Bylaws

ARTICLE IX ORGANIZATION AND DUTIES OF FACULTY DEPARTMENTS

SECTION 9.1. DEPARTMENT ORGANIZATION.

a. Each department, subject to the approval of the faculty or faculty council, where existent, and subject to the provisions of other sections of these bylaws, shall have control of the educational policies of the department through the vote of all of its members who have faculty rank or faculty status; and if it may also choose to permit a vote on departmental matters by persons in visiting professorial titles and other members who have been appointed on an annual salary basis for a first or second year of full-time service. The right to vote for the election of department chairpersons and the departmental committee on personnel and budget, referred to in some colleges as the departmental committee on appointments, shall be reserved to those with faculty rank.

b. The executive officer of the department shall be the department chairperson who shall be a professor, associate professor or assistant professor elected by secret ballot for a term of three years, except as provided below, by a majority vote of all the members of the instructional staff of the department who have faculty rank. Proxy or mail voting shall not be permitted. The department chairperson must be tenured or have been approved by the board for tenure at the time of his/her election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the president and the board. The present system of staggered departmental elections shall be continued. The successors of department chairpersons shall be elected during the first full week in May at the expiration of the respective terms of office to take office as of July first of the year in which they are elected and at the three year intervals thereafter. Vacancies shall be filled by election for the unexpired term. Notwithstanding anything in the foregoing to the contrary, in the library department, the president of the college shall from time to time recommend a member of the department to the board for designation as chairperson.

c. In any case where the president does not approve the election of a department chairperson, or at such other time as the interests of the college may require the removal of a chairperson and the appointment of a new one, he/she shall confer with the department and thereafter shall report to the board, through the chancellor any subsequent action by the department with respect thereto, together with his/her own recommendation for a chairperson. The recommendation by the president to the board, through the chancellor, for the designation of the department chairperson should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president shall base his/her recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesperson and as a participant in the formation, development, and interpretation of college-wide interest and policy.

d. Where there are fewer than three tenured professors, associate professors, and assistant professors in a department, the president may, except where the department has been in existence for less than seven years, after consultation with the departmental faculty, recommend the appointment of a chairperson to the board from among the members of the department holding professorial rank. Where the department chairperson is recommended by the president pursuant to this subdivision, subdivision "c" of this section, or subdivision "a" of section 9.5, the chairperson need not be tenured.

e. Each department shall operate as follows, unless the governance plan provides otherwise: There shall be in each department a department committee on personnel and budget, referred to in some colleges as a department committee on appointments, consisting of the department chairperson and where possible, of four other members who must have faculty rank. The number of members of faculty rank shall not affect provision for student membership, if a college governance plan so provides. Four of the faculty members of the committee must be tenured, except if the department has fewer than four tenured faculty members. The department chairperson shall be the chairperson of the committee. The four faculty members shall be elected by a majority vote of those persons in the department having faculty rank. Election shall be held at the same time that the department chairperson is elected. A
vacancy in the office of the chairperson prior to expiration of his/her term when such vacancy
necessitates an election for a new chairperson shall not affect the term of the committee. A president
may remove a member of the personnel and budget committee, for good cause, at the request of a
majority of the members of such committee. Such request shall be in writing, and the member whose
removal is sought shall have an opportunity to respond. If a member of the personnel and budget
committee is removed by the President, an election shall be held to fill the vacancy.

In departments with fewer than four tenured faculty members, the president after consultation with the
departmental faculty, shall appoint an ad hoc committee to make recommendations on appointments
with tenure in lieu of a committee on appointments or a departmental committee on personnel and
budget.

f. There shall be a committee on personnel and budget for the Hunter College Elementary School and a
committee on personnel and budget for the Hunter College High School. The committee in each school
shall consist of the principal, as chairperson, a designee of the provost of hunter college, and three
members of the instructional staff of the school, elected for a term of three years by members of the
permanent instructional staff of the school. These committees shall have in each school, insofar as
practicable, the same functions as are assigned by these bylaws to a departmental committee on
personnel and budget.

g. Each department may name such other committees as it chooses and shall have the fullest measure
of autonomy consistent with the maintenance of general educational policy.

SECTION 9.2. PROCEDURES FOR DEPARTMENT COMMITTEES.

Each department committee shall keep minutes of its proceedings conforming insofar as is practicable
to the most recent edition of Robert's Rules of Order. It is the responsibility of the department
chairperson, except as specified below, to circulate the minutes of each departmental committee to all
members of the department.

The actions of the appropriate committee concerned with instructional staff appointments,
reappointments, reappointments with tenure, and promotion shall be by secret ballot, and the result of
the balloting shall be duly recorded in its minutes. All records of the proceedings with respect to a
candidate shall be filed in the candidate's administration file, available only to the committees and
individuals responsible for the review and recommendation of appointments, promotion, and tenure. It
shall be the duty and responsibility of the department chairperson to communicate to the candidate the
action of the committee, but no reason shall be assigned for the action taken. The affirmative
recommendations of the committee shall be submitted by the department chairperson to the president
and appropriate college committee on personnel and budget in accordance with procedures set forth in
the bylaws of the board.

SECTION 9.3. DUTIES OF DEPARTMENT CHAIRPERSON.

a. The department chairperson shall be the executive officer of his/her department and shall carry out the
department's policies, as well as those of the faculty and the board which are related to it. He/she shall:

1. Be responsible for departmental records.

2. Assign courses to and arrange programs of instructional staff members of the department.

3. Initiate policy and action concerning the recruitment of faculty and other departmental affairs subject
to the powers delegated by these bylaws to the staff of the department in regard to educational policy,
and to the appropriate departmental committees in the matter of promotions and appointments.

4. Represent the department before the faculty council or faculty senate, the faculty, and the board.

5. Preside at meetings of the department.
6. Be responsible for the work of the department's committee on appointments or the department's committee on personnel and budget which he/she chairs.

7. Prepare the tentative departmental budget, subject to the approval by the department's committee on appointments or the department's committee on personnel and budget.

8. Transmit the tentative departmental budget with his/her own recommendations to the president or the dean or provost as the president may designate.

9. Arrange for careful observation and guidance of the department's instructional staff members.

10. Make a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget or department committee on appointments when recommending an appointee for tenure on the following, as well as any other criteria set forth in university policies:

   a. Teaching qualifications and classroom work.

   b. Relationship of the appointee with his/her students and colleagues.

   c. Appointee's professional and creative work.

11. Hold an annual evaluation conference with every member of the department after observation and prepare a memorandum thereof.

12. Generally supervise and administer the department.

b. Each library, where size makes it practicable, shall constitute an instructional department of the college. The chairperson thereof shall be designated by the president. Such chairperson, in addition to the duties of department chairperson as enumerated in paragraph "a" of this section, shall be charged with the administration of the library facilities of his/her college and shall perform such other duties as the president may assign. Such chairperson is hereby authorized to use the additional title of "chief librarian."

   c. Where student personnel services are constituted an instructional department of the college, the dean of students shall be the department chairperson.

SECTION 9.4. PROGRAM STRUCTURE IN THE GRADUATE SCHOOL AND UNIVERSITY CENTER.

a. The faculty of each doctoral program shall meet at least once each year. A quorum shall consist of 25 people or 50% of the faculty, whichever is smaller. The faculty shall have overall responsibility for establishing policies for the program. It shall make recommendations to the graduate council with respect to curriculum, and to the president with respect to special program requirements for the admission and retention of students and for the granting of doctoral degrees, the awarding of university grants and fellowships, and any other matters affecting the welfare of the program. It shall be responsible for the policies governing the various qualifying examinations for the doctoral degree.

b. Each doctoral program shall have an executive officer responsible for administering the affairs of the program in accordance with the policies established by the program faculty, the graduate council, and the board of trustees. The executive officer shall be appointed by the president for a term not exceeding three years taking into account nominations received from the faculty and students of the program. The executive officer may be reappointed. The executive officer is subject to removal by the president, prior to which the president shall confer with members of the program.

c. There shall be established in each doctoral program an executive committee to be composed of at least five members. The structure and membership of each executive committee is to be determined by the program's faculty subject to approval by the president. It shall include at least one faculty member from each senior college substantially participating in the program ("substantially participating" shall be
defined as having six members on the faculty of the program).

The executive committee shall have the authority for the operation of the program between the stated meetings of the program’s faculty subject to the policies established by the faculty. It shall meet at least once a semester with the students matriculated in the program.

The executive officer shall serve as chairperson of the executive committee.

d. The students of each doctoral program shall have responsibility through student representatives to the executive committee and the standing committees to make known their views on the policies of the program.

SECTION 9.5. APPOINTMENTS.

a. Recommendations for full-time appointments in a department shall be initiated (1) by the department or (2) to a professorial title by the president pursuant to his/her responsibilities in accordance with section 11.4. of these bylaws. The president may recommend that such appointee be designated as department chairperson. Such recommendation by the president for appointment and designation as department chairperson may be made either at the time of election of department chairperson or at such other time as the educational interests of the college may require. Before recommending such appointment or designation, the president shall confer with the members of the department and with the college committee on faculty personnel and budget.

b. All full-time appointments, reappointments, and reappointments with tenure to a department, except as above specified, shall be recommended to the college committee on faculty personnel and budget or its equivalent by the chairperson of the department after consultation with the president in accordance with the vote of the majority of the members of the department's committee on personnel and budget, save that a minority of any committee on appointments or departmental committee on personnel and budget shall have power to submit a minority recommendation to the college committee on faculty personnel and budget.

SECTION 9.6. PROMOTIONS.

a. Each college shall select one of the following plans for promotions:

PLAN NO. ONE. Promotions to the rank of associate professor shall be recommended only after an affirmative vote of a majority of all associate professors and professors in the department. In departments where every professorial rank is not represented, recommendations for promotion shall be initiated by the department personnel and budget committee. This plan shall not apply in the case of promotion to a professorship. No faculty member shall vote on his/her own promotion. A minority of any departmental committee on personnel and budget or any committee under this plan shall have the power to submit a minority recommendation to the college committee on faculty personnel and budget.

PLAN NO. TWO. All promotions to the rank of associate professor shall be recommended to the college committee on faculty personnel and budget by the chairperson of the department only after a majority affirmative vote of the departmental committee on personnel and budget; provided, however, that no member of such committee shall vote on his/her own promotion. This plan shall not apply in the case of promotion to a professorship.

b. Promotion to the rank of professor shall be recommended by the faculty committee on personnel and budget only after an affirmative vote of a majority of all associate professors and professors on the committee.

c. The president shall have the power to make an independent recommendation for promotion in any rank to the board, after consultation with the appropriate departmental committee and with the faculty committee on personnel and budget. In all instances no final action of departmental committees with regard to promotions shall be taken without consultation with the president.
SECTION 9.7. TIE VOTES.

A tie vote in a case affecting an appointment, a reappointment, or a promotion shall be considered as a failure of the motion to prevail. Tie votes in the election of a department chairperson or for representation on departmental committees on personnel and budget or committees on appointments or on the faculty council or faculty senate shall be resolved by action of the president.

SECTION 9.8. NEW COLLEGES OR NEW SCHOOLS.

Unless otherwise provided, the provisions of this article, insofar as they specify certain organizational duties and responsibilities of the instructional staff, shall not apply to a newly-created college or a newly-created school in a college until five years after its establishment unless the president, prior thereto, notifies the board of its desire to be governed by these bylaws. However, insofar as practicable, the spirit of these bylaws shall be observed in the organization and operation of such new college or school.

SECTION 9.9. COLLEGE GOVERNANCE PLANS.

The provisions in a duly adopted college governance plan shall supersede any inconsistent provisions contained in this article.