

# **FACULTY BYLAWS**

## **(2001 Edition)**

### **PREAMBLE**

The Faculty of the State University of New York/College at Old Westbury enacts the following Bylaws to provide for the organization and procedures under which this Faculty operates, exercises its rights and fulfills its responsibilities within the framework of the Policies of the Board of Trustees of the State University of New York and of the Contract between the State of New York and the representative of the Professional Services Negotiating Unit insofar as the latter is relevant.

In the governance of this Faculty, these Bylaws are supplementary to the Policies of the Board of Trustees, to the laws of the State of New York, and to the Contract as relevant, the provisions of which are presupposed in these articles. (See Article X, 5, of 1993 Board of Trustees policies.) Any committee or agency deriving its responsibilities from these Bylaws is exercising delegated authority for which it is answerable to the assembled Faculty of the State University College at Old Westbury, subject to the normal limitations of the authority and responsibility of the Faculty. Other committees may be established with responsibilities and authority delegated by the President, the officers of the College, or the program faculties of the College.

### **ARTICLE I: DEFINITIONS**

1. **TERMS:** As used in these Bylaws, unless otherwise specified, the following terms shall mean:

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| A. "University" | State University of New York  |
| B. "Trustees"   | Board of Trustees of the State University of New York   |
| C. "Policies"   | Policies of the Board of Trustees   |
| D. "Chancellor" | The Chancellor of the State University of New York  |
| E. "College"    | The State University College At Old Westbury  |
| F. "President"  | The Chief Administrative Officer of the College   |
| G. "Faculty"    | The Faculty of the College as defined in the Policies (Article X, Paragraph I)  |
| and             | as provided for in these Bylaws.  |
| H. "Consult"    | In all places in the Policies where "consult" or "consultation" is used the term shall be interpreted to include a formal recommendation or vote or other action of record (as, for example, minutes of reports indicating discussion and action by appropriate committees) by the Faculty, its appropriate elected committees, or both, sufficiently explicit to show the extent and effectiveness of such |

consultation. It is understood that "consultation" does not necessarily imply decision-making authority. (See also Appendix V)

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|------------------------------|---|
| I. "Academic Staff"          | Members of the College staff holding academic rank or qualified academic rank or adjunct faculty appointments.  |
| J. "Professional Staff"      | All persons occupying positions designated by the Chancellor as being in the unclassified service.  |
| K. "Academic Rank"           | Rank held by those members of the professional staff, whether full or part time, having the titles of professor, associate professor, assistant professor, instructor, assistant instructor, including faculty members having such titles, and members of the professional staff having the titles of librarian, associate librarian, senior assistant librarian. |
| L. "Qualified Academic Rank" | Rank held by those members of the academic staff having titles of lecturer, or titles of academic rank preceded by the designation "clinical" or "visiting" or other similar designations.  |
| M. "Professional Rank"       | Members of the Faculty holding the titles of Professor, Associate Professor, and Assistant Professor.   |
| N. "Adjunct Staff"           | For the purposes of these Bylaws persons holding "adjunct" or hourly appointments are not considered to hold "Academic Rank" or "Qualified Academic Rank."  |
| O. "Contract"                | The existing Agreement, if any, between the State of New York and the representative of the members of the Professional Services Negotiating Unit as defined under terms of the Public Employees' Fair Employment Act.  |

## **ARTICLE II: AUTHORITY OF THE FACULTY**

The Faculty shall have the responsibility to legislate and act as a policy making body in the performance of its responsibilities as determined by the Board of Trustees and in keeping with the standards of Faculty governance recommended by the State University Faculty Senate.

As prescribed in the Policies, Article X, Paragraph 4, the Faculty of the College "shall have the obligation to participate significantly in the initiation, development, and implementation of the educational program." The appropriate areas of Faculty involvement include matters of educational interest and research and of academic policy. The Faculty shall be responsible, individually and collectively, for,

- a. maintaining academic standards;
- b. recommending the granting of degrees;
- c. developing the College's educational, research, and service programs, and
- d. conducting these programs.

The Faculty may review administrative actions affecting matters within its area of responsibility. It may also express, by formal resolution, its opinion on any question relating to the policies or administration of the College.

Such review, resolution or other action by the Faculty or its committees, taken in accordance with the consultation provisions of these Bylaws and of the Policies, shall be executed by the Faculty or its appropriate committees without undue delay; likewise, administrative presentation to the Faculty of matters requiring consultation shall be timely.

### **ARTICLE III: MEMBERSHIP**

1. The voting Faculty consists of the Chancellor of the State University, the President of the College, the Vice President for Academic Affairs, and persons who have academic rank [as defined in Policies of the Board of Trustees, article II sect.1(j)] and term or continuing appointment.

2. Wherever these Bylaws name an administrative officer, it shall be understood that an appropriate authorized deputy may act in his/her place, with the concurrence of the President and in consultation with the Faculty Senate.

3. The President and/or members of the Faculty may nominate other members of the Professional Staff for Faculty membership for one year at a time. Such nominations shall be forwarded to the **Faculty Senate**, with an indication to whether voting status is being requested for the nominee. The **Faculty Senate** shall review the request and forward its recommendation to the Secretary of the Faculty for inclusion in the agenda of the next regular or special meeting of the Faculty. If the Faculty votes to extend voting privileges to the nominee, it shall be understood that such privileges are extended to the nominee in his or her official position and shall automatically expire if the nominee vacates that position during the year.

### **ARTICLE IV: ORGANIZATION OF THE FACULTY**

#### **Section A: Officers of the Faculty**

##### **1. Chairperson**

The President of the College shall be the Chairperson of the Faculty. The Chancellor and the President are empowered to call meetings of the Faculty; the agenda of each faculty meeting shall provide, as a priority order of business, an opportunity for the Chancellor or President to present his/her report.

##### **2. Presiding Officer**

The Convener of the Faculty Senate shall serve as Presiding Officer at meetings of the Faculty. In the absence of the Convener of the Senate, the Vice Convener of the Senate shall serve as the Presiding

Officer. However, the Chancellor or the President may exercise her/his option to preside over meetings of the Faculty.

3. Vice Convener of the Faculty Senate

The Vice Convener of the Faculty Senate shall serve as Presiding Officer of the Faculty in the absence of the Convener of the Senate.

4. Secretary/Treasurer of the Faculty Senate

The Secretary/Treasurer of the Faculty Senate shall serve as Secretary and Treasurer of the Faculty.

5. The Senator and Alternate Senator to the State University of New York Faculty Senate

The Senator and Alternate Senator shall be elected by the Faculty and Professional Staff. They shall represent the Faculty and Professional Staff of the College at the meetings of the State University Faculty Senate and, after each meeting of the Senate, the Senator or Alternate Senator shall report to the Faculty and the Professional Staff on any question raised or action taken affecting the interests of the Faculty or Professional Staff.

**Section B: Meetings of the Faculty**

1. Regular meetings

The Faculty shall meet within thirty days after the beginning of the Fall and Spring semesters, and within thirty days prior to the Spring Commencement.

2. Special meetings

Special meetings of the Faculty may be called by the Chancellor, by the President, or by the Faculty Senate.

3. Emergency meetings

Emergency meetings of the Faculty may be called at any time by the Chancellor or the President.

4. Meetings by petition

a. Meetings of the Faculty may be called by a petition signed by fifteen per cent of the voting faculty and submitted to the Convener of the Faculty Senate.

b. The agenda of a meeting called by petition must include the item of business requested by the petitioners.

5. The Faculty may, in meetings of the Faculty, pass resolutions, overrule actions of the Faculty Senate, and otherwise act for the Faculty.
6. The ultimate responsibility for action taken under these Bylaws is the Faculty when it is in session. It is the responsibility of the Faculty Senate to act for the Faculty when the Faculty Senate is in session and the Faculty is not. It is the responsibility of the Executive Committee of the Faculty Senate to act for the Faculty when the Faculty Senate is not in session. It is the responsibility of the Convener of the Faculty Senate to act for the Faculty when the Executive Committee is not in session. Neither the Convener of the Faculty Senate nor the Executive Committee nor the Faculty Senate can overturn actions of the Faculty.

## **Section C: Procedures**

### **1. Notice of meetings**

Except in the case of emergency meetings, the Secretary of the Faculty Senate shall mail to each member of the voting faculty an agenda and notice of the time and place of the meeting, no later than one week prior to the meeting.

### **2. Quorum**

A quorum at all meetings of the Faculty shall consist of a majority of the voting faculty present and voting provided an agenda and due notice has been sent to all faculty members.

### **3. As far as possible, all reports shall be written and distributed in advance of faculty meetings.**

### **4. All substantive resolutions shall be written and shall contain a rationale framed with reference to Article X of the University Faculty Senate Handbook and shall be submitted to the Executive Committee in time for inclusion in the agenda and for advance distribution and shall have a sponsor or sponsors.**

## **ARTICLE V: FACULTY SENATE**

### **A. The Faculty Senate of the College at Old Westbury shall be composed of:**

1. One representative from each academic program, elected by voting faculty of each program, and one representative with academic rank, jointly selected by the library and ETC. Elections shall be held before the end of the Spring semester, and representatives shall serve two-year terms beginning September 1 after the election.
2. Five representatives from the voting faculty, who are elected at-large by the voting faculty before the end of the Spring semester, according to procedures described in VI-A-2 of these Bylaws, and

who serve two-year terms beginning September 1 after the election.

3. The State University Faculty Senator.
  4. A member of the Appointment, Reappointment, Promotion, and Tenure Committee (ARPT), who is elected by that committee and who serves a one-year term.
  5. A member of the Curriculum and Academic Planning Committee, who is elected by that committee and who serves a one-year term.
  6. A member of the Council of Conveners/Chairs, who is elected by that committee and who serves a one-year term.
  7. A member of the Faculty Budget Committee, who is elected by that committee and who serves a one-year term.
  8. Three students who are elected by procedures determined by student governance and who serve one-year terms.
  9. For each of the proceeding Senators an alternate shall be elected by the same procedures to serve in the absence of the Senator.
  10. Three professional employees [as defined in Policies of the Board of Trustees, Article II sect.1(l)] who are not designated management/confidential and their alternates, elected at-large by the non-management/confidential professional employees before the end of the Spring semester, by procedures determined by the professional employees, and who serve two-year terms beginning September 1 after the election.
  11. The President of the College, ex officio without vote.
  12. The Vice President for Academic Affairs, ex officio without vote.
  13. The Vice President for Student Affairs, ex officio without vote.
  14. The Vice President for Budget and Finance, ex officio without vote.
- B. The Faculty Senate shall:
1. Serve as the deliberative body for organizing and carrying out the business of the Faculty. The Senate shall meet on the first and third Fridays of each month during the semester.
  2. Prepare the agenda for Faculty meetings (except emergency meetings).
  3. Advise the Convener of the Senate.

4. Initiate studies and investigations pursuant to the purposes and responsibilities of the Faculty.
5. Receive the minutes, reports and recommendations of Faculty committees and deliberate and vote thereon.
6. Carry out those directives of the voting faculty which are within the jurisdiction of the Senate and not otherwise delegated in these Bylaws.
7. Change and make congruous a provision of any policy or statement passed by the voting faculty which is discovered to be in conflict with a State or University policy or statement which has precedence.
8. Review Faculty governance and, if necessary, propose changes in these Bylaws, every fifth academic year.

C. The officers of the Faculty Senate are:

1. The Convener of the Senate, who shall:
  - a. Preside at meetings of the Faculty Senate and of the Faculty.
  - b. Propose agenda for Senate meetings, refer matters to Faculty committees, and report to the Senate at its next meeting all matters referred to committees.
  - c. Appoint, with the advice of the Nominations and Elections Committee, persons to fill the unexpired terms of any elected committee members or at-large senators.
  - d. Appoint, with the advice of the Nominations and Elections Committee, committee members not otherwise provided for in these Bylaws.
  - e. Carry out the directives of the Faculty and Senate regarding time of meetings, programs, activities, and business of the Faculty.
  - f. Be responsible for the proper conduct of elections and voting on proposed amendments to these Bylaws.
  - g. Confer with the President of the College, or the President's delegated representative, as directed by the Senate or Faculty, or as the Convener sees fit in the absence of such direction.
  - h. Be empowered to select the Faculty Parliamentarian.
  - i. Act for the Faculty when the Executive Committee is not in session.

2. The Vice Convener of the Senate, who shall:

- a. Preside at meetings of the Faculty Senate and of the Faculty when the Convener is absent.
- b. Serve as Convener for the remainder of the Convener's term if the Convener's position becomes vacant.
- c. Discharge such duties as shall be assigned by the Convener with the advice and consent of the Senate.
- d. Assume the office of Convener of the Senate in the year following service as Vice Convener.

3. The Secretary/Treasurer of the Senate, who shall:

- a. Record and publish all minutes of the Faculty and Senate.
- b. Publicize the meetings of the Faculty and Senate, including the agenda of such meetings.
- c. Keep a file of all minutes, correspondence, reports and other documents so as to compile a total record of the activities of the Faculty and place a copy of the file in the Library archives.
- d. Receive, and disburse with the written acknowledgement of the Convener of the Senate, all funds of the Faculty.
- e. Prepare and submit a Faculty budget, no later than September 30.
- f. Submit, no later than August 31, a financial statement of all funds under the Faculty Senate's control.

**D.** The officers of the Faculty Senate shall be members of the Senate who hold academic rank and shall be elected at a meeting of the Faculty Senate, held no later than September 15, and shall assume office immediately for one-year terms.

The Convener of the Senate shall be released from one course of his/her teaching responsibilities during his/her term in office.

**E.** An Executive Committee consisting of the elected Senate officers (Convener, Vice Convener, Secretary/Treasurer), the SUNY Faculty Senator, the Faculty Parliamentarian, and one Senator elected by and from the Senate shall have the responsibility for coordinating, setting and distributing the Senate agenda and shall act for the Senate, according to its instructions between meetings. To this end, the officers of the Faculty Senate shall prepare and circulate an agenda at least one week in advance of each Senate meeting.



## **F. Procedures**

1. Regular meetings of the Faculty Senate shall be held on the first and third Fridays of every month, during the Fall and Spring semesters, at 12:30 p.m. Special meetings of the Senate may be called by the Convener of the Senate, by vote of the Senate, or by a petition signed by a minimum of five senators.
2. The Executive Committee of the Faculty Senate shall normally meet two weeks prior to the regular meeting of the Faculty Senate to set the agenda.
3. Except in the case of special meetings, the Secretary of the Faculty Senate shall, no later than a week prior to the meeting, mail to each member of the Faculty, an agenda and notice of the time and place of the meeting.
4. The Secretary of the Faculty Senate shall publish:
  - a. Senate minutes, within ten working days.
  - b. Faculty minutes, within ten working days.
  - c. The annual reports of Faculty committees, no later than August 31.
  - d. Other reports and statements which advance the work of the Faculty.
5. A quorum of the Faculty Senate shall be a majority of its voting membership.
6. All reports to the Senate shall be made in writing and distributed to Senators in advance of the Senate meeting.
7. Agenda items that require a vote of the Faculty Senate shall be presented to the Executive Committee in writing. The text of these items shall be in the form of resolutions, with the background information for the resolution proceeding as a statement of a rationale. All resolutions shall state clearly the specific action the Senate is to take, as well as any individuals or groups who are to be apprised of this action.
8. Items of New Business may be submitted to the Faculty Office no later than 5:00 p.m. on the day prior to the Faculty Senate meeting. New Business items that require a vote of the Faculty Senate must be presented in writing from the floor of the Faculty Senate, in the form of a rationale followed by a resolution as stated above. No substantive matter thus presented may be brought to a vote until a subsequent meeting of the Faculty Senate. The Convener of the Faculty Senate shall determine whether any such item is substantive or not.
9. All substantive resolutions shall be written and shall contain a rationale framed with reference to Article X of the University Faculty Senate Handbook and shall be submitted to the Executive Committee in time for inclusion in the agenda and for advance distribution and shall have a sponsor or sponsors.

10. Any faculty member has the right to attend meetings of the Faculty Senate and to participate in the discussion when the floor has been yielded by a Senator.

## **ARTICLE VI: STANDING COMMITTEES**

- Academic Policy
- Academic Standing
- Accreditation Program for Experiential Learning (APEL)
- Appointment, Reappointment, Promotion and Tenure
- Curriculum and Academic Planning
- Teaching for Learning
- Faculty Rights and Responsibilities
- Faculty University Awards
- Library
- Nominations and Elections

**Preamble:** All standing Committees shall observe the following guidelines:

1. With the understanding that the mission of the College, beyond addressing the needs of those segments of the population bypassed by traditional education, is to avoid as much as possible any racial or gender dominance, the committees shall reflect this concern in their composition. The slate for the committees shall also reflect a substantial representation from the various curriculum components of the College.

Attention shall also be given to diversity of representation from different academic programs.

2. Committee members shall be elected by a minimum of 30% of the faculty vote. To provide continuity, committee members shall have staggered terms of two years' service, except where otherwise specified.
3. Those Committees whose work requires a partnership with the administration shall assume responsibility for working closely with appropriate administrators, assuring mutual consultation, and notifying them of actions taken.
4. All committees, except the Academic Standing Committee, shall submit a year-end report to the Faculty Senate by August 1st.

### **Section A: Academic Policy**

1. The Academic Policy Committee shall be composed of six faculty members, an equal number of

students, and appropriate administrative personnel, i.e. Vice President for Academic Affairs or his/her designee and the Registrar. Student representatives shall be chosen by the Student Government Association. Administrative representatives are members ex officio and do not have voting privileges.

2. The major functions of the Academic Policy Committee include the constant surveillance and review of all phases of current academic practices at the College at Old Westbury, in order to insure that these practices are consonant with the overall guidelines established by the Board of Trustees and by the officers of the State University of New York for the guidance of liberal arts colleges, as well as the standards which have been developed by the Middle States Accreditation Association. Additionally, the committee shall strive to insure that these practices are appropriate to the particular needs and aspirations of the college's distinctive student body.

The committee is also empowered to recommend changes in such policies and practices to the Faculty Senate for faculty action. Those approved by the Faculty Senate will be forwarded to the Office of Academic Affairs for adoption as official college policy.

3. The Committee shall provide a report at the first meeting of the Senate every academic year.

## **Section B: Academic Standing**

1. The Committee on Academic Standing shall consist of sixteen members, five elected from among the voting faculty, two one year and three the next; five students chosen by means determined by the students, and six members from the administration, including the Registrar, ex officio, and representatives from Admissions, Financial Aid, EOP, Student Development, Center for Academic Advising and Testing and the Registrar's office. The convener shall be a faculty member.
2. It shall be the responsibility of the Committee to act as a review board for examining and determining the academic status (i.e. good academic standing, probation or suspension) of students outside of the guidelines for academic standing stated in the College catalog, or of those who appeal for special consideration from such guidelines. The Committee shall also review guidelines, as well as the impact of Old Westbury's grading policies in general and make recommendations to the Faculty Senate for their revision.

## **Section C: Accreditation Program for Experiential Learning (APEL)**

1. There shall be an Accreditation Program for Experiential Learning (APEL) Committee, which shall consist of eight members of the voting faculty who shall serve terms of two years, with four being self-appointed in one year, four the following year, three students to be selected by means determined by the students, and the Director of the Office of Alternative Learning, ex officio.
2. It shall be the responsibility of the APEL Committee, in consultation with academic programs, to assess and validate College level competencies, knowledge and skills acquired by the applicant through non-classroom and/or formal educational experiences. Students may be granted a maximum

of 32 credits.

## **Section D: Appointment, Reappointment, Promotion, and Tenure**

### **1. Structure**

- a. The Appointment, Reappointment, Promotion, and Tenure Committee (ARPT) shall consist of nine faculty representatives elected by the faculty from the faculty at large, with no more than one representative from each Program/Department, and up to three student representatives chosen by means determined by the students. At least three faculty members of the Committee shall be untenured. Both student and faculty representatives to the Committee shall, as nearly as possible, be balanced in terms of the College's affirmative action goals (see Article VI, Preamble).
- b. Faculty members of the ARPT Committee shall be elected for staggered terms of two years, (In the initial implementation of this provision, continuing faculty on the old RPT Committee and the Initial Appointments Committee shall serve for one year and the faculty receiving the greatest number of votes in the most recent election shall be designated for two-year terms.)
- c. All faculty holding Academic Rank and who are not "management confidential" or holding temporary appointments are eligible to be faculty members of the Committee with the following exceptions:

No faculty may serve:

- (a) during the year of tenure review
  - (b) during the year of review for reappointment
  - (c) during the year in which they intend to apply for promotion
  - (d) following a (1) year reappointment (warning reappointment)
  - (e) during the terminal year
- d. The Committee shall have a convener rather than a chairperson--i.e., someone to facilitate and focus the work rather than someone with special power or authority. The convener shall be elected by a simple majority of the Committee and shall serve for a term of one academic year; the convener shall have one course release during the spring semester of his/her term.
  - e. In order to convene, the committee will require a quorum of the faculty members on the committee and not of the committee at large.
  - f. Any member of the candidate's program shall recuse him or herself from the proceedings during a review process.

### **2. Functions**

- a. The ARPT Committee shall review candidates for initial appointment, reappointment, continuing

appointment and promotion under strict rules of confidentiality and shall develop policy as follows:

- (1) In cases of reappointment, promotion and tenure it shall review program recommendations in terms of the Criteria established by the College for Faculty and listed in the ARPT manual (see Appendix II) and make recommendations based on the Preamble to those Criteria and the categories outlined in the Criteria.
- (2) In cases of initial appointment it shall review program or search panel recommendations in at least two respects: how well proposed appointments fit college-wide and program priorities that have been established; how well program recruiting procedures and the results thereof have carried out the College's specific affirmative action goals (See Article VI, Preamble).
- (3) Recommend to the President, through the Academic Vice President, all initial appointments to Academic or Qualified Academic Rank (including the appointment to such rank of faculty who have been serving as "Adjunct Staff"), reappointment, continuing appointments and promotions.
- (4) Develop and apply instruments for student evaluation of faculty (the gathering of information through such instruments is seen as primarily the responsibility of the Academic Vice President's office).
- (5) Provide programs and candidates with outlines of the materials and information needed by the Committee to make its recommendations, and provide and keep current a manual containing a format for the collection and submission of such materials.
- (6) Provide programs and candidates with timetables for the submission of recommendations and materials that will allow the Committee to complete its work well within the notification deadlines established in the Policies and the Contract, and allowing time for appeals as provided in this Section.
- (7) Encourage programs to develop useful and regular faculty assessment and support such processes, including processes involving the hiring, assessment and retention of adjunct faculty.
- (8) Ensure uniformity of program and college standards in the evaluation of faculty.
- (9) Issue each term a summary report of its actions taken, including how these compare with program recommendations and with administrative disposition of the Committee's recommendations. (Such a summary report is not expected to include reasons for the Committee's actions.) In addition, the Committee shall apprise the Faculty Senate of recurrent problems that arise in its work and shall make recommendations for alterations in its composition and procedures or in the Criteria when appropriate.

- b. The ARPT Manual is part of the Bylaws and must be adhered to for all cases coming under the

aegis of ARPT.

### 3. Procedures

#### a. Preliminary Screening

- (1) For all cases involving initial appointment, reappointment, continuing appointment or promotion, a program must forward a file containing its recommendation to the ARPT. A three-person subcommittee will review each file for completeness, accuracy and consistency in accordance with the Committee's Manual. If the file is incomplete, the program and, in cases of reappointment, promotion and tenure, the candidate will be consulted.
- (2) In initial appointment cases:
  - (a) a program, (or in the case of programs being introduced, a properly constituted search panel) shall forward a file containing its recommendation, including an explanation of how the appointment will fill the priorities established for the line and documentation on the search and candidate, according to the procedures established in the ARPT manual. In no case shall a candidate, whose nomination has failed to follow these procedures, be appointed to the College Faculty, whether in full or part-time capacities, providing--it is understood--that the Committee shall deal in a timely fashion with the recommendations presented to it.
- (3) In reappointment, promotion and tenure cases, the program shall submit a file containing the materials specified by the ARPT Manual:
  - (a) a candidate has the right to respond to the program recommendation or amplify it orally or in writing; a candidate may also initiate an action by the ARPT Committee by filing with the Committee in writing a proposal for his or her own reappointment, promotion, or tenure;
  - (b) additional materials may be added to the file only with the candidate's knowledge; the candidate may add new materials to the file at any time to support his/her reply to a particular stage of the review or recommendation before it is sent to the President.
- (4) When the file is complete, the ARPT subcommittee shall examine the program recommendation to determine that it is consistent with the file and shall make a recommendation for action to the whole committee.

#### b. Action

- (1) In cases where the committee finds no reason to dissent from the program recommendation, the file will be acted on and sent forward with a brief note of concurrence. In case of dissent from the program letter, after action on the case, the Committee shall submit its

recommendation, negative or positive, together with its reasons for so recommending in writing to the candidate, the program and the Academic Vice President (for comment and forwarding to the President). In case of split or negative votes in the program in regard to reappointment, promotion or tenure, the committee may request personal reports and/or interview candidates.

- (2) When a negative recommendation is contemplated,
  - (a) in case of initial appointment, the Committee shall provide opportunity for discussion to be held between the affected program or search panel and the committee before final action;
  - (b) in case of reappointment, tenure and promotion, the candidate shall be informed in writing and given the opportunity to appeal to the Committee before the recommendation is forwarded. For the purposes of this section, a "negative recommendation" is defined as one denying reappointment, promotion or tenure, but not one which recommends reappointment for a term different from that proposed by the program or candidate. A notice of intention to appeal shall be timely, but in any case shall be made in writing by the candidate no later than ten days after being formally notified of the anticipated negative recommendation. To permit such appeal and response, a candidate shall be supplied with a written statement providing any pertinent information immediately subsequent to a candidate's notice of intention to appeal. Such an appeal shall be made in writing, except that at the discretion of the Committee, it may be conducted, in whole or in part, in the form of an interview with the candidate. (Normally, candidates who have already been interviewed will not be expected to appear again before the Committee.)
  - (c) candidates shall also have the right to respond to a negative recommendation by the Committee prior to a final decision by the President. Such response shall be made in writing to the President.
- (3) The committee may, at its discretion, interview candidates. It also may interview other relevant personnel provided the candidate is notified and has access to a summary of the proceedings with sufficient time for a response.
- (4) A copy of the ARPT recommendation shall simultaneously be provided by the Committee to the candidate and to his or her program.
- (5) The President or designee shall meet with the Committee or its representatives to discuss decisions prior to issuing them formally. The President must be provided a minimum of fifteen working days to review recommendations and documentation.
- (6) Nothing contained herein shall foreclose a candidate from utilizing the grievance procedures provided for in the Contract in cases where applicable.

## Section E: Curriculum and Academic Planning

### 1. Structure

The Committee on Curriculum and Academic Planning shall consist of nine faculty representatives elected by the faculty from the faculty at large with no more than one representative from each Program/Department. In addition, the Academic Vice President shall be a member ex officio. They shall serve three-year terms on a staggered basis, so that one-third of the committee will be replaced each year.

Faculty members of the Committee on Curriculum and Academic Planning shall be elected from a slate prepared by the Nominations and Elections Committee. The Nominations Committee is instructed to prepare a slate which will reflect substantial representation from the various curriculum components of the College: humanities, natural sciences, social sciences and career-oriented programs. Three candidates shall be elected each year to three-year terms.

The Committee shall elect a representative to the Faculty Senate at the beginning of each academic year. He/she will act as liaison between CAP and Faculty Senate and will present all CAP recommendations to the Faculty Senate for formal action.

The Committee on Curriculum and Academic Planning shall be empowered to form sub-committees and ad hoc task forces, including additional people not on the full committee, in carrying out the work of the Committee.

### 2. Responsibilities

The Committee is charged with guiding the overall curricular development of the College including the constant surveillance and review of all phases of current academic practices at the College at Old Westbury in order to insure that these practices are consonant with the overall guidelines established by the Board of Trustees and by the officers of the State University of New York for the guidance of liberal arts colleges, as well as the standards which have been developed by the Middle States Accreditation Association. Additionally, the Committee shall strive to insure that these practices are appropriate to the particular needs and aspirations of the College's distinctive student body.

All proposals bearing on the curriculum of academic programs must be forwarded to the CAP Committee. No changes in the academic programs may be implemented without the approval of CAP.

The Committee is also empowered to recommend changes in policies and practices to the Faculty Senate. Those approved by the Faculty Senate will be forwarded to the Office of Academic Affairs for adoption as official College policy.

- a. The Committee shall forward recommendations to the Faculty Senate for action:



- (1) A statement of general principles that will guide curriculum development at the College.
- (2) A long range academic plan that will guide overall curriculum development at the College.
- (3) Guidelines and procedures to be used in
  - (a) the assessment of existing academic programs
  - (b) making recommendations concerning the allocation and reallocation of faculty lines
- (4) Proposals approved by CAP concerning:
  - (a) new programs and/or majors
  - (b) significant revisions of existing college-wide programs
  - (c) phasing-out, terminating, deactivating, or deregistering existing programs
  - (d) college-wide rules and regulations affecting curricular options for students (such as independent study, internships and minors).

All proposals shall include a detailed analysis of the impact on the allocation of college resources.

- (5) When a program or proposal is not approved by CAP, the Committee shall submit a detailed rationale for its decision to the program and to the Senate in a timely fashion. A new proposal, including the suggested changes, can be resubmitted.

b. The Committee shall facilitate Academic Program curriculum development by:

- (1) carrying out regular periodic program assessments, within the guidelines approved by the Senate.
- (2) reviewing the sections of the Year-End Report (prepared for the Office of Academic Affairs) that describe any changes made over the past year in curricular development and resource uses, such as new or terminated course offerings, degree requirements, use of teaching resources, and curriculum links with other programs/departments or other institutions.
- (3) receiving and reviewing program/departmental requests for additional faculty resources. In some cases in the absence of an appropriate Program to request faculty resources, the Senate, after considering a request by the Administration to the Executive Committee of the Senate, and if finding the request appropriate, may instruct the ARPT Committee to appoint a three-member ad-hoc selection panel to identify candidates for new positions or replacement of positions. The selected candidate or candidates will then be proposed to the ARPT Committee for approval and recommendation to the Academic Vice President.

(4) taking the initiative in facilitating interprogram/departmental cooperation in curriculum development, consistent with the approved long-range plan.

c. The Committee shall make recommendations to the Academic Vice President and the Budget Committee concerning priorities for the allocation of resources to the curricular needs of the College. These recommendations will be made in the context of information to be provided on a regular basis by the Budget Committee during the crucial stages of the budget cycle: the initiation and preparation of budget requests for the next academic year and the final allocation of operating funds for the current year.

## **Section G: Teaching for Learning**

The Committee shall serve to help all faculty become more effective and innovative in their teaching. To this end it shall:

1. Coordinate the operation of the Teaching for Learning Center.
2. Assist junior faculty with problems arising from their teaching.
3. Organize workshops focusing on faculty growth, acquisition of knowledge, skills, sensitivities and techniques related to teaching and learning.
4. Promote interdisciplinary exchanges to help understand modes of teaching in one field with possible applications in another.
5. Improve student learning, preparation of learning materials, redesigning courses and systematic instruction.
6. Create an effective environment for teaching and learning.
7. Provide a forum for faculty to discuss and exchange ideas on research.
8. Communicate teaching methods, innovative pedagogical practice, and relevant issues to the College as a whole.

The Committee shall consist of six members of the College Faculty. The director of the Center shall be elected by the Committee from among its members.

The Office of Academic Affairs will provide a reasonable budget for the Center. The director of the Center will receive one course release each semester.

## **Section G: Faculty Rights and Responsibilities**

### **PREAMBLE**

This document sets forth Faculty Rights and Responsibilities with respect to the College, its students, its programs, and its Administration, and it provides for mediation procedures for resolving breaches of these rights and responsibilities and conflicts with respect to them.

Faculty has a variety of rights and responsibilities which are not explicitly stated in this document. The failure of this document to state such a right or responsibility explicitly shall not be interpreted as implying that such a right or responsibility does not apply.

In particular, nothing in this document shall imply any waiver of any faculty rights specified or implied by collective bargaining agreements or laws and regulations pertaining to collective bargaining, by the Policies of the Board of Trustees, by other sections of the Faculty Bylaws, by applicable Federal, State, or local laws or regulations, or by other currently existing source of faculty rights, and nothing in this document shall imply any waiver of a faculty member's right to academic freedom in carrying out his or her College duties.

## **I. RIGHTS AND RESPONSIBILITIES WITH REGARD TO THE COLLEGE**

- A. Faculty has both the right and the responsibility to participate in the work of the faculty as a whole and in the work of its committees. In particular:
1. Faculty has the right to be nominated, or to nominate themselves, for election or appointment, as may be appropriate, to any faculty committees.
  2. Faculty has the right to be informed of their nomination to a committee and has the right to decline such nomination.
  3. Faculty has the right to decline to serve on any particular committee at any particular time.
  4. Faculty who accept nomination or appointment to a committee has the responsibility both to attend and to work conscientiously on that committee for the stipulated term.
  5. Faculty elected or appointed to a committee has the right, as well as the responsibility, to participate actively in all aspects of the committee's business and share equitably in the discharge of its duties and obligations.
  6. Faculty elected or appointed to a committee has the responsibility to attend all meetings for the duration of the elective or appointive term.
  7. Faculty elected or appointed to a committee has the right both to participate in the selection of the committee's leadership and to be eligible for assuming such leadership.

8. Faculty has the right to resign from a committee, but has the responsibility in such instance to state the reason for such resignation, in writing, to the committee's chair and to the chair of the Faculty Senate.
  9. Faculty has a right to expect that their service on college committees will be taken into account, through informative collegial letters of reference, in tenure and promotion reviews, as well as decisions pertaining to sabbaticals, merit increases, grant applications, and leaves of absence.
- B. Faculty has the right to participate freely and expressively in the work of the faculty as a whole, and in its particular committees. In particular:
1. Faculty has a right, in the course of their participation in the work of the faculty and its committees, to engage in debate, pose questions, put forth challenges, make motions, etc. without fear of harassment, threats, or intimidation in any form to any degree.
  2. Faculty has the responsibility to respect the rights of others to engage in debate, pose questions, put forth challenges, make motions, etc. without fear of harassment, threats, or intimidation in any form to any degree.
  3. Faculty, in general, has a responsibility to respect the integrity of faculty committees by honoring committee procedures as specified in the Faculty Bylaws. In particular, faculty has an obligation to refrain from lobbying committees or individual members of committees responsible for making recommendations on personnel matters, whether on their own behalf or in relation to the candidacies of others.
- C. Faculty has the right to freely engage in research, scholarly study and artistic expression and to disseminate the results through all means of direct presentation, at conferences, exhibitions and in other arenas, and indirectly through all means of publication, including both print and electronic, with full proprietary rights (except as restricted below). In particular:
1. Faculty has the right to study any aspect of any subject without restriction, including the pursuit of artistic expression.
  2. Faculty has the right to seek financial support of their endeavors from any legitimate and legal source without restriction, except insofar as the work supported requires campus facilities, campus services and/or faculty time that would otherwise be invested in teaching at the college. In such cases, faculty have an obligation to secure the support of the institution.
  3. Faculty has a right to speak and publish in any forum via any medium without prior restriction or subsequent penalty, but also have an obligation to distinguish clearly between their personal voice and that of the university.
  4. Faculty receiving institutional funding for their work has an obligation to credit the institutional support, when presenting their work in external arenas.

5. Faculty has a responsibility to conduct all such activities within the bounds of established college and university policies, copyright and patent laws, safety codes, human subject policy and other legal restrictions as set in the law.

D. Faculty has the right to engage in instructional activities, within the limitations of their areas of expertise and departmental assignment, without fear of censorship, harassment, threats or intimidation in any form to any degree. In particular:

1. Faculty has the right to present lectures, assign readings, assign written exercises and engage in other instructional activities, within the limits of program or departmental policy and practices, without fear of intervention, censorship, harassment, threats or intimidation in any form to any degree.
2. Faculty has the right to use all college facilities, including but not limited to: laboratories, studios, libraries, archives, performance facilities, computational and other electronic equipment, exhibition space, communications facilities, specialized personnel and any resources or facilities beyond the college available to those with faculty status in the course of carrying out their instructional responsibilities.
3. Faculty has the right to expect a reasonable array of instructional facilities, including but not limited to space, furniture, communications equipment, climate control, chalk, laboratories, studios, libraries, archives, performance facilities, computational and other electronic equipment to be available on a regular basis, and in such a state of repair as to facilitate instruction.
4. Faculty has a responsibility to conduct all instructional activities in an ethical manner that is respectful of the rights of others to do likewise, in a manner that does not interfere with the instructional activities of others or the instructional activities of the college.

E. Faculty has rights under the constitution of the United States, state and local law and collective bargaining agreements, such as freedom of speech and freedom of assembly which cannot be abridged or superseded by or within the context of the college, in particular:

1. Faculty has the right to speak freely on all subjects including the college (and the university), its administration, faculty, student body, and other organized groups, policies, decisions, mission or physical conditions.
2. Faculty has the right to assemble, form picket lines and respect the picket lines formed by other, to the extent permitted by law.
3. Faculty has the responsibility to respect the rights of others, including the college (and the university), its administration, faculty, student body, and other organized groups in their right to speak freely on all subjects and to engage in organized activities which they have the right to engage in under the constitution of the United States, state and local law.

- F. Faculty has a right to engage in all activities in external arenas - whether personal, scholarly, civic or political. But faculty also has a responsibility to take into consideration the effects of their behavior on the college and university.

## **II. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO STUDENTS**

- A. Faculty has the responsibility to discharge their academic duties in an educationally sound and professionally competent manner consistent with the mission of the College.
- B. Individual faculty have the right and responsibility, consistent with curricular requirements of the program in question, to determine course content, course objectives and requirements, selection of instructional materials, modes of instruction, procedures for evaluating students, etc., for their own courses, and for communicating these in a clear and timely manner to students. Faculty will return papers in a timely fashion, and provide feedback to students about their performance.

Faculty has the responsibility to explain grading procedures. Faculty has the responsibility to assign grades in a fair and timely manner and to apply grading criteria (their own and College wide). Policies regarding withdrawals, incompletes, and credit/no credit should be explained.

- C. Faculty has the responsibility to be prepared for each class by keeping apprised of both current knowledge in their specializations and innovative teaching methodologies.
- D. Faculty's right of academic freedom shall not be abridged in any way whatsoever with respect to the context of course material, issues related to it, or other academic situations. Faculty have the responsibility not to impose their views with respect to issues on matters outside the content of the course. Faculty have the responsibility to disclose their own biases with respect to controversies within their field and to present various sides of these controversies fairly.
- E. Faculty has the responsibility to insure that the right of students to speak freely, express opinions, ask questions, engage in debate, within the context of the course and related matters, shall be safeguarded without prejudice by faculty. This is not inconsistent with the right of faculty to guide discussions and maintain overall course goals and maintain order and respect.
- F. Faculty should not seek, promote, or accept compromising or exploitative relationships with students (i.e. academic, sexual, business/financial or otherwise).
- G. Faculty has the responsibility to avoid arbitrary treatment of students, either by favoritism or discrimination by sex, gender identity, race, national origin, ethnicity, creed, age, sexual orientation, health status, physical characteristics, political belief, or disability.
- H. Faculty has the responsibility of discharging their scheduled academic duties, both inside and outside the classroom, in a punctual, and professional manner. Faculty must meet their classes, be on time, conduct class for the scheduled period, and should not conduct personal business during class time. Faculty must

not cancel class except under rare and exceptional circumstances (e.g. significant illness, an emergency, urgent college business or necessary professional activities). When known in advance, the faculty member should arrange for coverage of the class or appropriate learning activities.

- I. Faculty has the responsibility to post and maintain office hours with the reasonable needs of students in mind and to inform students of any changes in office hours, whether temporary or permanent.
- J. Faculty has the responsibility to be available for advising. Faculty has the responsibility to offer appropriate advising for students, even for students who haven't approached them. Faculty should not underestimate the importance of reaching out and mentoring students in an informal way. Faculty has the responsibility to advise students of their own best judgment. Faculty must be aware of program and college requirements and must communicate these to students in a comprehensive and lucid manner. Faculty has the right and responsibility to refer students elsewhere, when such counsel elsewhere would be more appropriate.
- K. Faculty may enlist students in the research process as data gatherers, analysts, co-researchers, or co-authors (in accord with the ethical guidelines outlined by the Human Subjects Committee, when appropriate). When faculty engage students in research in any capacity, faculty have the responsibility to avoid exploitation. This includes acknowledging students as co-authors, when appropriate. Faculty has the responsibility to include students' names on any subsequent publications or presentations regarding research in which the student was involved.
- L. Faculty has the responsibility to make appropriate accommodations in their teaching, advising, and other student-related activities for students with physical, sensory, emotional, or learning disabilities in accord with applicable legislation, regulations, and court decisions.

### **III. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO PROGRAMS**

- A. Faculty has both the right and the responsibility to participate in the work of the Program or Department. In particular:
  - 1. Faculty has full voting privileges, and the responsibility to use them, within committee of the Program or Department.
  - 2. Faculty has the right to abstain voting and to a secret ballot upon request.
- B. Faculty has the right and responsibility to attend all meetings of the Program or Department save under unusual and exceptional circumstances.
  - 1. Faculty has the right and the responsibility to attend all meetings of all committees or subcommittees of which the faculty is a member.
  - 2. Faculty has the right to participate in all meetings of which the faculty is a constituent, engage in

debate, pose questions, and put forth challenges without fear of harassment or threats of intimidation in any form or degree.

3. Faculty has the responsibility to respect the rights of others to engage in debate, pose questions, and put forth challenges, without fear of harassment, threat, or intimidation in any form or degree.

4. Faculty has the right to expect that Program or Department processes will be in accord with the Bylaws and that the processes of Programs and Departments will be democratic and respectful of all Program or Department members.

5. Faculty has the responsibility to respect the democratic decision-making processes of the Program or Department and to cooperate with Program or Department decisions made using these processes.

C. Faculty has the right and responsibility to participate in all Program or Department decisions regarding curriculum. In particular:

1. Faculty has the right and the responsibility to participate in all Program or Department-wide decisions regarding courses taught, allocation of assignments, teaching methodology, course schedules, and curricular content in accordance with the curricular need of the Program or Department, mission of the College, and approved procedures of the Faculty. This does not preclude the Program or Department (as a whole) from delegating specific programmatic authority to sub-committees or to relevant Program or Department members.

2. Faculty has the right to be kept informed of decisions in a timely manner and to be kept abreast of developments that affect the curriculum of the Program or Department. They have an obligation to implement Program or Department decisions for which they have responsibility in a timely manner.

3. Faculty has the right and the responsibility to participate in the Program or Department's personnel and resource decisions.

4. Faculty has the responsibility to discharge the duties and obligations of the Program or Department curriculum, including but not limited to: holding to class schedules, observing specified office hours, providing appropriate advisement to students, and maintaining reasonable records of student performance.

D. Faculty, in academic Programs or Departments, has the right to elect their convener or chair, according to the governance structure of the Program or Department, and the responsibility to serve when elected, unless cause can be shown for declining.

E. Faculty has the right to periodic Program or Department evaluation of their own teaching, college service, and professional activities, and the responsibility to review the activities of other members of their Program or Department, in accordance with the procedures established by the College and its Bylaws. In particular:



1. Faculty has the right to fair and equitable treatment in matters of reappointment, promotion, and tenure, in accordance with the procedures established by the College and its Bylaws.
  2. Faculty has the responsibility to help evaluate their peers, in a manner that is collegial, preserving of personal and professional confidentiality, and free from discrimination, harassment, threats or intimidation, and in accordance with the procedures established by the College and its Bylaws.
  3. Faculty has the responsibility to behave fairly and equitably during any evaluation of other faculty, both within the Program or Department and outside the Program or Department, and to observe procedures established by the Program, the Appointment, Reappointment, Tenure, and Promotion Committee, and other relevant bodies for handling such matters.
- F. Save in extraordinary and unusual circumstances, every Faculty member has the right to be affiliated with a Program or Department and to enjoy all rights and responsibilities of the members of that Program or Department.

#### **IV. FACULTY RIGHTS AND RESPONSIBILITIES WITH REGARD TO ADMINISTRATION**

- A. All faculty has the right to academic freedom in carrying out their College duties.
- B. Faculty has the right of "due process" in the procedures and decisions concerning hiring, reappointment, promotion, tenure, and termination, including termination for cause, as set forth in the Faculty Bylaws, the Policies of the Board of Trustees, and collective bargaining agreements between SUNY and the bargaining agent representing the faculty.
- C. Faculty has the right to seek redress of grievances through any of the several channels provided for this purpose, as outlined by the Board of Trustees of the State University of New York, the Faculty Bylaws of the College at Old Westbury, and the collective bargaining agent representing the faculty.
- D. Faculty has the right of membership in organizations of collective representation and participation in collective representation without prejudice.
- E. All faculty has right to assign honest grades and to make honest evaluations of student performance free from unwarranted administrative influence, fear of prejudicial judgment, or reprisal.
- F. Faculty has the right to further their professional aims through constructive self-development in research or other creative activities connected with their specialization and an academic responsibility to do so.
- G. Faculty has the right to be free from arbitrary reassignment with respect to their academic assignments and tasks, as long as there remains a demand for the competencies, expertise, and specialization for which they were hired.

H. Faculty has the right to work in an atmosphere free from fear or intimidation. This includes:

1. Faculty members have the right to carry out all of their college-related activities free from discrimination due to race, religion, ethnicity, national origin, sex, sexual orientation, or disability, and free from violations of their right to privacy.
  2. Faculty members shall have the right to refuse college-wide administrative assignments without fear of prejudicial judgment or reprisal.
  3. Faculty has the right to function free of fear of prejudicial judgment or reprisal as a consequence of activities conducted away from the College and not directly interfering with their carrying out their appropriate functions at the College.
- I. Faculty has the right to be consulted with respect to decisions impacting on their academic functions, in accordance with the policies of the Board of Trustees of the State University of New York, the Bylaws of the College at Old Westbury, and the agreements between the bargaining agent for the faculty and the College and University.
- J. Faculty has the right to be notified in timely fashion of administrative deadlines and administrative decisions affecting them (e.g., decisions with respect to sabbatical leave).

## **V. MEDIATION AND ARBITRATION PROCEDURES**

### **A. Organizational Structure**

1. The Committee on Faculty Rights and Responsibilities is established to provide Faculty, Students, Programs, and Administration a venue for resolution of issues, complaints, or grievances arising under the earlier sections of this Rights and Responsibilities document.
2. The Committee on Faculty Rights and Responsibilities shall consist of seven faculty members, elected by the faculty. After the first election following establishment of this Committee, those elected shall draw lots, to determine three of their number who will serve for one year; the remaining four will serve for two years. In all subsequent elections, members shall be elected to serve two-year terms. The Committee shall elect its own Chairperson.
3. Subcommittees, named Academic Grievance Committees, shall serve as binding arbitration panels for all student academic grievances brought to the Executive Committee of the Senate in accordance with the Academic Grievance Procedures for Students listed in the College Catalog.

### **B. Proceedings of the Committee: General Issue**

1. Proceedings of the Committee on Faculty Rights and Responsibilities are intended to be non-punitive.

2. The use of the procedures described herein does not preclude the simultaneous or subsequent use of other existing procedures for resolving grievances (e.g., union procedures). No faculty member shall be required to use this procedure in preference to other existing procedures. However, faculty members have a responsibility to respond collegially to requests from the Committee that they participate in mediation efforts undertaken by the Committee. *Faculty requesting mediation should be aware that union (UUP) grievance procedures have requirements as to the time frame within which complaints must be made. It is the responsibility of the individual faculty member requesting mediation to determine if their ability to act within the union time frames is potentially jeopardized by the time required for mediation efforts to be initiated and followed through to resolution under this Rights and Responsibilities mediation procedure, and if so, to make their own judgment as to how to proceed.*

3. (a) All proceedings of the Committee on Faculty Rights and Responsibilities are confidential. Submission of materials to the Committee does not imply any waiver of confidentiality or any authorization to the Committee to disclose these materials or their contents, unless explicitly so stated by the person submitting them, in writing. Any documents submitted to the Committee remain the property of the person submitting them.

(b) Except for Academic Grievance Committees, the Committee will keep no permanent records of its deliberations or of its detailed findings and will not retain any records or other documents submitted to it. It will make no substantive report discussing its deliberations or findings or any outcome of its deliberations, to any individuals or groups other than those involved in the dispute it is trying to mediate. It may, however, maintain Committee files indicating that a dispute has been brought to it under a specified section of this Rights and Responsibilities document; whom the parties to the dispute were; and that it has successfully mediated or is attempting to mediate or has unsuccessfully tried to mediate such a dispute.

4. In participating in the efforts of the Committee on Faculty Rights and Responsibilities, all parties agree that these proceedings are a good faith effort to resolve differences, and all parties agree to hold the Committee and its members harmless for any consequences of its deliberations.

#### C. Procedures of the Committee on Faculty Rights and Responsibilities

1. Any person or group having an issue, complaint, or grievance under this Rights and Responsibilities statement shall submit their request for mediation in writing to the chairperson of the Committee on Faculty Rights and Responsibilities.
2. Within two weeks of the submission of this petition, the Chairperson of the Committee shall convene a special session of the Committee to determine whether the matter falls within the Committee's jurisdiction. If requests for mediation are received during intersession or in the last two weeks of a semester, the special session shall be convened not later than the second week of the following semester (Fall or Spring term only).

3. At this stage, the Committee shall have the power to merge complaints, issues, or grievances, if, in its judgment, they are closely enough related to constitute or form a single issue. Timeliness is of importance in filing. The Committee shall have the prerogative to judge an issue as not being amenable to an equitable and just effort at mediation because of the unavailability of relevant information (e.g., because of the passage of time).
4. If the Committee judges that the matter falls within its jurisdiction and is timely, and if the originator of the petition for intervention wishes to proceed, all parties to the dispute shall be notified in writing within one week of the Committee's intention to proceed. Such notification shall specify a time, arranged through consultation with the involved parties for all parties involved to meet with the Committee for initial discussion with intent to resolve the issue(s) at hand.
5. After the initial meeting, the Committee shall, as it sees fit, initiate further information gathering and/or mediation sessions.
  - (a) When a dispute involves one or more persons who are not faculty members (e.g., students, staff), the Committee may, at its discretion, invite a person from the non-faculty group involved to take part in the work of the Committee with the respect to that particular dispute. In such a case, the ad hoc member shall be selected in consultation with the appropriate association or governing bodies representing that category of persons (e.g., the Student Government, the CSEA). The confidentiality and other provisions described above (in section V.B.3) shall apply to any such ad hoc member.
  - (b) Under normal circumstances, the Committee shall seek to bring the issue to a conclusion within one month of the initial special session of the Committee. At the conclusion of its information gathering, it shall meet (separately and/or together) with the principals to the dispute, one or more times as it shall be necessary and recommend resolutions to them.
6. After a dispute is resolved, or after such time as the panel shall determine that it is unlikely that a resolution will result from its intervention, unless both parties to the dispute agree, the Committees on Faculty Rights and Responsibilities shall not reconsider the dispute until at least one full calendar year has passed.

## **Section I: Faculty University Awards (FUAC)**

### **1. Membership**

- a. The Committee shall consist of 7 members, including a student representative. The Committee shall be composed of senior faculty including persons holding a Distinguished Service Professorship (DSP) or a Distinguished Teaching Professorship (DTP) and faculty at the rank of Professor or Associate Professor with significant years at the College. The student member shall be an upper division student preferably a senior. In compliance with university guidelines, one member must be the Old Westbury Faculty Senate Convener or his/her designee. In addition,

there shall be one member designated by the President to act in an ex officio capacity, in compliance with university guidelines.

The Faculty University Awards Committee membership will be modified, as stated in the SUNY Guidelines, for selection of candidates for Excellence in Librarianship and Excellence in Professional Service.

- b. Faculty representatives shall be elected by the Faculty from a slate prepared by the Nominations and Elections Committee and serve for a term of two years.

The student participant shall be selected by the student government, and he/she shall be approved by the committee membership according to the specifications in Appendix IV.

The Committee shall elect a Convener from the faculty membership. An Alternate Convener shall be elected for whenever the Convener is unable to preside over meetings.

## 2. Duties

The Committee shall evaluate candidates for the DSP, DTP, and Excellence in Teaching Awards, according to the guidelines in Appendix IV.

The Committee, as modified, shall evaluate candidates for the Excellence in Librarianship and Excellence in Professional Service awards according to the guidelines in Appendix IV.

## Section J: Library

1. The Library Committee shall consist of five members of the College Faculty and two students selected by the Student Government Association. To provide continuity from the first year of operation, three Faculty members shall be elected for terms of two years and two for one year. The Library Director shall serve as an ex officio member. The convener shall be elected from among the Faculty members of the Committee.

2. The Committee shall provide advice and counsel to the Library Director, specifically with respect to determining general policy on budget priorities for academic services. It shall also be responsible for encouraging liaison with programs, for informing the Faculty and students about developments in the Library and for communicating the needs and views of the Faculty and students to the Director.

3. The Committee shall give yearly status reports to the Faculty about problems, financial or others, pertaining to the Library.

## Section K: Nominations and Elections

### 1. Membership

- a. The Nominations and Elections Committee shall consist of five members of the voting faculty elected at large by the voting faculty.
- b. The members shall be elected for two-year terms with either two or three members elected each year.
- c. The Convener of the Committee shall be elected by the members of the Committee for a one-year term.

## 2. Duties

### a. Regular elections

- (1) The Committee shall prepare and mail to all voting faculty a list of continuing members and vacancies for standing Committees and at-large senators and a solicitation of nominations, not later than eight weeks before the end of the Spring semester.
- (2) The Committee shall solicit additional nominations, if necessary, in order to prepare a slate of candidates which is representative of the College's gender, ethnic and disciplinary diversity. Attention shall also be given to diversity of representation from different academic programs.
- (3) The Committee shall mail the slate to all voting faculty not later than one week prior to the Faculty Senate meeting at which additional nominations will be accepted from senators and from other voting faculty in attendance. This Faculty Senate meeting shall be held no later than four weeks before the end of the Spring semester.
- (4) The Committee shall mail the ballot to each voting faculty member within one week of the above-mentioned Faculty Senate meeting. Two weeks shall be allowed for return of ballots.
- (5) The Committee shall mail the election results to all voting faculty.

### b. Other duties

- (1) The Committee shall submit names to the Convener of the Faculty Senate to fill the unexpired term of any elected Committee member or at-large senator.
- (2) The Committee shall seek nominations for and conduct special elections.
- (3) The Committee shall conduct the election, by academic and professional employees, of the State University Faculty Senator and Alternate Senator.
- (4) When an elected slot becomes vacant after regular elections, the Committee may reach down into the pool of runners-up candidates as long as such candidates have received 30% or more of the faculty vote.

## **ARTICLE VII: ACADEMIC PROGRAM CONVENER/CHAIRS AND THE COUNCIL OF CONVENER/CHAIRS**

### **Section A: The Conveners/Chairs**

1. The curriculum of the College shall be organized into academic programs. These include: American Studies; Biological Sciences; Business and Management; Chemistry and Physics; Computer and Information Science; English Language Studies; Humanities and Languages; Library; Mathematics; Politics, Economics and Society; Psychology; Sociology; Teacher Education; Visual Arts. Academic programs may be increased or diminished by procedures defined in the Policies and/or Contract.

2. Each academic program shall elect a convener/chair from among the faculty of the program. The election of the convener/chair shall involve all program faculty with Academic rank or Qualified Academic rank. Election of conveners/chairs shall be conducted in April and monitored by the Faculty Committee on Nominations and Elections and the Office of Academic Affairs. Programs shall file in writing with the Office of Academic Affairs and the Committee on Nominations and Elections their election procedures prior to conducting such elections. Procedures must conform to accepted standards of academic practice, allowing the full participation of relevant parties in any procedure adopted by a program.

The designation of a convener/chair is subject to acceptance by the President upon the recommendation of the Academic Vice President.

3. Conveners/Chairs shall be elected for one or two year terms, beginning September 1 and ending August 31, and shall be released from one course of their teaching responsibilities during their terms in office.

Between April, when convener/chair-designates are elected, and September, when they assume office, the current convener/chair shall continue to be responsible for all functions but he or she shall brief the designate on all major issues and developments to ensure a smooth transition.

4. The conveners/chairs shall be the designated representatives of their programs who assume administrative responsibilities to focus and facilitate the work of the program. The conveners/chairs are therefore responsible, with the cooperation and support of members of their programs, for, among other duties:

- a. guiding program development and delegating responsibilities within programs to that end;
- b. assuring that courses offered by faculty satisfy student and program needs;
- c. assuring that courses proposed and taught within a program by faculty members from outside the programs have program approval before submission to the catalog or schedule;
- d. organizing program offerings and preparing them for the catalog;

- e. assuring that skills development also proceeds within their programs;
  - f. conducting internal evaluation of programs and preparing written reports that reflect faculty and student evaluations of program performance and development;
  - g. reporting program staffing needs as determined by the program to the Council of Conveners/Chairs, to the Vice President for Academic Affairs and to CAP;
  - h. submitting timely budget requests for personnel, supplies, equipment, temporary services, etc. to the Vice President for Academic Affairs and overseeing expenditures of program funds;
  - i. assuring that students in their program areas are advised about their options in the program, their progress toward degree requirements, and other matters of concern to students--in short, coordinating advising within the program;
  - j. insuring that programs adopt practical methods of advising applicants for admission to the College who need consultation about their study plans.
- 5. Each convener/chair shall also be a member of the Council of Conveners/Chairs and shall participate fully in the activities of the Council.
  - 6. In the performance of their functions, conveners/chairs shall be responsible to their respective programs, to the Office of Academic Affairs, and to the Council of Conveners/Chairs.
  - 7. Each convener/chair shall make an annual report to his or her program, to the Office of Academic Affairs, and to the Council of Conveners/Chairs. The section of the Year-End Report concerning curricular development and resource uses, such as new or terminated course offerings, degree requirements, use of teaching resources, and curriculum links with other programs/departments or other institutions shall be forwarded to CAP. [see Bylaws: Section D, CAP: 2,b,(2)]
  - 8. All recommendations by the conveners/chairs shall accurately reflect the views of their programs and, where specified by the Contract and/or the Policies of the Board of Trustees, will be advisory upon the Chief Administrative Officer.

## **Section B: The Council of Conveners/Chairs**

- 1. The Council shall consist of the academic program Conveners/Chairs, Director of the Library and the Academic Vice President, or his/her designee from the Office of Academic Affairs.
- 2. The Council shall have the right to meet, as deemed necessary, in executive sessions without the presence of Management Confidential personnel or their designees.
- 3. At the first meeting at the beginning of the Academic year the Council shall elect a Coordinator and



Alternate Coordinator. The Coordinator shall take responsibility for scheduling meetings, circulating agenda and minutes, and presiding over the meetings. The first meeting shall be scheduled at the last meeting of the previous academic year, and will be presided over by the outgoing Coordinator.

4. The Council shall meet regularly once a month, with further meetings to be called as needed and/or requested. Agenda items and/or requests for the Council to meet may come to the Coordinator from any Convener/Chair, the Academic Vice-President, Faculty Senate, or any official body of the Faculty.
5. The Council shall elect a representative to the Faculty Senate at the first meeting of the academic year. The representative to Senate shall be particularly sensitive to possible conflicts with governance, and alert the Council to appropriate action. He/she will act as liaison to Senate for the Council. He/she will be responsible for forwarding all substantive decisions of the Council to the Chair of Faculty Senate, who will, where necessary, forward them to the appropriate governance unit for further action. The Senate representative will also serve as liaison to such units, will monitor actions taken, and keep the Council informed.
6. The Council is responsible for monitoring the implementation of college policies as reflected in academic and administrative rules, regulations and practices, insofar as these have a direct bearing on the operation of academic programs. It is, however, not empowered to make decisions in areas that are appropriately the purview of other committees.

The Council is also responsible for providing impact statements to the Office of Academic Affairs concerning the possible effects of proposed new policies on the quality of education at Old Westbury (e.g. the academic calendar; major revisions of the class schedule etc.). Advance consultation with Council is crucial to the effective performance of this function by Conveners/Chairs. To facilitate adequate debate and discussion such consultation crucially depends on the provision of substantive information with timely notice by the Office of Academic Affairs.

## **ARTICLE VIII: CONDUCT OF BUSINESS**

1. Business of the Faculty, at the discretion of the Convener of the Faculty Senate and with the consent of the Senate, may be conducted by distribution of information and ballots through the mail, provided that all other requirements of these Bylaws are met.
2. All business of the Faculty, the Faculty Senate and Faculty Committees shall be conducted under Robert's Rules of Order Newly Revised, except where otherwise specified in these Bylaws.

## **ARTICLE IX: AMENDMENTS TO THE BYLAWS**

1. Proposals for changes or amendments to these Bylaws shall be made in writing to the Convener of the Faculty Senate who, with the advice and consent of the Senate, shall submit them to the voting Faculty

for a vote.

2. There must be a discussion of proposed changes or amendments at a Faculty meeting before a vote can be taken.
3. Notice of the time of voting on proposed changes and amendments to these Bylaws must be announced to, and the text of the proposals must be circulated among, the voting Faculty at least one week prior to the voting.
4. Voting on changes or amendments to these Bylaws shall be by mail ballot and shall be approved by two-thirds of those voting.
5. Each proposal shall state the time at which it is to take effect.
6. Where the Policies of the Board of Trustees require the approval of the President of the College (consultation issues, Article X, Section 5, Paragraph B of the Policies of the Board of Trustees) such approval shall be in writing and the proposed changes or amendments shall not take effect until that approval is received. This approval or lack thereof shall, in no way, affect the implementation of the rest of the Bylaws.

## **APPENDIX I: COLLEGE-WIDE COMMITTEES**

- Admissions
- College-wide Budget
- Facilities and Physical Resources
- Student Life

**Preamble:** From time to time the College has need for, and the President commissions, College-wide Committees for a variety of purposes. These have included the College Advisory Committee, the Budget Committee, the Affirmative Action Committee, the Admissions Committee, the Committee on Facilities and Physical Resources, the Advisory Committee on Salaries, the Advisory Committee on Grants and Development, and so forth. These were, and future Committees are to be, established in consultation with the Faculty through the Faculty Senate. Faculty members are asked to serve on these Committees for several purposes:

1. To provide the point of view of teacher-scholars;
2. To make known the concerns of the Faculty in these College-wide matters;
3. To keep the Faculty informed regarding College-wide issues and problems;
4. To share in the responsibilities of maintaining the College's well-being, and

5. To participate significantly in the development of College-wide positions and action plans before their implementation;

Faculty members who serve also have responsibilities to the Faculty at large. Representatives shall:

1. Represent Faculty interests on College-wide matters;
2. Solicit Faculty views and information pertaining to the substance of a Committee's work and
3. Keep the Faculty informed of the work and progress of a Committee by means of regular reporting through the Faculty Senate or otherwise.

Upon the initiation of a Committee, members shall be selected for the academic year, either by election by the Faculty Senate, by regular election by the Faculty, by self-appointment, or by presidential appointment. Selection will be guided by the College's affirmative action goals. (See Article VI, Preamble) When a Committee has a life expectancy beyond the academic year, and Faculty members are elected, elections shall be established in accordance with procedures established in these Bylaws for Standing Committees, wherein Faculty representatives shall have staggered terms of two years. The Nominations and Elections Committee shall draw up slates for such elections to the Faculty positions on such College-wide Committees.

Faculty members appointed or elected to these College-wide Committees shall be cognizant of the confidentiality of certain materials and the prudence and judgement required of their service.

## **Section A: Admissions**

### **1. Background**

Because the College has a particular commitment to the historically bypassed as well as a responsibility to serve the students of this region, and because there are few funds available to sustain programs designed to meet the needs of the historically bypassed, the demands placed upon the Admissions Office can only be served with the support and cooperation of the College community.

### **2. Charge**

To achieve the College's goals, the Admissions Committee must serve the following functions:

- a. formulate recommendations regarding recruitment goals for consideration by the Faculty, the Student Government Association and the President;
- b. discuss ongoing or upcoming problems with, and provide advice and counsel on admissions to, the Faculty, the Director of Admissions and the President, as well as to appropriate student organizations;

- c. participate in recruitment and encourage the entire Faculty and student body to do likewise;
- d. recommend and advise on criteria for admissions to the Faculty, the Student Government Association, the Director of Admissions and the President;
- e. develop procedures for admissions, including strategies for meeting Old Westbury's commitment to the historically bypassed;
- f. participate in making admissions selections and decisions, including screening candidates and serving as an appeals board to make exceptions to the criteria.
- g. monitor the implementation of the Admissions policies.

### 3. Membership

The Admissions Committee shall consist of three Faculty self-appointed from among the Faculty at large for staggered terms of two years; three students selected by the student body through appropriate means, and three administrators appointed by the President. (The administrative appointments shall be made to assure the representation of the principal areas germane to admissions: Student Development, Academic Affairs, Educational Opportunity Program, Financial Aid, Tutoring, etc.)

The Committee shall have an elected convener and secretary; the Director of Admissions or his/her designee shall serve as the Committee's primary staff liaison.

## **Section B: College-wide Budget and Planning Committee**

### 1. The Committee has two primary objectives:

- a. To make recommendations to the President on all major matters pertaining to budgetary policy, campus development and planning.
- b. To disseminate information across the campus related to budgeting, planning and campus development, as well as to solicit input and feedback from campus constituencies.

### 2. Membership

The Budget and Planning Committee shall consist of: six faculty members chosen by the President on the Faculty Senate's recommendation; the Chair of the Faculty Senate, ex officio; nine members of the administration chosen by the President; and one student member appointed by the Student Government Association. The President shall appoint the Chair of the Committee. The Committee shall recommend a Vice Chair to the President from among the faculty members if the chair is an administrator or from among the administrative members if the chair is faculty.

### 3. Charge

The Committee shall have the following responsibilities:

- a. To recommend priorities for the allocation of college-wide resources (within the framework of the New York State Budget Allocation Process for SUNY).
- b. To review and evaluate campus development planning and make recommendations on proper implementation.
- c. To undertake specific “ad hoc” assignments from the President through designated sub-committees (enlisting additional non-committee members as appropriate).

### 4. Procedures

The Budget and Planning Committee shall meet regularly and may call emergency meetings with the President’s approval when necessary. It may invite appropriate college personnel to attend its meetings to assist it in the proper completion of its responsibilities.

To this end, the Committee shall be provided with the appropriate fiscal information needed to develop recommendations.

The Chair of the Committee shall set the agenda for all meetings in consultation with the President and shall assume responsibility for disseminating information to the College community as well as to solicit appropriate input and feedback.

The Chair or the Vice Chair of the Committee shall report regularly to the Faculty Senate.

## **Section D: Student Life**

### 1. Membership

The Student Life Committee shall be composed of six faculty members, an equal number of students, and appropriate administrative personnel, e.g., the Vice President for Student Affairs, the Director of Student Activities, and the Director of Residential Life or their designees. The faculty members of the committee shall be elected by the faculty at large for staggered two-year terms. Student members shall be elected or appointed in accordance with student government practices. The administrative members shall be appointed by the Office of Student Affairs and serve as ex officio members without voting privileges.

### 2. Responsibilities

a. The major functions of the Student Life Committee shall include an ongoing review of facilities, activities, and resources available to enhance the quality of life for both residential and commuter students, an ongoing investigation of impediments and obstacles to an enhanced quality of life for students, and an exploration of and pursuit of the means to an enhanced quality of life for the students of the college.

b. The Student Life Committee shall make recommendations to the faculty for faculty action where appropriate, and recommendations to the Office of Student Affairs where appropriate.

c. The Student Life Committee shall report on its activities once a year to the Faculty Senate, the student government, and the Office of Student Affairs.

## **APPENDIX II: CRITERIA FOR REAPPOINTMENT, TENURE AND PROMOTION**

### **PREFACE**

The evaluation of academic employees for reappointment, promotion and tenure in Old Westbury is conducted at two levels: at the program level and the Appointment, Reappointment, Promotion and Tenure Committee.

This manual, an appendix to the bylaws, offers systematic approaches and forms which are to be followed by those involved in the evaluation process. Its goal is to provide the necessary information regarding evaluation in a single document.

The annual change in the membership of A.R.P.&T. and convenership of the programs has resulted in an unevenness in the quality of program and A.R.P.&T. evaluations. It is the responsibility of conveners and those academic staff involved in the process of evaluation to use this manual in order to attain consistency in the preparation of evaluation folders.

## **PART I**

### **EVALUATION CRITERIA**

#### **Section 1. Policies of the Board of Trustees**

The criteria for evaluation and promotion specified in Article XII of the Policies of the Board of Trustees are as follows:

#### **Promotion of Academic Employees**

Criteria: Recommendations of academic employees or their appropriate committees, or other appropriate sources may consider but shall not be limited to consideration of the following:

a) Mastery of subject matter--as demonstrated by such things as advanced degrees, licenses, honors, awards and reputation in the subject matter field.

b) Effectiveness in teaching--as demonstrated by such things as judgment of colleagues, development of teaching materials or new courses and student reaction, as determined from surveys, interviews and classroom observation.

- c) Scholarly ability--as demonstrated by such things as success in developing and carrying out significant research work in the subject matter field, contribution to the arts, publications and reputation among colleagues.
- d) Effectiveness of University service--as demonstrated by such things as college and University committee work, administrative work and work with students or community in addition to formal teaching-student relationships.
- e) Continuing growth--as demonstrated by such things as reading, research or other activities to keep abreast of current developments in his fields and being able to handle successfully increased responsibility.

#### Evaluation of Academic Employees

Criteria: In conducting evaluations pursuant to this Title, the chief administrative officer of the college concerned, or his designee, may consider, but shall not be limited to consideration of, the following:

- a) Mastery of subject matter--as demonstrated by such things as advanced degrees, licenses, honors, awards and reputation in the subject matter field.
- b) Effectiveness in teaching--as demonstrated by such things as judgment of colleagues, development of teaching materials or new courses and student reaction, as determined from surveys, interviews and classroom observation.
- c) Scholarly ability--as demonstrated by such things as success in developing and carrying out significant research work in the subject matter field, contribution to the arts, publications and reputation among colleagues.
- d) Effectiveness of University service--as demonstrated by such things as college and University committee work, administrative work and work with students or community in addition to formal teacher-student relationships.
- e) Continuing growth--as demonstrated by such things as reading research or other activities to keep abreast of current developments in his field and being able to handle successfully increased responsibility.

#### Section 2. Criteria for Reappointment and Tenure

Preamble: Candidates for reappointment and tenure shall be evaluated according to the following criteria, interpreted in terms of the college's commitment to an equitable environment based upon specific affirmative action goals (see Article VI Preamble).

##### Reappointment:

Faculty shall demonstrate continued growth and development as measured by the specifications cited in

each of the following areas:

1. Teaching ability and especially the capacity to work with the kinds of students toward whom Old Westbury is oriented.

Specifications:

- a) Responsiveness to the distinctive and varied needs of our students through feedback, conferences, advisement, etc.
- b) Demonstrated knowledge of the subject-matter field(s).
- c) Effectiveness in carrying out teaching objectives.
- d) Effectiveness in evaluating students' work.
- e) Ability to respond positively to criticism.
- f) Articulate and stimulating presentation of material.
- g) Successful experimentation with varied approaches to teaching.
- h) Demonstrated capacity to inspire students.

NOTE: Evidence of teaching performance to be based on

- i) student evaluations (anonymous class questionnaires);
- ii) self-evaluations;
- iii) program related evaluations (curriculum development and course content).

## 2. College Service

Specifications: Faculty shall be actively involved at both the program and college-wide levels. Such service includes, but is not restricted to:

- a) Academic advisement
- b) Curriculum planning and development
- c) Search and Reappointment personnel committees
- d) Faculty and college-wide committees
- e) Special Task Forces



- f) Extra-curricular programming for students
- g) Representing the College in community, regional or broader contexts

NOTE: Evidence of College service to be based on

- i) Routine assessments of active committee service in accordance with agreed practice; ii) Routine records of relevant committee work through minutes of committee meetings and the Annual Report from committees to the Faculty Council and faculty; iii) Self-evaluation; iv) Evaluation letters from peers who have worked with the faculty member, solicited by the relevant review committee.

### 3. Professional Activity

Specifications: Faculty shall be actively involved in refreshing, updating, and generally enhancing their own intellectual capacities for self-improvement and to support the development of undergraduate instruction both in improving students' scholarly capacities and experience and in preparing them for future careers. The College recognizes that its commitment to human justice and social change extends across all aspects of a faculty member's professional life, both in and outside of the College. Faculty shall therefore be prepared to show evidence of activity outside the college that contributes to their professional development and performance at the college. Such activities may include, but are not restricted to:

- a) Work in the community that draws upon and furthers one's professional training, interests and skills.
- b) Creative work or scholarly research.
- c) Conferences, institutes, courses, etc.
- d) Exhibits, performances or publications.
- e) Program and course development under grants, etc.
- f) Active participation in professional societies.

NOTE: Evidence of Professional Activity and Community Service to be based on

- i) documented evidence of external recognition of the product achieved (e.g. letters from relevant specialty audiences assessing written work/creative performance); ii) letters from relevant community members actively working with the faculty member; iii) examples of publications.

It is the responsibility of the faculty member to a) clarify which of the criteria are being used in her/his assessment; b) provide the review committee with references from whom the necessary documentation of outside recognition can be obtained, and c) provide copies of written work or other relevant products

for inclusion in this file.

Tenure: Tenure is seen not as a right conferred simply by a candidate's continued presence at the College, but as a college commitment earned by the candidate's high level of performance in teaching, scholarly inquiry, and service. A tenured appointment carries with it the expectation of continued growth and performance at least at the level of competence and commitment demonstrated by a candidate prior to the tenure decision. Where questions about high level of performance or its continuation exists a candidate should not be granted tenure.

The tenure clock may be stopped in extreme circumstances. A faculty member who thinks that he/she has a legitimate reason for requesting postponement of review for tenure must apply to his/her Program for a leave from the tenure track and a temporary stoppage of the tenure clock by means of a one-year reappointment in the title of lecturer. If the Program approves, believing that the leave may bring his/her status to tenure level, and it is not violative of the collective bargaining agreement, a request to stop the clock for one year with the corresponding justification will be submitted to the ARPT Committee. The ARPT Committee will review the case and make the appropriate recommendation to the Vice President for Academic Affairs and also transmit the recommendation to the Program. The above process may be repeated if the Program votes to do so, on a yearly basis.

### Criteria for Promotion

#### Promotion from Instructor to Assistant Professor:

Faculty appointed at the Instructor level will receive automatic promotion to Assistant Professor on final certification of the terminal degree or equivalent.

NOTE: Equivalence to the terminal degree shall be judged in accord with standardized guidelines established by the College. Faculty may petition for promotion where they can demonstrate such equivalence.

#### Promotion from Assistant to Associate Professor<sup>1</sup>

Faculty with the rank of Assistant Professor are eligible for promotion to the rank of Associate when they have reached the standard of five years of full-time teaching (including teaching prior to appointment at the college) and made substantial achievements in the following areas, according to the

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<sup>1</sup> It is understood that where faculty were appointed at the Assistant Professor rank without the terminal degree at a time when the college did not use the Instructor rank and where they have subsequently been tenured as Assistant Professors pending the terminal degree, such faculty will be considered for promotion on completion of the degree.

Bylaws criteria:

- i) Teaching excellence
- ii) Leadership or special responsibility taken in at least one area of college service and one area of program service, within the general criteria of College Service.
- iii) Continued development beyond the level established for promotion (or appointment) to Assistant Professor rank, in at least two areas within the general criteria for Professional Activity and Community Service.

#### Promotion from Associate to Full Professor

Promotion may occur either simultaneously with tenure or subsequently.  
It may not occur prior to tenure.

Promotion of tenured faculty to Full Professor shall be based on continued achievements in the following areas, according to the Bylaws criteria:

- i) Teaching must be demonstrated to have been maintained at least at the standard of excellence achieved and required for tenure.
- ii) College service shall reflect continued involvement in program and College activities, and in particular, the record should demonstrate active leadership responsibility within the College.
- iii) Professional activity and community service are seen as particularly important criteria for promotion to Full Professor. Such promotion shall be given where the faculty members can be demonstrated to have developed significantly beyond the level established for promotion (or appointment) to Associate Professor.

#### NOTES:

1. Faculty activity over time at the College must demonstrate continued excellence in teaching. However, while in order to be promoted faculty must have an overall record that demonstrates continued high performance in College Service, Professional Activity and Community Service, it is recognized that faculty may not devote themselves equally to activity in each category every year.
2. It is understood that absence of the terminal degree for those faculty who came to the College under criteria that deemphasized degree status should not be a bar to promotion at any level. For these faculty, appropriate significant development in the three areas, as specified for each level, will make them eligible for promotion.
3. When a reappointment is considered within a Program, the candidate has the right to request the ARPT Committee to appoint an outside member to join the Program's evaluation committee. The choice of the outside member should meet the approval of the candidate before serving and

may be the source of a "minority opinion" in the file. The candidate has the right to include a response in the file before it is forwarded to the ARPT Committee.

4. When a promotion or the granting of tenure is considered within a Program, the candidate has the right to request the ARPT Committee to form an evaluation committee with the inclusion of one representative selected by the Program. This committee shall be composed of three to five members, to be appointed by ARPT, and shall put the file together and to all effects act as a program evaluation committee. The Program may submit its own majority opinion to the ARPT Committee. The candidate has the right to include a response in the file to all the material pertaining to his/her case before it is forwarded to the ARPT Committee. Until the ARPT Committee submits the file to the Academic Vice President, the file is to be kept in the Faculty Senate Office, where all inspections have to take place.(Faculty Bylaws, pp. 44-45)

## PART II

### PREPARATION OF EVALUATION FILES BY THE CANDIDATES AND THEIR PROGRAMS

#### Section 1. PROCEDURES FOR PROGRAM EVALUATION OF FACULTY:

I. Each program will set up evaluation committee(s) of at least three members. In small programs, the entire program minus the candidate being evaluated, may have to serve in this capacity.

II. The evaluation committee will be responsible for (a) collecting the information listed in Section 2 (The Preparation of Files); (b) evaluating the materials collected (in addition to those already mentioned, the committee shall also review course outlines, statements of course objectives, syllabi, text and reference lists, which will permit an assessment of the quality of teaching materials; copies of examination papers may also be useful to get a sense of what is expected of students given the level of the course); (c) discussing its findings with the candidate and eliciting any additional relevant data from him/her prior to submitting a written report to the Program, a copy of which will be given to the candidate.

III. The program will formally discuss the report of the evaluation committee as soon as possible after the report has been received.

At least a week shall have elapsed between the receipt of the report and the Program meeting at which the discussion will take place. In the event that a candidate disagrees with the Evaluation Committee's report, or wishes to amplify it, he/she will use this time to prepare a written response which will form part of the Program's deliberations and which will be included in the package of materials submitted to the A.R.P.T.

IV. A program vote or consensus must be taken and duly noted in the recommendation which is submitted to the A.R.P.T.

V. After the program vote, if any program faculty member wishes to file a minority report, it must be included in the file to be forwarded to the A.R.P.T. Committee. A copy must be given to the candidate simultaneously with its placement within the file. If the candidate wishes to respond to the minority report, the candidate will have five working days to include a response in the file. Any minority reports and candidate responses must be acknowledged in the program's transmittal letter.

VI. "The Evaluation File and Transmittal Letter Sign-Off Sheet" (See Appendix A) must be included as the first page of the file.

VII. Conveners or another program representative will be scheduled to come to the A.R.P.T. to present oral summaries of the process followed by their programs and to answer questions that members may have on either process or materials.

VIII. Conveners and candidates will be notified of the A.R.P.T.'s recommendation to the Administration.

## Section 2. PREPARATION OF FILES

- I. The file shall be subdivided into the following:
  1. Evaluation File and Transmittal Letter Sign-Off Sheet (Appendix A)
  2. Program evaluation (including minority reports)
  3. Self evaluation
  4. Current curriculum vitae
  5. Peer evaluations
  6. Student evaluations
  7. Syllabi and examinations
  8. Publications (including exhibition notices, copies of publications, etc.)
  9. External letters of recommendation for tenure cases (mandatory).
  10. Previous program recommendations

Each subfile shall be separated by a title sheet.

- II. A comprehensive list of the enclosures, including page numbers, etc., shall be provided in the beginning of the file (See Section 13).
- III. A statement of "Program Evaluation Process" shall be provided. (This statement of procedures and criteria shall be consistent with those on file with A.R.P.T. in the Faculty Senate Office.)

NOTE: Each program is responsible for keeping an up-to-date and comprehensive file for each program member. This file will include all the evaluation records and all communications that the program has received regarding the candidate.

## Section 3. FORMAT FOR PROGRAM EVALUATION: PROCEDURE STATEMENT

The program will specifically address the following questions:

1. Confirm that an evaluation committee was set up.
2. When was the evaluation committee set up?
3. Who were the members of the evaluation committee?
4. Was a written report prepared by the evaluation committee?
5. Was the written report discussed with the candidate prior to submission to the program? At what date?
6. Date of submission of the written report.
7. Date of formal discussion by the program (must be at least one week from the receipt of the report).
8. Is there a written response to the program report?
9. Are there written minority reports?
10. What was the method of voting: open or secret?

11. Who was eligible to vote? Does the program permit proxy or absentee ballots?
12. When was the vote taken?
13. What was the result of the vote? All program members must be accounted for in the vote. Indicate the number of votes in favor, opposed, abstentions and those not present.

#### Section 4. FORMAT FOR PROGRAM EVALUATION REPORT

In order to facilitate the evaluation process and to ensure the uniformity and completeness of the documentation, the following format is to be used for preparing the program recommendation:

##### I. Analysis of Student Evaluations and Classroom Observations

1. Chronological Summary: This includes the evaluation scores for all the courses the instructor has taught.
2. Frequency distribution of the responses to those questions which the program considers of particular significance.
3. Considering the comments and scores, what are the strength and weakness areas?
4. Does the program supplement the student evaluations with classroom observations? If yes, provide a synopsis of such observations and attach the observations.
5. Is there other informally collected information that the program has utilized in the evaluation of teaching? If yes, please give details.
6. Considering the above information, do the student or classroom observations fairly represent the instructor's strengths and weaknesses? If not, explain the reasons.
7. A statement regarding assistance the program has given to the instructor for improving her or his performance. Also, a planned course of assistance in locating the necessary development areas and finding means for achieving such growth.

##### II. Analysis of Professional Activity

1. A statement of program expectations in the course of service, and the degree to which such expectations are fulfilled. The following questions in particular shall be answered:

Was attainment of a terminal degree expected from the instructor?

Were any schedules or deadlines set?

If no terminal degree is required, what are the areas of professional development?

Do the program expectations vary from that of the instructor--and why?

2. Statement of the program expectations regarding the instructor's professional activities. The statement shall include an explanation of how the program plans to assist the instructor in attaining agreed upon goals.
3. Analysis of the significance of publications, performances, etc.
4. Analysis of relevant community service as related to the candidate's professional interests.
5. Types of outside documentation given for each activity listed as to the quality of the activity.

### III. Analysis of College Service and Outside Community Service

1. List of committees on which the individual has been active.
2. Major contributions that the individual has made to these committees.
3. List of other college activities and an analysis of their contribution to the College at Old Westbury.
4. What documentation does the program have in support of the contributions made by the candidate?

NOTE: This could be coming solely from the candidate's self-evaluation or from some colleagues who may have been aware of the candidate's ideas previous to their being accepted.

### IV. Analysis of Contribution to the Program

1. Development of the curriculum:

Assisting the curricular structure development. Give specifics  
Assisting the development of concentration areas. Give specifics  
Initiating innovative courses and teaching methods. Give specifics



2. Program administration:

- Assistance in advisement
- Assistance in preparing course schedules
- Assistance in organizing student clubs, etc.
- Assistance in recruitment: searches, evaluation teams, etc.

3. Service to peers:

- Providing helpful suggestions on their teaching
- Providing intellectual stimulus and helping their professional development.
- Sharing ideas and acting as a leader in clarifying goals and infusing energy and enthusiasm.
- Responding positively to criticism and showing independence.

NOTE: The program shall specifically address how it plans to assist the integration of the individual to the program and what measures are taken to encourage independence and critical approaches.

## Section 5. FORMAT FOR SELF EVALUATION

The purpose of self evaluation is twofold: first, it serves as an instrument for specifying one's plans regarding the contribution to the College, and second, it is a means of informing the program and the College about the actual contributions made. A useful self evaluation shall address all the assessment categories since the beginning of the appointment to the College. The following format shall be used:

### I. Teaching

1. Student Evaluations:

Do the student scores and comments reflect an accurate analysis of the teaching?

If these comments and scores are not to be taken as basis for the evaluation of teaching, what are the reasons?

2. Self assessment:

What are the plans regarding improvement in teaching?

In what ways will the candidate address the questions which are raised by the students regarding teaching? Has the candidate already taken measures in this regard?

### II. Service to the College

1. List of formal services:  
Indicate the nature of the contribution in each formal situation to the College and to the program
2. List of informal services:  
Student advisement and counseling, tutoring.  
Other contributions
3. Plans regarding future contributions
4. If committees or task forces, etc., have produced work which have incorporated the candidate's ideas and/or efforts, mention it in this section. Peers should also mention specific contributions in their letters of support which will be placed in the program file.
5. The candidate's work as an external representative of the College is to be set forth in this section.

### **III. Professional Activity**

1. Define the area of professional development.
2. Does the candidate's definition agree with the program's?
3. What are the candidate's progress plans? Do these plans agree with the recommendations of the program? If not, explain the reasons.
4. Professional accomplishments:  
Conferences attended  
Papers delivered (submit copies or relevant documents)  
Panel participation (submit supporting documents)  
Speaking engagements elsewhere (submit documents)  
Books, monographs, articles, pamphlets (submit copies)  
Performances, exhibitions, etc. (submit supporting documents)  
Services to the outside community (submit documents)

NOTE: The titles, dates, publishers, places, co-authorship and other relevant information shall be presented according to the generally accepted rules of reference.

### **IV. Response to Program Evaluation**

Under the Faculty By-Laws, the faculty member has five days from the date of program decision regarding her or his reappointment, promotion or tenure to make a written response if she or he may so desire.

## Section 6. CURRENT CURRICULUM VITAE

## Section 7. PEER EVALUATION SUBFILE

This subfile will include letters attesting to the candidate's teaching, service or professional development and scholarship, as well as any classroom evaluation reports written by peers, if used by the program.

In the case of reappointments, internal letters from peers are mandatory while external letters are optional. In promotion and tenure cases, both internal and external letters are mandatory. For external letters information, see Section 11 below.

Recommendation letters shall be submitted in chronological order, starting with the most recent.

## Section 8. STUDENT EVALUATION SUBFILE

This subfile will include the following:

1. List of courses and dates of offering those courses.
2. Score sheets and student comments for the duration of the instructor's service to the college. These will be attached in chronological order, starting with the most recent.

## Section 9. SYLLABI AND EXAMINATIONS SUBFILE

This subfile includes all the syllabi for the courses that the instructor has taught.

It shall also include any additional materials that the teacher uses, such as, copies of examinations, guidelines for the preparation of papers, classroom discussion sheets, and any other materials which document interest, motivation, and performance.

## Section 10. PUBLICATION SUBFILE

This subfile will include the following:

1. Copies of publications
2. Documents regarding exhibitions, performances, etc.

## Section 11. EXTERNAL LETTERS OF RECOMMENDATION FOR TENURE CASES SUBFILE

This subfile contains letters from individuals verifying the candidate's teaching excellence, community service, or professional development and scholarship. Although it is assumed such letters will be laudatory, it is imperative that the writers be specific in their recommendation. Examples, including dates and location of observation, must be part of their letter.

These letters shall be submitted in chronological order, starting with the most recent.

## Section 12. PREVIOUS PROGRAM RECOMMENDATIONS SUBFILE

All previous program recommendations, except in the case of the first reappointment, shall be included. These recommendations shall be submitted in chronological order, starting with the most recent.

## Section 13. FORMAT FOR LISTING CONTENTS OF EVALUATION FOLDER

NOTE: In order to guarantee that Article 31 of the Agreement between the State of New York and UUP is not violated and the professional staff has examined all the content of the file, it is necessary to list the content with corresponding pagination;

	Pages	
1.	Program Evaluation Procedures Statement	.....
2.	Program Evaluation and Recommendation	.....
3.	Self Evaluation	.....
4.	Current Curriculum Vitae	.....
5.	Peer Evaluation	.....
6.	Student Evaluation	.....
7.	Syllabi and Examinations	.....
8.	Publications	.....
9.	External Letters (Mandatory for Tenure)	.....
10.	Previous Program Recommendations	.....
11.	Documentation of Program/College/Community Service	.....
12.	Other External Documentation	.....

Program Convener, or Chair or Representative      Instructor

Signature \_\_\_\_\_      Signature \_\_\_\_\_

Date \_\_\_\_\_      Date \_\_\_\_\_

## Section 14. PREPARATION OF TENURE FILES

Tenure files shall, of course, meet the demands of the Bylaws and be prepared to address each criterion of assessment. As much information as possible shall be included in the file. It is useful to create separate subfiles with summaries for each section, as well as an overall assessment and recommendation.

### I. Self-Evaluation:

A useful self-evaluation should present a) the individual's history and relationship to the program and to the College--prior experience and the process by which she/he came to the College; b) a careful evaluation of the

person's experiences in the College since beginning her/his appointment. Specifically, each assessment criterion shall be dealt with in terms of strengths, contributions and areas that the person plans to develop in the future, and how.

i. Teaching:

A self-evaluation of experiences, changes and progress in teaching, with illustrative examples of experimental or innovative changes made; strengths and weaknesses; plans for further development.

ii. Service: The individual shall indicate both the kinds of service given, on an informal and formal basis, in committees and subcommittees; in meeting the needs and demands of program and College work. Where does the person see her/his greatest contributions? Where does the individual plan to exercise leadership in the future? Where relevant, the individual should make a case for the relevance of any community service work to her/his overall work as Old Westbury faculty.

iii. Professional Development: The individual shall explain how she/he defines this area for her/himself; what she/he sees as appropriate criteria for her/him (within overall guidelines, of course), and how she/he evaluates their own work. What has she/he done? What are her/his plans for the future? What does she/he expect to accomplish, e.g. in the next five years? How does she/he see their own scholarly development progressing--however she/he defines it?

II. Letters of Recommendation:

The gathering of letters of recommendation both inside and outside the campus community normally constitutes the most time-consuming and the most demanding aspect of the evaluative process.

IT IS IMPORTANT THAT THE CANDIDATE BEGIN TO SOLICIT LETTERS AS SOON AS THE EVALUATION COMMITTEE IS FORMED, ESPECIALLY FROM EXTERNAL SOURCES. BEGINNING THE PROCESS EARLY WILL GIVE THE EVALUATION COMMITTEE TIME TO SEND SECOND LETTERS OF REQUEST, REMINDERS, ETC. IT IS SUGGESTED THAT THE CANDIDATE GIVE THE WRITERS SOME DEADLINE FOR THE RETURN OF THE RECOMMENDATION.

II. Program Recommendation:

This shall state the procedures used in arriving at the decision: a statement of the program recommendation, the vote, and careful documentation of the strengths and weaknesses in each of the areas of assessment. A program recommendation, especially for promotion and tenure and/or tenure shall be an extensive document that really informs the reader as to nature, reasons, and process by which a program arrives at the recommendations. This means it shall be clear why in assessing the material in the file, the program arrived at its conclusions.

The complete file will, of course, contain the materials previously referred to--complete course and student assessments; syllabi; examples of examinations or relevant equivalents; letters from committees and other college and program service work--which should indicate the specific contributions of the person rather than simply a "nice person" assessment. Any reports, or documented activities, shall be

included. Reprints or copies of papers, books, articles, works of art or whatever is appropriate shall be collected in the subfile on scholarship and professional development.

The material will be presented in clearly labeled sub-categories: (eg. summary and program recommendation; self evaluation; peer evaluations; student and course evaluations; scholarly and professional activity).

## Section 15. ACCESS TO THE PERSONNEL FILES

The rules regarding maintenance and access to the files is stated in Section 31 of the agreement between UUP and the State of New York:

31.1 Each College shall maintain, for official University purposes, an official personnel file for each employee who is subject to this agreement. Such file shall contain copies of personnel transactions, official correspondence with the employee and formal, written evaluation reports prepared in accordance with provisions of Article XII, Title A, Section 3 and Article XII, Title C, Section 4 of the Policies and such other written evaluations or recommendations as may be prepared by an immediate supervisor, Department Chairman, Dean, Vice President, or other persons serving in a supervisory capacity in a direct line, as appropriate, in connection with matters of appointment, evaluation, reappointment or promotion. All such materials shall be available to the employee for his/her review and response. In no event shall statements which are both unsolicited and unsigned be placed in the official personnel file.

31.2 An employee shall have the right to examine his/her personnel file during normal business hours. Statements solicited in connection with his/her appointment, evaluation, reappointment, or promotion, with the exception of the written evaluations or recommendations referred to in Section 31.1 above, shall not be available to that employee.

31.3 A designated member of UUP, having written authorization from the employee concerned, and in the presence of a representative of the University, may examine the official personnel file of the employee, except for the limitation provided above, if the examination relates to a filed grievance, a grievance in preparation, or written notice of discipline served upon the employee by the University.

31.4 Copies of materials in an employee's official personnel file to which he/she is permitted access pursuant to provisions of this Article shall be made available to the employee upon his/her request and at his/her expense, and he/she may file a statement in response to any such item.

31.5 Unless prohibited by law, an employee shall be notified of any request for access to his/her official file other than related to official University purposes.

31.6a Where, in connection with consideration of an academic employee for appointment, reappointment or promotion, a file of evaluative material is developed by a committee or committees of academic employees which may exist to evaluate and make recommendations with respect to appointment, reappointment or promotion of an academic employee, and where such file is submitted to the College President for his consideration, the academic employee to whom the file pertains shall have

the right to examine such file and file a statement in response to any item contained therein; provided, however, statements solicited in connection with his/her appointment, reappointment or promotion and any documents which would identify the source of the statements shall not be available to him/her.

b. Examination of the file and response to material contained therein to which the employee has access pursuant to this Section shall take place after the file has been submitted to the College President but prior to his consideration of its content. The College President, or his designee, shall notify the employee when the file is available for examination. The employee may then arrange with the College President, or his designee to examine the file.

c. Nothing contained herein shall prevent the College President from taking such action as he may deem necessary to meet notice requirements in the event of non-renewal of term appointments.

31.7 This Article shall be effective immediately except for those provisions authorizing employee review of written evaluations and recommendations other than the formal, written evaluation reports referred to in Section 31.1 and review of the evaluative file referred to in Section 31.6 which shall be effective 90 days after execution of this Agreement.

### Section 3. FORMS FOR THE USE OF A.R.P.T.

Each A.R.P.T. member will be provided with a discussion guide form. (See Appendix B) The purpose of the guide shall be explained by the convener in the first meeting of the committee. The A.R.P.T. Log is also contained in Appendix B. This will provide an efficient reference for the convener.

### Section 4. FORMAT FOR THE RECOMMENDATION LETTER

Name of candidate:

- Dates:
1. Date and name of program representative who presented the case.
  2. Date of the discussion session and names of participants.
  3. Date and names of those who voted and those who were absent.
  4. List of materials which were considered in the evaluation.

It is important to note that the task of A.R.P.T. is essentially a meta-evaluation of the self evaluation, peer evaluation, student evaluation and program evaluation. Therefore, each section of the letter shall be devoted to the evaluation of the findings of the previous level.

#### I. Teaching Effectiveness:

1. Evaluation of student scores and comments in conjunction with the program and the instructor's comments in this regard.
2. Evaluation of peer reviews and classroom observations, if applicable.
3. Evaluation of the instructor's plans and self assessment.
4. Brief comment on effectiveness and A.R.P.T. recommendations regarding development.

#### II. Professional Activity:

1. Evaluation of the self assessment, particularly with respect to the realism of the plans and the degree to which goals previously established are attained.
2. Evaluation of the program assessment and comparison of that.
3. Brief comment on the professional activity and recommendations to the individual and the program.

#### III. Service to the Program:

1. Evaluation of self assessment regarding goals and accomplishment.
2. Evaluation of program assessment
3. Brief comments and recommendations



IV. Service to the College and Community:

1. Evaluation of self assessment
2. Evaluation of peer and program assessment
3. Brief comments and recommendations

V. Recommendation:

The recommendation shall be approved by the A.R.P.T. Committee before transmittal.

NOTE: To buttress the veracity of the transmittal letter, it should contain as many direct quotes culled from the various documents of evaluation as are representative of the ideas expressed therein.

## PART IV

### POLICIES REGARDING APPOINTMENT, REAPPOINTMENT, PROMOTION AND TENURE

The processes of evaluation, reappointment and promotion are governed by the Policies of the SUNY Board of Trustees and Article 30 of the Agreement between the UUP and the State of New York. The Article states:

#### 30.1 Appointments

- a. Appointments of employees shall be made in accordance with Article XI of the Policies.

#### 30.2 Evaluation and Promotion

a. Evaluation and promotion of employees shall be made in accordance with Article XII of the Policies. Subject to provisions of this Agreement, the systems for evaluation and promotion of professional employees shall be as specified in the memoranda of understanding between the University and the Senate Professional Association (Predecessor in interest to UUP) relating to systems of evaluation and promotion of professional employees, dated May 4, 1972; provided, however, that Sections VII and IX of the memorandum of understanding relating to evaluation of professional employees and Section V of the memorandum of understanding relating to promotion of professional employees shall not be continued. Such memoranda of understanding shall be statements of mutual intentions and shall not constitute agreements under Article 14 of the Civil Service Law or for any other purpose.

30.3 The procedural steps of the Policies involving matters of appointment, evaluation or promotion of employees shall be subject to review in accordance with Article 7. Grievance Procedure.

#### Section 1. Reappointment, Evaluation and Promotion and Academic Freedom and Non-Discrimination

Article 9 safeguards academic freedom while Article 10 prohibits discrimination.

##### Article 9: Academic Freedom:

9.1 It is the policy of the University to maintain and encourage full freedom, within the law, of inquiry, teaching and research. In the exercise of this freedom, a faculty member may, without limitation, discuss his own subject in the classroom; he may not, however, claim as his right the privilege of discussing in his classroom controversial matter which has no relation to his subject.

9.2 The principle of academic freedom shall be accompanied by a corresponding principle of responsibility.

9.3 In his role as a citizen, an employee has the same freedoms as other citizens. However, in his extramural utterances, an employee has an obligation to indicate that he is not an institutional spokesman.

##### Article 10: No Discrimination:

10.1 The State agrees to continue its established policy prohibiting all forms of illegal discrimination, including but not limited to discrimination with regard to race, creed, color, religion, national origin, sex or age.

10.2 UUP agrees to continue its established policy prohibiting all forms of illegal discrimination, including but not limited to discrimination with regard to race, creed, color, religion, national origin, sex or age.

10.3 Neither the State nor UUP shall deliberately discriminate against an employee as a result of the proper exercise of his rights guaranteed by the Public Employees' Fair Employment Act.

10.4 Claims of illegal discrimination under Sections 10.1 and 10.2 shall, at the election of the employee, be subject to review, in accordance with State and Federal procedures, established for such purpose, as well as such internal University review procedures as may be established, but shall not be subject to review under provision of Article 7, Grievance Procedure, of this agreement. Use of internal University procedures shall not deny an individual access to State and Federal procedures referred to herein.

10.5 Claims of illegal discrimination under Section 10.3 shall be subject to review under either provisions of Article 7, Grievance Procedure, of this Agreement, or provisions of the Public Employees' Fair Employment Act at the election of the employee, but in no event shall the employee be permitted to elect review in both forums.

## Section 2. Requirement of Consultation

The Board of Trustees in its policies requires the President to seek advise of appropriate bodies in making recommendations for reappointment and promotion to the Chancellor. These policies are also a part of the agreement between UUP and SUNY.

Article 7, Section 2 of the agreement states:

a. A grievance is a dispute concerning the interpretation, application or claimed violation of a specific term of provision of this agreement; provided, however, that with respect to matters involving appointment, evaluation and promotion of employees, a grievance shall be deemed to mean a claimed failure by the state to follow the procedural steps relating to appointment, evaluation and promotion of employees contained in the policies of the Board of Trustees in the Article XI, Title A, 1: Article XI, Title D, 5; Article XII, Title A, 3; Article XII, Title B, 1; and Article XII, Title C, 3 and 4.

Article XI of the Policies of the Board of Trustees on the Appointment of Professional Staff states:

1. Procedure. The chief administrative officer of a college, after seeking consultation with academic or professional employees, may appoint, reappoint or recommend to the Chancellor for appointment or reappointment, as may be appropriate to the nature of appointment provided herein, such persons as are, in his judgment, best qualified.

Article XII of the Policies of the Board of Trustees on Promotion of Academic Staff states:

#### Title A. Procedure for Academic Promotion

1. Procedure: Prior to making promotions or recommendations to the Chancellor for promotion in rank of academic employees, the campus president shall review the recommendations of appropriate academic staff committees established for such purpose. Such committees in making their recommendations shall be guided by the best interests of the University.

The bodies involved in the process of reappointment or promotion are identified in the Article 33 of the agreement:

##### Article 33. Section 33.1

b. "Initial Academic Review" shall mean a review and recommendation by a committee of academic employees at the departmental level or, in the event academic employees are not organized along departmental lines, at the division, school, college or other academic employee organizational level, next higher than the departmental level, which may exist for the purpose of evaluating an academic employee for continuing appointment.

c. "Subsequent academic review" shall mean a review and recommendation by a committee of academic employees at the division, school, college or other academic employee organizational level next higher than the initial academic review committee which may exist for the purpose of evaluating an academic employee for continuing appointment.

In the context of College at Old Westbury, the initial academic review committee is the program and the subsequent academic review committee is the Appointment, Reappointment, Promotion and Tenure Committee.

#### Section 3. Eligibility and Deadlines

The conditions regarding the eligibility for reappointment (term appointment), reappointment with tenure (continuing appointment) are specified in Article XI of the Policies of the Board of Trustees:

#### Title B: Continuing Appointment

1. Definition: A continuing appointment shall be an appointment to a position of academic rank which shall not be affected by changes in such rank and shall continue until resignation, retirement or termination in accordance with these Policies.

##### 2. Eligibility:

a) Continuing appointment as Professor, Associate Professor or Librarian may be given by the Chancellor on initial appointment or thereafter. Except as provided in subdivision (c) of this section, further employment as Professor, Associate Professor or Librarian after the third consecutive year of such service at a campus of the University must be on the basis of a continuing appointment and such

appointment shall not be made effective until made so by the Chancellor.

b) Continuing appointment as Assistant Professor, Instructor, Associate Librarian or Assistant Librarian. Except as provided in subdivision (c) of this section, further employment of an appointee who has completed a total of three consecutive years of service at a campus of the University in a position of academic rank as Assistant Professor, Instructor, Associate Librarian or Assistant Librarian and who has completed a total of seven years of service in a position or positions of academic rank must be on the basis of a continuing appointment, and such appointment shall not be effective until made so by the Chancellor.

c) Additional Term Appointment.

An academic employee holding a continuing or term appointment at one campus of the University who accepts an appointment to academic rank at another campus of the University may be given that appointment for a term not to exceed three years.

d) Service Credit.

i. Satisfactory full-time prior service in academic rank at any other accredited academic institution of higher education shall be credited as service up to a maximum of three years in determining eligibility for continuing appointment under subdivision b) of this section.

ii. In computing consecutive years of service for the purposes of appointment or reappointment to the academic staff, periods of leave of absence at full salary shall be included; periods of leave of absence at partial salary, without salary and periods of part-time service shall not be included but shall not be deemed an interruption of otherwise consecutive service.

3. Method of Appointment: The Chancellor, after considering the recommendation of the chief administrative officer of the college concerned, and except as hereinafter permitted with respect to appointment of Distinguished, Distinguished Service, Distinguished Teaching and University Professors, may grant continuing appointment to such persons who, in his judgment, are best qualified.

#### Title D: Term Appointment

1. Definition: Except as provided in Section 6 of this Title, a term appointment shall be an appointment for a specified period of not more than three years which shall automatically expire at the end of that period unless terminated earlier because of resignation, retirement or termination as provided for in these Policies.

2. Eligibility: A term appointment may be given to any person appointed to or serving in a position designated as being in the Professional Services Negotiating Unit.

3. Method of Appointment: All term appointments at basic annual salaries under \$18,001 shall be made by the chief administrative officer of the college and shall be reported to the Chancellor. All term appointments at a basic annual salary of \$18,001 or more shall be made by the Chancellor in his discretion on the recommendation of the chief administrative officer of the college; the Chancellor shall report such appointments to the Board of Trustees.

4. Renewal of Term: Except as provided in this Part, term appointments may be renewed by the chief administrative officer of the college for successive periods of not more than three years each; such renewals shall be reported to the Chancellor. No term appointment, of itself, shall be deemed to create any manner of legal right, interest or expectancy in any other appointment or renewal.

#### Title F. Temporary Appointment

1. Definition: A temporary appointment shall be an appointment for an unspecified period which may be terminated at any time. Temporary appointments ordinarily shall be given only when service is to be part-time, voluntary or anticipated to be for a period of one year or less, or when an appointment is made to a position vacated by a professional employee who is serving a probationary appointment pursuant to Title C, section 5.

2. Eligibility: A temporary appointment may be given to any person appointed to or serving in a position designated as being in the Professional Services Negotiating Unit.

3. Method of Appointment: Temporary appointments shall be made by the chief administrative officer of the college: such appointments shall be reported to the Chancellor.

#### Section 4. Deadlines for Notification

The deadline for notification of the employees regarding their appointment or non-reappointment status is specified by the Articles 7.2 and 32 of the agreement and corresponding Article XI of the Policies of the Board of Trustees.

#### Title D. Term Appointment

Notice: Written notice that a term appointment is not to be renewed upon expiration is to be given to the appointee by the chief administrative officer or his representative as soon as possible and not less than:

a) three months prior to the end of a term expiring at the end of an appointee's first year of service within the University, but not later than March 1 for terms ending in June or August:

b) six months prior to the end of a term expiring after the completion of one, but not more than two, years of an appointee's service within the University, but not later than December 15 for terms ending in June or August; and

c) twelve months prior to the expiration of a term after two or more years of service within the University.

NOTE: Please see Appendix C for information on evaluation of Temporary and Non-Tenure Track Term Appointment Faculty.



## Appendix A

## EVALUATION FILE AND TRANSMITTAL LETTER SIGN-OFF SHEET\*

Program Name: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Faculty Signature	Evaluation File		Transmittal Letter	
	Initials	Date	Initials	Date
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				

\*All faculty members who voted on the candidate's file must indicate that they have read both the file and the transmittal letter included in the file.



Appendix B - A.R.P.T. Forms  
A.R.P.T. Committee: Evaluation and Discussion Guide

Candidate: \_\_\_\_\_ Program: \_\_\_\_\_ Program Recommendation: \_\_\_\_\_

A. Teaching

- a) Numerical Student evaluations for previous semester:  
Course \_\_\_\_\_ Mean Ins. \_\_\_\_\_  
# of responses \_\_\_\_\_ Mean Course \_\_\_\_\_  
(Same for each course)
- b) Student evaluations: sample comments relative to teaching specifications.
- c) Peer evaluations:
  - 1) Method of evaluation: course materials, observations, etc.  
(List method used to substantiate evaluation, if any)
  - 2) Sample comments relative to Teaching specifications on reverse side
- d) Self-evaluation: sample comments relative to specifications

B. College Service

- a) List program committees
- b) Activities in advising, curriculum planning, etc.
- c) Comments relating to effectiveness in above areas from the self-evaluation
- d) Same as (c) from the Program evaluation
- e) Collegewide committees (list)
- f) Personal contributions made to those committees from the self-evaluation. (attending all meetings and participating with relevant ideas is a relevant contribution provided the ideas (type) are identified).
- g) Typical comments from peers who served on the same college committees relative to committee work.
- h) Comments from peers on the candidate's service to the College and the requisite means of substantiation.
- i)
  - 1) External representative of the College.
  - 2) Type of substantiation if any.
- j) Other college service.

C. Professional Activity

- a) Community work relevant to the candidate's professional interest
- b) Substantiation of the above activities, if any, and means of judging the quality of the activity either to the candidate or to recipient audience.
- c) Creative work or scholarly research and substantiations, if any.
- d) Quality of the above creative works and research as judged by the candidate's peers (internally and/or

externally. Note: Publications in refereed journals are automatically judged to be quality work, and there should be like instances in the visual and performing arts whereby quality need not be questioned.

e) Conferences, institutes, courses, etc., and substantiations if any.

f) Exhibits, performances or publications.

g) Grants

h) Others

D. Experience

a) Highest academic degree

b) Credits beyond highest degree

c) Years teaching at the College

d) Total number of years of college-level experience (teaching)

e) Current Rank

E. Notes to yourself on any of the above areas and a summary of the file.

F. Additional information from Program presentation not already contained in A.R.P.T. file.

## Appointment, Reappointment, Promotion & Tenure Committee

Attendance Sheet Date of Meeting: \_\_\_\_\_

Signatures of committee members in attendance:

[illegible]

To be maintained in A.R.P.T. File

Appointment, Reappointment, Promotion & Tenure Committee

Name of candidate under consideration: \_\_\_\_\_

Signatures of readers:

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To be maintained in candidate's file

## Appointment, Reappointment, Promotion & Tenure Committee Voting Report

Candidate: \_\_\_\_\_

Program: \_\_\_\_\_

Program representative presenting the case: \_\_\_\_\_

Date of presentation by the Program: \_\_\_\_\_

Date of discussion in A.R.P.T.: \_\_\_\_\_

Date of A.R.P.T. vote: \_\_\_\_\_

Members of A.R.P.T.	Present	Proxy
_____		
_____		
_____		
_____		
_____		
_____		
_____		
_____		
_____		

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### Voting Record

<u>Terms</u>	<u>Number of Votes</u>		<u>Yes</u>	<u>No</u>	<u>Abstain</u>	
One Year	_____	Reappointment	____	____	____	
Two Years	_____	Promotion	____	____	____	
		Tenure	____	____	____	Three Years
	_____	Terminate	____	____	____	

## Appendix C

### Evaluation of Temporary Faculty and Faculty on Non-Tenure Track Term Appointments

Temporary faculty and faculty on non-tenure track term appointments (see Titles D and F of Article XII of the Policies of the Board of Trustees) shall be evaluated by their programs on a yearly basis. Each program will develop its own mechanism for evaluation and forward a written copy of the procedures to the A.R.P.T. Committee. The A.R.P.T. will ensure that the procedures are followed and will transmit the results to the Office of Academic Affairs. Other than reviewing procedures, A.R.P.T. will play no part in the evaluations.

Usually the evaluation will address teaching ability only, but may include additional information. Evaluations will be forwarded to ARPT by June 1, every year.

## **APPENDIX III: CRITERIA FOR APPOINTMENT**

Preamble: Candidates for appointment at SUNY/COW shall be evaluated according to the following criteria, and bearing in mind the College's commitment to an equitable environment based upon specific affirmative action goals (see Article VI, preamble).

1. Teaching ability, and especially demonstrated capacity to work with the kinds of students toward whom Old Westbury is oriented.

("Teaching Ability" shall include a candidate's responsiveness to the distinctive and varied needs of the students; the ability to maintain reasonable standards of responsiveness to student needs, including feedback, conferences, etc., as well as, of course, knowledge of the field being taught, high standards of performance for self and students, and effectiveness in carrying out teaching objectives.)

2. Definable Experience relevant to the specific kinds of teaching and other work for which a candidate is being considered.

(A Ph.D. or other advanced degree may represent such experience, as may a record of research and publication, especially for candidates being considered for the more traditional academic areas at the College. In other cases, a record of creative works or performances may be more pertinent. In still other instances, active participation in community service or organization or in other efforts directed

toward social change may be. The central question in initial appointment is how well such experience prepares a candidate to meet specific curricular and other needs defined by the College. Programs will be expected to put forward and justify academic or experiential criteria relevant to a position for which a candidate is being considered.)

### 3. Community Service

(Since Old Westbury is in many respects a "community-oriented" College, work in the surrounding communities, especially when related to teaching or other possible activities at the College for which a candidate is being considered, may be a relevant factor.)

### 4. Scholarly Inquiry, especially in relationship to teaching.

(Since Old Westbury is an undergraduate institution, our main criteria necessarily deal with matters directly concerned with teaching undergraduates. Demonstrated productivity, in whatever scholarly or creative work a candidate engages, can be, especially in senior appointments, an important criterion providing that such activity contributes to a candidate's effectiveness as a teacher.)

## **APPENDIX IV: PROCEDURES FOR FACULTY UNIVERSITY AWARDS**

The following procedural details are recommended. Additional elements of procedure will likely be developed in the future.

1. The nomination and evaluation process shall begin in October with a call for nominations from the committee (i.e. prior to, but in anticipation of, the formal invitation to the campus to submit nominees).

2. A detailed checklist of items required by the Committee to be included in nominees' files shall be sent to each nominee and nominator.

The following items are to be included in the detailed checklist and are required for all nominees for DTP and EIT, although the emphasis on each will vary depending on which award is being sought:

- a. Updated Vita including campus and university service
- b. Representative Teaching Materials: Syllabi from the last three years, representative exams or projects, representative supplementary materials, printouts, and special projects.
- c. Student evaluations from at least the last three years.
- d. Grading records for at least the last three years.
- e. Peer review of student evaluations and/or teaching.

- f. Peer letters on curriculum development, team teaching, collaboration etc., if available.
- g. Letters of support from former students (alumni).
- h. External letters of support are encouraged, but only insofar as they relate to the criteria.
- i. Nominator's Evaluation of the candidate, prepared with the participation of the candidate. This must address the following:
  - (1) Teaching techniques and innovations
  - (2) Instructional policy/grading and motivating students. How are seriousness and high expectations encouraged?
  - (3) A record of inspiring and motivating students. (Indicate the achievements of graduates.)
  - (4) Special projects and involvements with students or groups; accessibility to students.
  - (5) How scholarship relates to teaching.

The following items are to be included in the detailed checklist and are required for all nominees for DSP:

- a. Updated Vita Statement as described in SUNY guidelines
- b. Nominator's Evaluation of the candidate, prepared with the participation of the candidate. This must address the following:
  - (1) Candidate's service to the campus
  - (2) Candidate's service to the University
  - (3) Candidate's service to the community
  - (4) Candidate's service to the State of New York
  - (5) Candidate's service to the nation
  - (6) List of the candidate's most outstanding qualifications
  - (7) List of the candidate's major achievements

3. Draft summary statements on all nominees will be prepared by at least two members of the Committee. Assignments to prepare these draft statements shall be made at random. These drafts would be read to the full Committee for discussion and modification prior to a later meeting where a vote would be held. This procedure helps to focus on the strengths and weaknesses of each candidate and ensures a better-documented record of the Committee's deliberations. The draft summary statement of the candidate who prevails in the vote then becomes the basis for the final summary statement which is required by the SUNY guidelines. Statements on candidates not selected can be made available to them for use in preparing for a re-nomination in a subsequent year.



Files must be completed before the deliberations start and, subsequent to the initiation of the process, no material can be added.

### Conflict of Interest and Confidentiality

1. Faculty should not serve on the FUAC in a year in which a member of their program/department will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.
2. Faculty should not serve on the FUAC in a year in which a colleague with whom he/she has a close personal or professional relationship will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.
3. Students should not serve on the FUAC in a year in which a faculty member in their major program/department will be a nominee for an award, and must withdraw from the Committee in the event that such a nominee enters the process.
4. Students should not serve on the FUAC in a year in which the student is, or is likely to be, a student in a class taught by a faculty member who is nominated for an award, and must withdraw from the Committee in the event that such a nominee enters the process.
5. The proceedings of the Committee being strictly confidential, there should be no discussion or direct contact between Committee members and the nominee regarding his/her candidacy. Any necessary communication with the nominee must be through the mediation of the nominator. Committee members should not discuss the Committee's deliberations with anyone not on the Committee.

## **APPENDIX V: MINIMAL REQUIREMENTS OF CONSULTATION**

### Definition

The process by which advice, suggestions, recommendations or other input is taken into account in the making of decisions or the establishment of policy at the College and the process by which all relevant parties are informed of decisions and policies. Consultation may take place either in instances required by the SUNY Board of Trustees (as outlined in the Trustees' Handbook) or upon solicitation by the President or his/her designee. It is understood that consultation, as specified in the Policies of the SUNY Board of Trustees is advisory to the President and that the President (or his/her designee) is not obligated to accept advice, suggestions or recommendations developed in the process of consultation.

### Purposes

The aims of consultation are to:

- facilitate frank and open dialogue at the College;

- provide aid in decision making;
- utilize the fullest array of knowledge, experience, familiarity and talent of the faculty and staff;
- maximize service to the students;
- facilitate the creation of consensus within the institution;
- increase faculty, staff and student understanding of the basis for administration's policies and decisions;
- increase decision makers' understanding and awareness of the concerns, preferences, and dispositions of faculty, staff and students and the basis of those concerns and preferences;
- avoid unproductive conflict.

### Foci

It is expected that consultation will take place in any areas that affect:

- the faculty of the College;
- academic or cocurricular experience or activities of students.

### Forms

Consultation with faculty will take place between administration and appropriate official Faculty governance bodies or representatives within a number of settings, including:

- at face to face meetings on either a regular or irregular basis;
- by indirect means (such as written communication, sharing information, telephone or other electronic media) when such means facilitate timely communication between administration and the Faculty constituency;
- by means of communication with official Faculty representatives and obligatory interaction and feedback to constituencies.

### Procedures

All instances of consultation with official governance bodies or their representatives should involve:

- written communication specifying the area or issue for which recommendations are being solicited and clarifying the Administration's concerns;
- provision of relevant written documentation along with written administrative analysis of what such documentation implies;
- the provision of timely written recommendations along with appropriate documentation and rationale from the consultants/consultative bodies;
- a timely written response or an oral response followed by a written document (except where the laws of confidentiality prohibit, such as in personnel decisions) from the President or his/her designee, indicating what decisions were made and, the basis for such decisions. The response

should be particularly detailed in those cases where recommendations are not followed.

**Bylaws Subcommittee**, 2001 Edition

Barry Armandi, Convener of Committee

Naomi Rosenthal, Ex Officio

Anthony Barbera, Accounting