance Charter and Board Bylaws

This Governance Charter shall take precedence over those Bylaws of the Board of Trustees of The City University of New York inconsistent with it.

Note: Also see Interim Amendment to the City College Governance Plan adopted by the Board of Trustees on March 27, 1995, Cal. No. 6.C.* and the Revision of Academic (Governance) Reorganization adopted by the Board on September 28, 1998, Cal. No. 6.C.** both of which supersede any inconsistent provisions in this governance Plan.

Adopted by the Board of Higher Education on December 18, 1972, Cal. No. 9. As amended by the Board of Trustees on December 17, 1973, Cal. No. 6.D.; May 27, 1975, l.B.IV; May 29, 1984, Cal. No. 9.C.; June 25, 1984, Cal. No. 7.E.; March 25, 1985, Cal. No. 7.B., June 23, 1986, Cal. No. 6.D.; June 26, 1988, Cal. No. 6.J.; and June 28, 1999, Cal. No. 6.G.