

**TABLE OF CONTENTS:**

**1. ARTICLE I: GOVERNANCE OVERVIEW..... 1**

**2. ARTICLE II: COMPOSITION OF COLLEGE COUNCIL..... 2**

**3. ARTICLE III: ELECTIONS OF DELEGATES TO COLLEGE COUNCIL..... 3**

**4. ARTICLE IV: ORGANIZATION OF COUNCIL..... 5**

**5. ARTICLE V: STANDING COMMITTEES OF COLLEGE COUNCIL..... 7**

**6. ARTICLE VI: AMENDMENTS..... 10**

**7. ARTICLE VII: FACULTY REVIEW COMMITTEES..... 10**

**1. ARTICLE I: GOVERNANCE OVERVIEW**

**a. SECTION I: FUNCTION OF COLLEGE COUNCIL**

- i. The College Council must be responsible, subject to guidelines, if any, as established by the Board of Trustees of The City University of New York for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curricula, and the award of college credit. The Faculty, however, must reserve the right to confer degrees. The Council must make its own bylaws, consistent with the policies and regulations of the Board of Trustees, and conduct the educational affairs customarily cared for by a college faculty. The Council may also make recommendations on policy with respect to the facilities, budgetary matters, and faculty personnel matters of the College within the framework of the Bylaws of the Board of Trustees.
- ii. Upon a petition of twenty (20) percent of the membership of the Faculty or the Student Body, and the presentation of such a petition to the Chair of College Council, a referendum must be held in order to determine if the Faculty and the Student Body both desire to reverse (repeal) any Council decision. Petition for reversal (repeal) must be filed within four (4) weeks after publication of the action in the minutes of the Council. A decision must be reversed (repealed) by a two-thirds vote of the Faculty and a two-thirds vote of the Student Body in which at least twenty percent of each constituency must participate.
- iii. All actions of the College Council that have been duly presented and passed by the Council for consideration by the Board of Trustees must be presented to the Board by the President, together with their own recommendations.

**b. SECTION II: MEETINGS**

- i. The College Council must meet at least twice each semester as determined by the Steering Committee of the Council. Such meetings must be incorporated into the College calendar.
  - ii. Upon petition of twenty (20) percent of the membership of the Council, a meeting must be called in order to deal with matters of Council concern.
  - iii. Meetings of the College Council and committees of the Council must follow Robert's Rules of Order.
  - iv. The College Council may make bylaws for its own operations consistent with its Constitution and the policies and regulations of the Board of Trustees.
  - v. Meetings of the College Council fall under the laws of New York State, in particular, they are subject to the Open Meeting Law, and therefore must take place in person.
- c. SECTION V: Kingsborough Community College Student Government Association
- i. There must be a Student Government Association charged with promoting and protecting the interests of all students, and with ensuring appropriate student representation on all campus boards and committees requiring student members. The Student Government must be structured and governed according to the provisions outlined in the Student Government Association constitution and bylaws, provided that all provisions within said documents remain consistent with policies set forth by the City University of New York Board of Trustees.

## 2. ARTICLE II: COMPOSITION OF COLLEGE COUNCIL

The College Council must be composed of

- i. The President of the College
- ii. The Chief Academic Officer of the College
- iii. The Chief Administrative Officer of the College
- iv. The Registrar
- v. The Chairperson of each instructional department
- vi. One department delegate from each instructional department

- vii. Full-time instructional staff delegates-at-large equal to the number of departments
- viii. Two part-time instructional staff delegates-at-large
- ix. Three delegates-at-large from the HEO and CLT series
- x. One alumni delegate
- xi. Two delegates elected by the full-time regularly appointed non-probationary supporting staff
- xii. Twenty student delegates
- xiii. One non-voting delegate-at-large seat to be designated for Emeritus/Emerita Teaching Faculty

### 3. ARTICLE III: ELECTIONS OF DELEGATES TO COLLEGE COUNCIL

#### a. SECTION I: ELECTIONS

- i. All elections must be supervised by the Legislative Committee. This must also apply to faculty voting under Article III, Section III.

#### b. SECTION II: ELECTION RULES AND PROCEDURES

- i. The elections for chairperson must be conducted in the first full week of May. These elections must be in person.
- ii. Elections for delegates-at-large must be conducted in May of each year following the elections of department chairpersons and department delegates.
- iii. Nominations for delegates-at-large must be conducted by secret ballot provided that nominees must have the opportunity to decline nomination before preparation of the final ballot. Elections for delegates-at-large must also be conducted by secret ballot. Mail ballots must not be used. Electronic balloting shall be permitted, as determined and administered by the Legislative Committee.
- iv. Persons eligible to vote for delegates-at-large shall be eligible to nominate candidates and be nominated for the position of delegate-at-large.
- v. Persons who have tendered their resignation or who have received notice of non-reappointment must not be eligible to vote, or be nominated or elected to office.
- vi. Eligible voters must be entitled to vote for as many candidates as there are vacant positions to be filled. Election must be by plurality with ties

determined by the Chair of College Council.

- vii. For all delegate-at-large seats that become vacant before November 1, vacancies must be filled from the list of unsuccessful candidates of the previous election with the person having the greatest number of votes among the unsuccessful candidates designated to fill the vacancy until the next scheduled election for that seat. Should a special ballot be necessary, it must be held prior to the end of that fall semester to fill the vacancy.
  - viii. If a seat becomes vacant after November 1, then it will be filled at the next scheduled election, by special ballot if necessary.
  - ix. Where vacancies for unexpired terms are to be filled at a regular election, the candidates receiving the next highest number of votes after filling the regular three-year term vacancies shall be declared elected for the unexpired term. The longer terms shall be assigned to those with the highest number of votes.
- c. SECTION III: DEPARTMENT DELEGATES
- i. Department delegates must be elected following the election of department chairpersons by the full-time members of the department having faculty rank or faculty status and must serve a term on the Council equal to that of the department chairpersons. Vacancies must be filled by the Department for the unexpired portion of the term.
  - ii. Persons eligible to vote for department delegates must be eligible to nominate candidates and be nominated for the position of department delegate.
  - iii. Elections for department delegates must be conducted by secret ballot. Mail and/or electronic ballots must not be used.
  - iv. Persons holding the rank of Lecturer at the College who have been awarded the Certificate of Continuous Employment must be enfranchised to vote for Department Chairperson and for members of the Department Personnel and Budget Committee.
- d. SECTION IV: DELEGATES-AT-LARGE:
- i. Full-Time Instructional Staff Delegates-at-large (equal to the number of instructional departments) must be elected by members of the full-time instructional staff who have faculty rank, faculty status or, who have received notification of reappointment for the third or succeeding years of full-time service. The term of office for these delegates-at-large must be three years, with elections staggered so that approximately one-third must be elected each year. Each person eligible to nominate may cast a secret nominating ballot containing no more than two (2) persons. Those eighteen (18) eligibles who receive the highest number of nominations,

plus ties, must appear as candidates on the final ballot.

- ii. Two (2) Part-Time Instructional Staff Delegates-at-large must be elected by members of the part-time instructional staff (“Adjunct faculty”). All current adjunct faculty must be eligible to vote for delegates-at-large. However, members of the full-time instructional staff or administrative staff who are concurrently teaching in an adjunct capacity at the college are ineligible to participate in the part-time elections. Part-time faculty serving on a Substitute Full-Time line are eligible to participate in the part-time elections. The term of office for these delegates-at-large must be two years, with elections staggered so that one delegate must be elected each year. Each person eligible to nominate may cast a secret nominating ballot containing no more than one (1) person. Those six (6) eligibles who receive the highest number of nominations, plus ties, must appear as candidates on the final ballot.
  - iii. Three (3) HEO and CLT Delegates-at-large must be elected by eligible voters including all Higher Education Officer series and CLT series employees, including Assistant to HEO, HEO Assistant, HEO Associate, HEO, and CLTs; employees on leave serving in Executive Compensation Plan titles must not be eligible. The term of office for these delegates-at-large must be three years, with elections staggered so that one delegate must be elected each year.
  - iv. Two (2) Support Staff Delegates-at-large must be elected from the regularly appointed non-probationary supporting staff. The term of office for these delegates-at-large must be three years, with elections staggered so that one delegate must be elected each year for two years, and the third year must have no election. Each person eligible to nominate may cast a secret nominating ballot containing no more than one (1) person. Those six (6) eligible who receive the highest number of nominations, plus ties, must appear as candidates on the final ballot.
- e. SECTION V: ALL OTHER DELEGATES:
- i. Eligible student delegates must be elected for one year terms in accordance with the constitution and bylaws of the Kingsborough Community College Student Government Association.
  - ii. The alumni delegate must be elected by the Alumni Association to serve a term of three years.
  - iii. Those elected must be selected on the basis of a plurality vote with ties to be broken by the Chair of College Council. The elections in (i) and (ii) must be conducted by secret ballot. Mail ballots must not be used. Electronic balloting shall be permitted, as determined and administered by the Legislative Committee.

- iv. One non-voting delegate-at-large seat must be designated for Emeritus/Emerita Teaching Faculty. This seat must have a two-year term. Nominees for this seat must be recommended by the President of the College and appointed with the advice and consent of the College Council, with confirmation to be voted upon at the Council meeting in May of that year. All College Council members shall be eligible to vote in this confirmation process.

#### 4. ARTICLE IV: ORGANIZATION OF COUNCIL

##### a. SECTION 1: OFFICERS OF COUNCIL

- i. The Chairperson and Vice Chairperson must be chosen by the College Council every year by a vote of the Council. To be eligible, a person must be a member of the College Council at the time of the vote. Student members are not eligible. The Vice Chairperson will serve as Chairperson if the chairperson is absent or unable to perform their duties with respect to College Council.
- ii. The Secretary of the Council must be chosen by the College Council by a majority vote of the Council. This individual must also serve as Secretary of the Steering Committee with voting privileges.
- iii. A Parliamentarian must be elected by the College Council every two years. The eligibility requirements and duties of the Parliamentarian are stated in the Procedural Guide of Council.

##### b. SECTION III: STANDING COMMITTEES

- i. The College Council must be divided into ten committees: two special committees, Steering and Committees; and eight standing committees, Curriculum, Instructional, Legislative, Strategic Planning and Budget, Facilities, Shared Governance, Diversity Equity and Inclusion, and Students. The number of members and the membership of each committee must be determined by the Committee on Committees and must include student representation.
- ii. The Steering Committee must be composed of the Chairperson and Vice Chairperson of the College Council, the Secretary of the College Council, the Parliamentarian and the Chairpersons of the Standing Committees.
- iii. A chairperson of a standing committee may be represented by a member of the same committee who must enjoy the same privileges as the chairperson.
- iv. The Chair of College Council must serve as the chairperson of the Steering Committee.
- v. The Steering Committee must meet regularly during the academic year

and must meet by call of the chairperson.

c. SECTION IV: COMMITTEE ON COMMITTEES

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

5. ARTICLE V: STANDING COMMITTEES OF COLLEGE COUNCIL

a. SECTION I: RULES FOR STANDING COMMITTEES

- i. Each standing committee must elect its own Chairperson and Secretary.
- ii. Each standing committee must meet regularly and keep minutes of its meetings.
- iii. Standing committees must be empowered to create sub-committees in order to discharge their responsibilities. Membership on sub-committees need not be restricted to members of the College Council. Sub-committee membership can be utilized as a means of involving a wider range of expertise, a diversity of views on the issues at hand and individuals and groups directly concerned with the subject matter under consideration.

b. SECTION II: POWERS AND DUTIES OF THE STANDING COMMITTEES

- i. Committee on Committees: must name the members of each of the eight standing committees and determine the number of members based on a list of preferences (a minimum of three) obtained from each member of the Council.
  1. The committee must name replacements to the eight standing committees from the list of preferences of each member, which it must maintain. The committee must consider written petitions from any member requesting reassignment to an alternative standing committee for the duration of their term, and must make such decisions at its discretion.
- ii. Steering Committee: The Steering Committee must prepare the agenda for the College Council meetings.
  1. The committee must refer matters brought to its attention to the

appropriate committee. It must receive all recommendations and resolutions from the college community prior to submission to the College Council.

2. The committee must submit such recommendations and resolutions to the full College Council or must return them to the appropriate committee with comments. If a recommendation or resolution is returned to a committee and the committee passes it for a second time and returns it to the Steering Committee, it must be placed on the agenda of the next Council meeting. By submission of a petition signed by one-third of the members of the College Council, the Steering Committee must send to the full Council any recommendations and resolutions submitted to it at the next scheduled meeting.
  3. The committee must, in addition, have power to do the following: Call the College Council into session, coordinate the activities of all committees, and must be responsible for informing the instructional staff regarding its activities each semester (e.g., through the College website).
- iii. Curriculum Committee: must be concerned with the formulation, development, modification, and evaluation of curricula.
1. The committee shall receive proposals from any member of the instructional staff. Such proposals (in approved, standard format) must be submitted through, and approved by, appropriate department curriculum committees (and/or other such approval required by the department), forwarded to the Provost for review, and then referred to the chairperson of the committee for purposes of recommendation and evaluation by the committee. Proposals may also be forwarded to the Provost from the Director of Liberal Arts or the Chairs of duly appointed college task forces (e.g., General Education).
  2. The Chair of the committee must establish a curriculum proposal submission calendar for each semester in consultation with the Provost, who must distribute the calendar to department chairpersons.
  3. The committee must consider proposals for new or modified degrees, certificates, and courses (including "experimental" 82 courses) with regard to such factors as their relation to the college's mission and existing curriculum, as well as their hours, credits, content, learning outcomes, evaluation criteria, and expected articulation.

4. The committee must report its recommendations to the College Council for review and approval. (Minor changes--such as course numbering, modifications of course names--must be reported to the College Council as informational items.)
- iv. Instructional Committee: must review matters regarding instruction and the instructional process. This includes, but is not limited to: instruments and procedures to provide evaluative data on instruction and instructional effectiveness; student evaluation of instruction; peer review of instruction; and any issues of personnel, procedures or technologies that may impact the instructional process.
    1. The data provided by instruments must be considered confidential and made available only to the faculty member directly concerned and departmental and college-wide committees and college officers responsible for the evaluation of instructional effectiveness.
    2. The committee may receive proposals from any member of the instructional staff or the student body through the chairperson of the committee, regarding the instructional process.
  - v. Legislative Committee: must be concerned with the Governance of the College, including the constitution and amendments, election procedures, Bylaws of the College Council, and initiation and review of all outside legislation concerning the College.
  - vi. Strategic Planning and Budget Committee: must review the strategic and financial plans for the College for the purpose of ensuring that assessment results affect planning; planning is evidence based; strategic plans affect fiscal decisions; and these fiscal decisions support academic priorities, staff and organizational development, facilities plans, and other institutional priorities.
    1. The Committee will approve and/or recommend strategic plans and budget priorities to the College Council. It will not deal with specific budget allocations or monitoring of expenditures.
    2. To enable the Committee to serve as a vehicle for budgetary transparency, the Chief Administrative Officer must designate an administrator to appear before the Committee at the beginning of each semester to report on the College budget. Based on the report of the budget, the Committee may seek additional related information or available institutional data. The Committee will review the information presented and report to the College Council on its review.

- vii. Students Committee: must be concerned with policy pertaining to student recruitment, admission, attendance, retention, discharge, discipline, counseling, academic standards, graduation, ceremonies, student health and other services; extra-curricular activities including athletics, as well as other activities relating to the students.
- viii. Shared Governance Committee: must conduct ongoing assessment of the college's system of shared governance, hold trainings for new College Council members as well as all members of the college community, develop and maintain a Procedural Handbook for the Council, and must communicate with the college with regard to the Council's work and principles and values of shared governance.
- ix. Facilities Committee: must be concerned with the functionality, comfort, and safety of the physical college campus environment to enhance its efficiency for the benefit of the college community.
- x. Diversity, Equity, and Inclusion Committee: must be concerned with advancing diversity, equity, and inclusion across our college community, cultivating an environment of respect, understanding and belonging for faculty, staff and students at all levels of academic and campus life.

## 6. ARTICLE VI: AMENDMENTS

- a. Amendments to the Constitution may be initiated by the College Council, any standing committee, a member of the Council, or by petition of ten percent of the full-time Instructional Staff or any ten percent of the student body. Proposed amendments must then be submitted to the Legislative Committee for its consideration.
- b. Amendments must be incorporated into the Constitution after ratification by a two-thirds vote of the Council and after approval by the Board of Trustees.
- c. Twenty percent of either the Instructional Staff or the Student Body may petition for the repeal of an amendment, if such appeal is filed within two months of ratification by the Council and approval by the Board of Trustees.
- d. All petitions for repeal of an amendment must be considered in referendum once a year. At such referendums, an amendment must be considered repealed by a two-thirds vote of the instructional staff and a two-thirds vote of the student body. The two-thirds majority must be determined by the number who participate in each referendum.
- e. All proposed amendments or repeal of amendments must be approved by the Board of Trustees.

## 7. ARTICLE VII: FACULTY REVIEW COMMITTEES

### a. SECTION I: ORGANIZATION OF FACULTY REVIEW COMMITTEES

- i. The qualifications of candidates recommended for appointment, reappointment, tenure, and advancement to the various ranks are considered and reviewed by the College Committee on Faculty Personnel and Budget. This committee receives recommendations from the Department Personnel and Budget committees. Recommendations of the review committees are made to the President and reported to the College Committee on Faculty Personnel and Budget.
- ii. There are six faculty review committees:
  1. The Review Committee on Reappointment and Tenure Committee One. Years: 1st, 3rd, 5th, 7th.
  2. The Review Committee on Reappointment and Tenure Committee Two. Years: 2nd, 4th, 6th, Tenure.
  3. The Review Committee on Advancement to Associate Professor
  4. The Review Committee on Advancement to Professor
  5. The Review Committee on Reclassification and CLT Series
  6. The Review Committee on Fellowship Leave
- iii. These committees are each composed of five members - three members of the faculty and two department chairpersons.
- iv. Each Department Personnel and Budget Committee must nominate four members of their respective faculties.
- v. All faculty members who are nominated must hold faculty rank.
- vi. All nominations must be submitted to the President.
- vii. The President designates the chairperson of each committee under leadership, guidance and coordination of the Dean of Faculty.
- viii. The following criteria govern the nomination and selection of at-large members to each of the faculty review committees:
  1. They must be tenured.
  2. They must be of equal or higher rank than that rank to which advancement is sought; or, in the case of the Committee on Reappointment and Tenure, they must hold one of the professorial titles.
  3. There must be no more than one member of a single department on any single committee.
- ix. Each faculty review committee must be constituted for one year. To

provide continuity of experience and perspective, wherever practicable, at least two members of each committee must be appointed for a second year.

- x. Departmental Personnel and Budget committees, and faculty review committees, will prepare written reports concerning their recommendations for appointment, reappointment, tenure and advancement.
- xi. Members of faculty review committees will not vote on candidates under consideration by their committee who are members of their own departments.

b. SECTION II: CRITERIA FOR EVALUATION

- i. In accordance with the policy of the Board of Trustees, the evaluation of classroom teaching effectiveness is a basic element in the procedure for recommending reappointment, tenure and advancement of teachers. This procedure is the legal equivalent of an unassembled civil service examination. Consideration is given to such matters as:
  - 1. command of subject matter and distinctive methods of the discipline
  - 2. ability to communicate with students and colleagues
  - 3. effectiveness in stimulating thought
  - 4. ability to foster active student participation in the learning process
  - 5. ability to develop a conscious sense of a learning experience for the students
- ii. In addition, major consideration is given to such areas of performance as:
  - 1. service to the students
  - 2. service to the instructional department
  - 3. service to-the College
  - 4. professional development
  - 5. scholarly and creative achievement
- iii. For Library and Student Development personnel as well as for College Technicians, service to students, service to the department, service to the College, relations with other members of the department, librarianship, and/or other appropriate criteria must be primary foci of evaluation.

- iv. With respect to initial appointment, the criteria described in paragraph (i) above are applied to the candidate's experience, education and character in terms of the apparent potential and/or achievement described or reflected in interviews, submitted credentials and references.
- c. SECTION III: VERIFICATION OF DATA
- i. Candidates having their qualifications evaluated will submit all pertinent materials to the Office of Academic Affairs for review by the Departmental Personnel and Budget Committee and the appropriate faculty review committee.
  - ii. Each committee will have the responsibility for verification of the data submitted to it by the candidates; written submissions, interviews, etc. may be required as the committees deem necessary.
  - iii. Quantitative and qualitative evaluations will be made.
  - iv. Greatest consideration by the committees will be given to a candidate's achievements since promoted last.
  - v. In the evaluation of teaching effectiveness, classroom observation will be supplemented by review of materials used in the classroom (e.g. examinations, reprints, et al.) and other standard instruments employed for the evaluation of teaching effectiveness; classroom observation will be scheduled, in advance, in conformity with the spirit of and letter of the contract between the Board of Trustees and faculty bargaining agents.
- d. SECTION IV: EQUIVALENCY AND WAIVERS
- i. The President is authorized by the Board of Trustees to approve individual petitions for waivers of the Bylaws. They may consult with the departmental committee on Personnel and Budget and the College Committee on Faculty Personnel and Budget regarding equivalencies in technical, creative, and career areas. It should be noted that a presidential recommendation for a waiver of the Bylaws is subject to the approval of the Board of Trustees and is not tantamount to approval.

<b>CURRENT</b>		<b>NEW</b>	
ARTICLE II: COMPOSITION OF COLLEGE COUNCIL:		ARTICLE II: COMPOSITION OF COLLEGE COUNCIL:	
The College Council must be composed of:		The College Council must be composed of:	
i. The President of the College	1	i. The President of the College	1
ii. The Chief Academic Officer of the College	1	ii. The Chief Academic Officer of the College	1
iii. The Chief Administrative Officer of the College	1	iii. The Chief Administrative Officer of the College	1
iv. The Registrar	1	iv. The Registrar	1
v. The Chairperson of each instructional department	14	v. The Chairperson of each instructional department	14
vi. One department delegate from each instructional department	14	vi. <b>Two</b> department delegate from each instructional department	<b>28</b>
vii. Full-time instructional staff delegates-at-large equal to the number of departments	14	vii. Full-time instructional staff delegates-at-large equal to the number of departments	14
viii. Two part-time instructional staff delegates-at-large	2	viii. <b>Three</b> part-time instructional staff delegates-at-large	<b>3</b>
ix. Three delegates-at-large from the HEO and CLT series	3	ix. <b>Seven</b> delegates-at-large from the HEO and CLT series	<b>7</b>
x. One alumni delegate	1	x. One alumni delegate	1
xi. Two delegates elected by the full-time regularly appointed non-probationary supporting staff	2	xi. <b>Three</b> delegates elected by the full-time regularly appointed non-probationary supporting staff	<b>3</b>
xii. Twenty student delegates	20	xii. Twenty student delegates	20
xiii. One non-voting delegate-at-large seat to be designated for Emeritus/Emerita Teaching Faculty	1	xiii. One non-voting delegate-at-large seat to be designated for Emeritus/Emerita Teaching Faculty	1
		<b>xiv. Seven UFS Senators</b>	<b>7</b>
<b>Total Members:</b>	75	<b>Total Members:</b>	<b>102</b>
<b>Total VOTING Members:</b>	74	<b>Total VOTING Members:</b>	<b>101</b>