

II. CAMPUS GOVERNANCE

The Education Law* established the Board of Trustees and charged it with the responsibility for and the conduct of the University. The Trustees, in turn, have promulgated Policies that represent a constitution providing basic principles of policy and organization. These Policies vest authority in the Chancellor of the University and in campus presidents. The Policies delineate the responsibilities of the President, in general to "administer the college for which he or she serves" and to "promote its development and effectiveness."

Article X of the Policies, among its other provisions, empowers and directs the faculty to develop by- laws for the conduct of its affairs. Substantive actions taken in the course of that conduct are advisory upon the President and are a recognition of the President's legal authority. Furthermore, the provisions in those by- laws concerning consultation--how, when, where, and in what form the President consults with the faculty--are subject to the President's approval. It is understood, of course, that by- laws often contain procedures for consultation among faculty in addition to provisions for presidential consultation with faculty. The latter alone is addressed in Article X.

When the President accepts provisions of local by- laws concerning consultation, the Trustees, through Article X, as well as the Chancellor, respect this endorsement. These provisions become thereby part of local policy, and provide a framework for campus governance.

*Education Law 354 and 355

FACULTY BYLAWS

(Current as of September 2011)

PREAMBLE

These Bylaws are enacted by the voting faculty of the State University of New York at Binghamton to establish powers, organization, and procedures necessary for the performance of its responsibilities consistent with the Policies of the Board of Trustees of the State University of New York.

ARTICLE I

DEFINITIONS

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

- a. **SUNY.** State University of New York.
- b. **The President.** The President of the State University of New York at Binghamton.

- c. **The Provost.** The Provost and Vice President for Academic Affairs at the State University of New York at Binghamton.
- d. **Faculty.**
- 1) The Chancellor, the President, and all members of the academic staff of the State University of New York at Binghamton having academic rank or qualified academic rank. *(Approved by faculty in mail ballot in November 1993)* For the purposes of these Bylaws, a Bartle Professor shall be considered to retain academic rank in the title held at the time of appointment as Bartle Professor. *(Approved by faculty in mail ballot in April 1997)*
 - 2) Members emeriti.
- e. **Voting Faculty.** The Chancellor, the President, the Provost, and all faculty members having academic rank (Professor, Associate Professor, Assistant Professor, Instructor, Librarian, Associate Librarian, Senior Assistant Librarian, and Assistant Librarian) and term or continuing appointment; the foregoing includes administrative appointees with concurrent academic rank and Bartle Professors. There shall be a five-year limit to the voting status of Bartle Professors from the time of their initial appointment as Bartle Professor. *(Approved by faculty in mail ballot in April 1997)* Persons having temporary academic appointments or qualified academic rank may be included in the Voting Faculty upon the recommendation of the appropriate academic units and with the approval of the Provost.
- f. **Faculty in Residence.** Those members of the faculty whose duty assignments require their presence on campus and those faculty who will be on campus without duty assignments but declare their wish at the beginning of the semester to be listed in residence.
- g. **Academic Year.** For the purposes of these Bylaws, the academic year shall be designated as beginning on September 1 and ending on August 31 of the following calendar year.
- h. **Academic Subdivisions.** Organizational entities below the level of the State University of New York at Binghamton based on academic considerations. Academic subdivisions include:
- 1) **Academic Units.** The constituent schools of the State University of New York at Binghamton; the Library; and the Department of Health, Physical Education and Athletics.*
 - 2) **Academic Sub-units.** Departments in departmentalized schools; any program with its own personnel berth that is temporarily housed in the Graduate School. *(Approved by faculty in mail ballot in December 2004)*

- i. **Graduate School.** For purposes of Article III, Title B and Article VI, Title A of these Bylaws, the Graduate School is not considered an academic unit but if an academic sub-unit is housed in the Graduate School it will be considered an academic sub-unit for the purpose of representation on the Faculty Senate. *(Approved by faculty in mail ballot in December 2004)*

* As of the fall semester of 2006, the constituent schools of the State University of New York at Binghamton include: Decker School of Nursing; School of Education; College of Community and Public Affairs; Harpur College of Arts and Sciences; School of Management; Thomas J. Watson School of Engineering and Applied Science; and the Graduate School.

ARTICLE II

POWERS AND RESPONSIBILITIES

Title A. Legislative Powers

The voting faculty shall have the power to legislate as necessary for performance of its responsibilities as determined by the Board of Trustees.

The voting faculty is responsible, individually and collectively, for the maintenance of academic standards, including requirements for admission subject to the State University of New York at Binghamton's obligation to SUNY, recommendations for granting degrees, the development of the educational program, and the conduct of the instructional, research, and service programs of the State University of New York at Binghamton. The faculty shall have the power to review administrative actions affecting matters within the area of its responsibilities.

The faculty shall participate in the process of appointment of senior-level academic administrators, such participation normally to be in the form of membership on search committees.

In general the Bylaws, policies, and procedures established by the Faculty Senate shall be binding on the legislative bodies of academic subdivisions. Similarly, the Bylaws, policies and procedures of the legislative bodies of schools and colleges shall be binding on any academic subdivision within them.

ARTICLE III

ORGANIZATION AND PROCEDURES

Title A. Faculty Meetings

1. **Regular and Special Meetings.** The President shall call and preside over a meeting of the faculty once a semester and, at his/her discretion, may call other meetings. He/she shall call special meetings if petitioned to do so in writing by at least 15 percent of the faculty in residence.
2. **Agenda.** Agenda for each regular or special faculty meeting must be announced and proposals for action must be distributed to the faculty at least 72 hours before the meeting.
3. **Quorum.** A quorum for regular or special meetings shall consist of two-fifths of the voting faculty in residence.
4. **Secretary of the Faculty.** The Secretary of the Senate shall serve as Secretary of the Faculty.
5. **Procedures Committee.** The Procedures Committee of the Faculty Senate shall also serve as the Procedures Committee of the Faculty and shall assist the President in developing the agenda for meetings of the Faculty. In general its responsibilities shall be the same as outlined in Article III, Title B. 9. a. of these Bylaws.
6. **Faculty Minutes.** Under the direction of the Secretary of the Faculty, minutes of each faculty meeting shall be prepared and distributed to the faculty. In addition, permanent files will be kept by the President, the Director of Libraries (file housed in the University Archives), and the Secretary of the Senate.
7. **Procedures.** Procedures of the faculty meetings shall conform to the most recent edition of Robert's Rules of Order and may be amended by the voting faculty.

Title B. Faculty Senate

1. **Powers and Functions.** There shall be a Faculty Senate empowered to act for and to represent the voting faculty of the State University of New York at Binghamton. The faculty recognizes the Professional Employees Council as the appropriate representative body for the professional employees of the State University of New York at Binghamton. *(Approved by faculty in mail ballot in March 1993)*
2. **Qualifications of Elected Members.** All voting faculty having at least one year of full-time faculty experience at this institution at any time they take office shall be eligible for election to the Faculty Senate.
3. **Representation.** Representation shall be by academic unit and by academic sub-unit.

- a. The President and the Provost shall be members of the Senate ex officio and shall not be counted as representing an academic unit or sub-unit.
 - b. Election of senators shall be by academic unit in non-departmentalized units, and by academic sub-unit in departmentalized units. Administrative officers with concurrent academic rank shall be counted as members of the respective academic units or sub-units to which they have been assigned, and are eligible for election as senators. Units or sub-units having at least 5 and fewer than 11 members shall elect one senator. Units or sub-units having at least 11 *(Approved by faculty in mail ballot in October 2008)* but no more than 19 members shall elect 2 senators. Units or sub-units having more than 19 but no more than 27 members shall elect 3 senators. Units or sub-units having more than 27 but no more than 35 members shall elect 4 senators. Units or sub-units having more than 35 members shall elect 5 senators. *(Approved by faculty in mail ballot in November 2007)* Units or sub-units having fewer than 5 members may elect one senator or may, by mutual agreement, combine with another sub-unit for the purpose of representation on the Faculty Senate. If either option is chosen, the sub-unit must notify the Secretary of the Faculty Senate, in writing, of its decision to exercise this option; this notification must be given prior to the next scheduled election. (See Article III.B.6.b. below.) Such sub-units that do not choose one of these options will not be represented on the Faculty Senate. (See Article I.h. above.) *(Approved by faculty in mail ballot in December 2004)*
 - c. The Professional Employees Council may designate a professional employee to serve as non-voting liaison with the Faculty Senate with the right of full participation in debates.
 - d. The Graduate Student Organization may designate a graduate student to serve as non-voting liaison with the Faculty Senate with the right of full participation in debates. *(Approved by faculty in mail ballot in March 2001)*
 - e. The Student Association may designate an undergraduate student to serve as non-voting liaison with the Faculty Senate with the right of full participation in debates. *(Approved by faculty in mail ballot in March 2001)*
 - f. The Faculty Senate shall include the faculty member who is the elected representative to the SUNY-wide Faculty Senate, and this representative shall not be counted against the number of representatives allotted to his/her academic unit or sub-unit.
4. **Presiding Officer.** The presiding officer shall be the Chairperson of the Senate (also serves as Chairperson of the Procedures Committee, see Section 9) or in his/her absence the Vice Chairperson of the Senate. In the event of the absence of both of the above, the presiding officer pro tem shall be the Chairperson of the Executive Committee or his/her designee.
 5. **Executive Committee.** There shall be an Executive Committee of the Faculty Senate.
 - a. **Duties.**
 - i. To report to the Faculty Senate on matters of concern to the faculty that have come to its attention. The Executive Committee shall have the discretion to:

- (a) Refer questions or requests it may receive for consideration to the appropriate faculty committee.
 - (b) Make recommendations to the Faculty Senate on pending legislation.
 - (c) Consider matters in confidence when appropriate.
 - (d) Establish and maintain communication with appropriate policy making individuals and groups.
- ii. To present faculty interests and views, and strengthen the role of the faculty in university policy making.
- b. **Composition.** The Executive Committee shall consist of seventeen (*Approved by faculty in mail ballot in March 2006, May 2007*) members of the State University of New York at Binghamton voting faculty. Administrative officers with concurrent academic rank are not eligible for election to the Executive Committee nor may they serve as an observer on the Executive Committee. These include but are not limited to: the president, the provost, vice presidents, vice provosts, the deputy to the president, the deans and associate deans, and the directors and associate directors (*Approved by faculty in mail ballot in September 2009*) of the library and athletics. (*Approved by faculty in mail ballot in November 2007*). Voting faculty will be distributed as follows:
- i. Nine from Harpur College of Arts and Sciences, distributed as equally as possible among the divisions of the School; such distribution to be determined by the Committee on Committees. Each division shall be considered a separate constituency for the purpose of this Article.
 - ii. Two from the Thomas J. Watson School of Engineering and Applied Science. (*Approved by faculty in mail ballot in March 2006*)
 - iii. Six (*Approved by faculty in May 2007*), distributed one each from the Library; Health, Physical Education and Athletics; Decker School of Nursing; School of Education; College of Community and Public Affairs; and School of Management.
 - iv. The Chairperson and Vice Chairperson of the Senate and the Faculty Senator representing the faculty to the SUNY Faculty Senate shall be ex officio voting members of the Executive Committee and, if not already a member of the Executive Committee, the size of the Executive Committee shall be (temporarily) increased. (*Approved by faculty in mail ballot in March 2006*)
 - v. If one of the academic units listed in parts B.5.b.i. or B.5.b.ii or B.5.b.iii (*Approved by faculty in mail ballot in March 2006*) has fewer than 8 voting faculty, that unit will not have a member on the Executive Committee and the size of the Executive Committee will be reduced accordingly. Such a unit may send a non-voting observer from among its voting faculty to Executive Committee meetings. (*Approved by faculty in mail ballot in December 2004*)

- c. **Officers.** The Executive Committee shall elect its own chairperson, who shall serve for a two-year term. *(Approved by faculty in mail ballot in May 2000)*
- d. **Faculty Senate Membership.** Faculty elected to the Executive Committee need not have been elected to the Faculty Senate prior to their election to the Executive Committee. Once elected to the Executive Committee one automatically becomes a member of the Faculty Senate. *(Approved by faculty in mail ballot in December 2004)*

6. Election.

- a. **Executive Committee.** The annual election for members of the Executive Committee shall be in March.
 - i. Nominations for election shall be by petition within each of the constituencies defined in 5. b. above.
 - (a) Each constituency shall nominate candidates from the constituency to a number at least twice as many as the constituency's membership on the Executive Committee. Nominating petitions must be signed by a minimum of 5 constituents. *(Approved by faculty in ballot October 2011)*
 - (b) Should the number of candidates nominated by any constituency be insufficient, the Executive Committee shall nominate from among the entire constituency additional candidates in order to reach the minimum required number.
 - ii. Elections shall be by constituencies. A written ballot shall be submitted to each faculty member listing all the nominees from the constituency. The faculty member may vote for no more than the number to which the constituency is entitled. When more than one nominee is to be elected from the constituency, voters are to rank order their preferences. In such cases each nominee will receive a total vote based upon rank orders, as follows: Rank 1 is accorded the weight of 3 votes; Rank 2 is accorded 2 votes; Rank 3 or less is accorded 1 vote. Within each constituency those nominees receiving the highest number of votes will be elected.
- b. The annual election for the remaining members of the Faculty Senate shall be in April.
 - i. From a list of those eligible to serve, each department in a school that is organized by departments; Health, Physical Education and Athletics; schools that are not organized by departments, and the Library shall elect the appropriate number of representatives.
 - (a) The appropriate number of representatives shall be obtained by subtracting the number of representatives elected from a department or school to the Executive Committee from the total number of representatives allocated to the department or school.
 - (b) If a department in Harpur College of Arts and Sciences should have a greater number of members elected to the Executive Committee than is apportioned to the

department from 3. g. of this Article, all members elected to the Executive Committee will be permitted to serve and the maximum number of Faculty Senators shall be increased accordingly.

- ii. The method for all regular and special elections shall be determined by the Committee on Committees and approved by the Faculty Senate.
- iii. If a representative is unable or unwilling to meet regularly with the Senate, the delegation of which he/she is a member may declare the seat vacant. Three unexcused absences during one year shall be considered an unwillingness to meet regularly with the Senate. *(Approved by faculty in mail ballot in May 2000)*
- iv. If a seat becomes vacant for any reason, the constituency represented shall hold a special election to fill the vacancy. If a seat is vacant because a representative is not in residence, the representative shall, upon returning, reclaim his/her seat for the unexpired portion of his/her term. An interim replacement will, in this case, be elected by the constituency represented.

- c. **Term of Office.** The term of office of each member of the Faculty Senate (including the Executive Committee) is two years beginning the September 1 after election. The terms of the Chairperson of the Faculty Senate and the Chairperson of the Executive Committee shall be automatically extended for a third year upon election to the chairperson position. Furthermore, a member of the Faculty Senate (including the Executive Committee) may be re-elected to the Senate (including the Executive Committee) for one additional term. *(Approved by faculty in mail ballot in December 2004)* If a faculty member has served for two consecutive terms, *(Approved by faculty in mail ballot in December 2004)* he/she may not be re-elected until one year after the expiration of the previous term of office. *(Approved by faculty in mail ballot in May 2000)*

7. **Quorum.** A quorum shall consist of one-half of the voting members.

8. **Power of the Faculty to Rescind, Repeal, or Amend an Action of the Faculty Senate.** Any action of the Faculty Senate may be rescinded, repealed, or amended by the voting faculty provided:

- a. A motion to consider an action of the Senate carried by a majority vote of the voting faculty present at any faculty meeting.
- b. Thereafter, a substantive proposal concerning the action being considered is discussed and approved, after which mail ballots and copies of the proposal are distributed to the entire voting faculty.
- c. A majority of those voting support the proposal, provided that at least two-thirds of the voting faculty vote.
- d. Nothing in this section abrogates the power of the Faculty Senate to rescind, repeal, or amend its own actions.

9. **Procedures and Elected Officers.**

- a. **Procedures.** There shall be a Committee on Procedures, consisting of the Chairperson of the Senate as Chairperson, the Vice Chairperson of the Senate, and the Secretary of the Senate.
- i. This committee shall receive items for the agenda, and shall organize and present the agenda for each Senate meeting. Copies of the agenda and proposal for action shall be distributed to members of Faculty Senate constituencies in residence at least 72 hours before regular Senate meetings.
 - ii. The Committee shall appoint a Parliamentarian who normally will not be a member of the Senate. It shall be the duty of the Parliamentarian to meet with the Senate and the faculty and to advise on matters of parliamentary procedure.
 - iii. Procedures shall conform to Robert's Rules of Order, and may be amended by the Senate.
 - iv. Unless otherwise specified in these bylaws, ex officio members of committees and subcommittees are voting members. Committee and sub-committee chairs have the right to vote or to break tie votes (their choice) but not both. *(Approved by faculty in mail ballot in December 2004)*
- b. **Elected Officers.** The Senate shall elect during the May meeting of the Senate the Chairperson, the Vice Chairperson, and the Secretary of the Senate.
- i. **Chairperson.** The Chairperson shall be elected for a two-year term from among the returning Voting Faculty members of the Senate. The election shall be held during the second year of the term of the chairperson of the Executive Committee. *(Approved by faculty in mail ballot in March 2001)* The duties of the Chairperson shall be:
 - (a) To preside over meetings of the Senate.
 - (b) To serve as an ex officio voting *(Approved by faculty in mail ballot in March 2006)* member of the Executive Committee.
 - (c) To assume such other duties as may be delegated to him/her by the Senate Bylaws.
 - ii. **Vice Chairperson of the Senate.** The Vice Chairperson shall be elected from among the returning Voting Faculty members of the Senate. The Vice Chairperson shall perform the duties of the Chairperson during his/her absence and shall be an ex officio voting member of the Executive Committee. *(Approved by faculty in mail ballot in March 2006)*
 - iii. **Secretary of the Senate.** The Secretary of the Senate shall be elected from among the returning members of the Senate. The duties of the Secretary of the Senate shall be:

- (a) To be responsible for the minutes and the records of the Senate.
- (b) To send out notices of meetings and agenda.
- (c) To perform such duties as the Senate may prescribe.

10. Nominating Committee.

- a. The members of the Executive Committee whose terms are expiring will serve as the Nominating Committee of the Senate.
- b. The Nominating Committee shall prepare, for the succeeding academic year, a slate of nominees for Chairperson, Vice Chairperson, and Secretary of the Senate.
- c. The Committee shall submit its slate of nominees in writing to all Senators at least 10 days before the May meeting of the Senate. Additional nominations may be made by a petition of five members of the Senate and shall be submitted to the Chairperson of the Nominating Committee at least five days before the May meeting. The complete slate shall be circulated with the agenda for the May meeting. If there is more than one nominee for an office, voting for that office shall be by secret ballot.

11. Meetings.

- a. The Senate shall hold regular meetings in September, December, February, and May of each academic year. Additional meetings shall be called by the Procedures Committee as agenda items warrant. Special meetings may be called by the Chairperson of the Senate or Vice Chairperson, or by petition of at least 15 percent of the Senate. Written notice of all Senate meetings shall be given to all members of Faculty Senate constituencies at least 72 hours in advance. If 72-hour notice has not been given, a waiver of this requirement may be moved and passed by a two-thirds vote at the meeting.
- b. Members of Faculty Senate constituencies have the right to attend all meetings of the Faculty Senate as observers. Upon recognition by the Chair, any faculty member may address the Senate.
- c. No provision here abrogates the right of the faculty to meet as a full faculty.

12. Minutes. Under the direction of the Secretary, minutes of each Senate meeting shall be prepared and distributed to members of Faculty Senate constituencies. In addition, permanent files shall be kept by the President, the Director of Libraries (file housed in the University Archives), and the Secretary of the Senate.

ARTICLE IV

FACULTY COMMITTEES

Title A. Scope

Nothing in this Article IV shall apply to any of the committees established pursuant to Article VII of these Faculty Bylaws.

Title B. Types of Committees

1. **Committees of the Faculty Senate.** The Faculty Senate determines the charges and compositions of these committees, which may be either standing or ad hoc and which may be designated as task forces, commissions, or the like. These committees report to the Senate to provide information or to propose action as appropriate. Changes in the appendix which lists committees and charges are not changes in the Faculty Bylaws and require approval only of the Executive Committee and of the Faculty Senate, subject to normal prerogatives of rescission by the voting faculty (Article III. Title B. 8.).
2. **Joint Committees.** These committees are formed through cooperation between or among the President, the Provost, other officials or appropriate bodies, and the Faculty Senate. Any of the foregoing may initiate the establishment of such a committee. These committees may be either standing or ad hoc, and may be designated as task forces, commissions, or the like. The charge and composition of each joint committee are determined cooperatively by the Faculty Senate and the other officials or bodies involved. Joint committees report to the Faculty Senate and to the other officials or bodies to provide information or to propose action as appropriate. These committees shall carry out the responsibility of the faculty as stated in The Policies of the Board of Trustees: to participate significantly in the initiation, development and implementation of the educational program.
3. **University-Wide Committees with Faculty as Members.** The President, the Provost, or other University officials may bring together groups from various University constituencies for special purposes. The committees may be designated as task forces, committees, commissions, or the like, and may include faculty among their members. Administrators who convene such University committees shall consult with the Faculty Senate concerning their charge and composition. Faculty members on such committees who formally represent faculty governance will be chosen from lists provided by the Faculty Senate. Other faculty members may also be chosen by the committee's convener to serve on these groups. The chair of each group will be appointed by its convener. These committees are responsible to their conveners. The work of each group should be shared with the Faculty Senate and the University community.

Title C. General Provisions

1. **Committee Membership.** The Faculty Senate Executive Committee shall select the faculty membership of the committees of the Faculty Senate and of joint committees. The

membership of committees shall be reported to the Faculty Senate in a timely manner, and shall be included in the Minutes of the Senate.

2. **Ex Officio Members.** The President and the Provost, or their designees, shall be non-voting members of all standing committees of the Faculty Senate, except the Professional Standards Committee. With the agreement of the President, the Faculty Senate may exempt any committee from this provision.
3. **Term of Office.** The term of office of members of standing committees shall be two years, unless otherwise specified, and shall begin on the first day of the academic year following the election. Terms of office may be successive. Approximately one-half of the membership of each committee shall be elected each year. If a committee member cannot serve or fails to serve for any reason, the Faculty Senate Executive Committee may designate a replacement.
4. **Date of Election.** Standing committees are to assume their charges on the first day of the academic year for which they are elected. The Executive Committee shall elect standing committees by the May 1 prior to the academic year in which such committees are to assume their charges.
5. **Committee Chairs.** The Faculty Senate Executive Committee shall designate the chairs of the committees of the Faculty Senate. Chairs of joint committees shall be determined cooperatively by the Faculty Senate and the other officials or bodies involved. The committee chair of each standing committee shall call a meeting within the first month of the new academic year.
6. **Reports.** Each committee of the Faculty Senate and each joint committee shall submit an annual report, with a summary of its activities for the academic year, by June 15. All such reports shall be received by the Faculty Senate and placed on the agenda of the first meeting of the following academic year for purposes of information or proposed action.
7. **Listing.** The list of standing committees, both of the Faculty Senate and joint, together with their respective charges and compositions, shall be published as an Appendix to the Faculty Bylaws.

Title D. Committee on Committees

There shall be a Committee on Committees that shall assist the Executive Committee in the election of standing committees of the faculty and that shall provide advice as appropriate on nominations for ad hoc, joint, and University-wide committees with faculty as members. The Committee on Committees is not a standing committee of the Faculty Senate, but shall instead report to the Executive Committee. The Executive Committee shall elect the membership of the Committee on Committees.

ARTICLE V

EXTRAMURAL REPRESENTATION OF THE VOTING FACULTY

Title A. Faculty Senate of SUNY

1. **Election.** The voting faculty, in conjunction with the professional employees, shall, by secret ballot, elect its representatives to the Faculty Senate for a three-year term. The faculty representative shall be elected from a slate of two or more candidates nominated by the Committee on Committees. In like manner, one alternate shall be elected.
2. **Duties.** The Senator or his/her alternate shall represent the voting faculty of the State University of New York at Binghamton in the SUNY Senate and shall serve as an ex officio voting member of the Executive Committee and the Faculty Senate. *(Approved by faculty in mail ballot in March 2006)*

Title B. Special Representation

The Chairperson of the State University of New York at Binghamton Faculty Senate shall be the official representative of the voting faculty, and in his/her absence, the Vice Chairperson of the Senate. In the event of the absence of both of the above, the official representative shall be the Chairperson of the Executive Committee or his/her designee.

ARTICLE VI

FACULTY ORGANIZATION FOR INSTRUCTIONAL PURPOSES

Title A. General Organization

1. **Academic Units and Sub-units.** In order to fulfill its educational and instructional responsibilities as defined in Article II. Title B of these Bylaws, the academic staff shall be organized by academic units and sub-units based on academic function. All academic staff shall be assigned to an academic unit or sub-unit by the President after consultation with the appropriate faculty of that academic unit or sub-unit.
2. **Deans and Directors.** The Dean or Director of an academic unit shall be appointed by the President in accordance with the following procedures.
 - a. A search committee, consisting of members elected by the unit faculty and such other members whom the President may appoint, shall examine the credentials of prospective candidates and submit recommendations to the President.

- b. Should the Office of Dean or Director become vacant, or in the Dean's or Director's absence, the President, after consultation with the unit faculty, shall appoint an Acting Dean or Director.

3. **Sub-unit Chairpersons or Director of Sub-units.**

- a. **Department Chairpersons and Program Directors.** Department Chairpersons and Program Directors shall be appointed by the President in accordance with the Policies of the Board of Trustees. To assist the President in selecting such officers, the department or program shall institute appropriate consultative procedures. The term of office shall be three years and renewable. Whenever such an officer is not in residence or cannot serve for any other reason, an acting Chairperson or Director shall be appointed in accordance with the above procedures.

4. **Governance.**

- a. The faculty of each academic unit shall, by a majority vote, establish Bylaws for discharging those functions within its jurisdiction. The Bylaws and any amendments thereto shall be submitted to the Faculty Senate for review and appropriate action.
- b. The faculty of each sub-unit may collectively decide upon procedures for discharging its functions and responsibilities. These procedures, if approved by a majority of the voting members of the sub-unit, shall be adopted as sub-unit Bylaws. The Bylaws of the sub-unit are subject to review and approval by the academic unit to which the sub-unit belongs. If the procedures for the sub-unit are not codified, the sub-unit must operate within the policies and procedures established by the academic unit.

5. **Order of Faculty Business.** Normally faculty business shall proceed from lower to higher levels of faculty organization, but nothing in this Article shall contravene the right of any individual or academic unit or sub-unit to bring business to any level of faculty organization or to any administrative officer.

Title B. Establishment and Elimination of Academic Units and Sub-units

Except as mandated by the SUNY Board of Trustees, the establishment of a new academic unit or sub-unit at the State University of New York at Binghamton or the elimination of an academic unit or sub-unit shall require review by the Faculty Senate. Upon completion of its review, the Faculty Senate shall transmit its recommendation to the President.

A proposal for the establishment of a new academic unit shall be considered by the Educational Policies and Priorities Committee of the Faculty Senate for its review.

A proposal for the establishment of a new academic sub-unit shall be considered by the academic unit to which the sub-unit belongs, and, if recommended, the proposal shall be submitted to the Faculty Senate for its review.

Title C. Establishment and Elimination of Degree Programs

Proposals for new degree programs shall be the responsibility of academic units. The Faculty Senate shall review such proposals and make appropriate recommendations to the President. Modifications of existing degree programs shall be the responsibility of the academic units having jurisdiction over them. The elimination of any program leading to a degree at the State University of New York at Binghamton shall require review by the Faculty Senate. Upon the completion of the review, the Faculty Senate shall transmit its recommendation to the President.

Title D. Organization of the Graduate School

There shall be a Graduate School with its own Bylaws.

Title E. Conflict Resolution

1. When jurisdictional conflicts over the matter discussed in Article II cannot be resolved, the matter shall be decided:
 - a. By a vote of the full faculty if it involves a conflict between the legislative body of the academic unit and the Faculty Senate.
 - b. By a vote of the faculty of an academic unit if it involves a conflict between the legislative body of the academic unit and that of an academic sub-unit within it.
2. No provision of this title shall preclude other efforts to resolve such a conflict.

ARTICLE VII

FACULTY PERSONNEL POLICIES

Title A. Faculty Status Decisions

The faculty is responsible individually and collectively, through departmental, school, and other committees, for advising the President concerning appointments to the academic staff, promotions to higher rank, actions involving tenure, renewal of contracts, and non-renewal of contracts. These responsibilities shall be fulfilled in the manner described in Titles B through F below and shall in most cases include the transmittal to the President of the following material:

- a. The report and recommendations of the appropriate Initiating Personnel Committee (IPC). (Not required in cases of initial term appointments below the rank of associate professor or associate librarian.)
- b. The report and recommendations of the head(s) of the appropriate academic subdivision(s).

- c. The report and recommendations of the appropriate University Personnel Committee (UPC).
- d. Additional optional reports as defined in this Article.

Nothing in this Article, however, shall limit the methods by which the President may consult on personnel matters.

Title B. Initiating Personnel Committees

1. **Definition.** The term--Initiating Personnel Committee (IPC)--refers to those personnel committees that take the initial action on an individual faculty case as further defined under Title E. This generic term refers to Junior and Senior Personnel Committees of all academic subdivisions, and Special Personnel Committees as defined in Section 3. e. of this Title.
2. **Responsibilities.** IPCs shall be responsible for considering personnel cases according to the timetable established by the Provost with the advice of the UPC and in accordance with the Policies of the Board of Trustees (Article XI, Title D, Section 5, 1994). They will prepare a dossier for each individual under consideration, and make a recommendation in each case to the appropriate UPC through the Dean or Director as prescribed in Title E of this Article. IPCs, excluding Special Personnel Committees, have the responsibility each Fall Semester of insuring either by a meeting of the academic subdivision or by some considered alternative accepted by the faculty of the academic subdivision that the entire faculty of the academic subdivision is aware of the performance criteria and procedures used to judge faculty cases, as well as the rights and prerogatives of individual faculty.
3. **Types and Composition of Initiating Personnel Committees.**
 - a. **Personnel Committees of Academic Subdivisions.** All departments, non-departmentalized Schools, Health, Physical Education and Athletics, and the Library shall have a Junior and Senior Personnel Committee.
 - b. **Minimum Size.** The minimum size of an IPC shall be five voting members.
 - c. **Membership of Senior Personnel Committees.** All full professors on continuing appointment shall serve on the Senior Personnel Committee to consider cases of professors and associate professors, except when their own case is being considered. Bartle Professors holding the title of full professor who agree to serve on this committee during a given academic year, and within a five-year limit from the date of appointment as Bartle Professor, shall do so. *(Approved by faculty in mail ballot in April 1997)* In instances where five *(Approved by faculty in mail ballot in October 2008)* members of the Senior Personnel Committee cannot be drawn from within the academic subdivision, the committee shall be constituted to provide a majority of *(Approved by faculty in mail ballot in October 2008)* a combination of full and associate professors from within that academic subdivision who are on continuing appointment with at least two semesters of academic service at this University; the associate professors to be elected by the faculty of the academic subdivision; the remaining seats to be filled by full professors from other academic

subdivisions at this University appointed by the Provost after consultation with the faculty of the academic subdivision in which the case is being heard and the appropriate UPC (see Title D). The Committee shall be formed by the Provost after consultation with the faculty of the academic subdivision in which the case is being heard when the inclusion of the sum of full and associate professors eligible to serve is fewer (*Approved by faculty in mail ballot in October 2008*) than three.

- d. **Membership of Junior Personnel Committees.** All full professors and associate professors on continuing appointment shall serve on the Junior Personnel Committee to consider cases of those below the rank of associate professor. Bartle Professors holding the title of full professor or associate professor who agree to serve on the Committee during a given academic year, and within a 5-year limit from the date of appointment as Bartle Professor, shall do so. (*Approved by faculty in mail ballot in April 1997*) An academic subdivision which has fewer than five qualified members available shall notify the Provost, who shall then appoint, after consultation with the faculty of the academic subdivision in which the case is being heard and the appropriate UPC (see Title D), the number necessary to make up the minimum complement of five voting members. In cases where no member of an academic subdivision is eligible for service on a Junior Personnel Committee, the members of that subdivision shall elect from among themselves a person who shall serve as the chairperson-without-vote of the Junior Personnel Committee in question. Appointment of voting members of a Junior Personnel Committee from outside the University may be made only if such a procedure is approved by the academic subdivision in question.
- e. **Special Personnel Committees.** A Special Personnel Committee shall be formed to act as the IPC in those cases of faculty members not assigned to academic subdivisions having Personnel Committees. Special Personnel Committees shall be appointed by the Provost upon approval of the appropriate UPC. Each Special Personnel Committee shall elect a chairperson-with-vote and secretary from among its members and shall serve only for the duration of the individual case under consideration.

4. **Officers.**

- a. **The Secretary.** Each IPC shall elect a secretary to keep such records as the Committee shall designate.
- b. **The Chairperson.** The chairperson shall be elected by secret ballot from the committee's membership and shall preside, with vote, at committee meetings. The chairperson of a departmentalized academic subdivision may be elected to chair an IPC, but shall serve without vote. The chairperson of an IPC shall not be present when his or her own case is being considered. Deans and Directors of academic units shall not be members of any IPC. (*Approved by faculty in mail ballot in November 1993*)

5. **Joint Appointments.** Faculty members assigned to more than one academic subdivision shall, at the time of appointment, be assigned to one academic subdivision for purposes of this Article. IPCs considering such persons for personnel recommendations shall consult

with and receive a report and recommendation from the IPC of the other academic subdivision(s) of the assignment. This report must be attached to the final report of the IPC.

Title C. Student Advisory Committees

1. Functions and Responsibilities.

- a. In an academic subdivision with declared majors and/or graduate students, those students shall be encouraged to elect a Student Advisory Committee.
 - b. In conjunction with personnel proceedings, such committees, when extant, shall be asked by the chairperson of the IPC to report on the teaching effectiveness and student-teacher relations of the individuals under consideration.
2. **Composition.** The committee shall consist of no more than eight students from among the declared majors and/or graduate students of the academic subdivision. The appropriate proportion of graduate and undergraduate members and the method of election will be determined by the student governments.
3. **Responsibilities of Department Chairpersons, Deans, and Directors.** The Chairperson, Dean or Director shall provide to the Student Advisory Committee in his/her academic subdivision, if extant, a roster of the declared majors and graduate students in his/her academic subdivision.

Title D. The All-University Personnel Committee

1. Functions.

- a. To discuss and recommend to the faculty appropriate procedures, changes of procedure, and criteria for personnel decisions.
 - b. To review recommendations on faculty appointment, promotion, tenure, and renewal received from IPCs and make appropriate recommendations as provided for in Title E.
 - c. To evaluate the credentials and to advise the President in the appointment of academic staff not assigned to existing academic subdivisions.
 - d. To interpret the provisions of this Article.
 - e. To fulfill other functions assigned to it in this Article.
2. **Conditions of Service.** Only voting faculty on continuing appointment and holding the rank of associate or full professor, including Bartle Professors in those titles who agree to serve within the five-year limit stipulated in Article I.e. above (Voting Faculty), (*Approved by faculty in mail ballot in April 1997*) shall be eligible to serve on the AUPC. No Dean or Director (*Approved by faculty in mail ballot in October 2008*) shall be eligible to serve on the AUPC. No member of the AUPC shall

participate in the review of or *(Approved by faculty in mail ballot in October 2008)* read files on a case emanating from his/her academic sub-unit (or unit when no sub-unit exists) *(Approved by faculty in mail ballot in February 1989)* or from a unit in *(Approved by faculty in mail ballot in October 2008)* which he/she has previously served *(Approved by faculty in mail ballot in October 2008)* as a member of an IPC. Members will be elected for two-year terms, and no member shall serve two consecutive terms.

Approximately one-half of the members shall be elected in each academic year. No member of the AUPC shall be required to serve on any standing committee of the Faculty Senate.

When any member of the AUPC resigns or can no longer serve, his/her unexpired term shall be filled by the person who received *(Approved by faculty in mail ballot in October 2008)* the next highest number of votes in the previous election.

On the principle that one does not sit on the AUPC when it is considering ones own case: If the personnel case of an AUPC member is forwarded to the AUPC, that person immediately becomes ineligible for membership on the AUPC and is deemed to have resigned. This includes cases of promotion to the distinguished ranks. A faculty member who notifies the AUPC of his/her upcoming case and resigns at the time of election to the AUPC is deemed not to have served on the AUPC, and is then eligible for election the following year. *(Approved by faculty in mail ballot in April 1997)*

3. **Composition.**

- a. **All-University Personnel Committee (AUPC).** Twenty-four *(Approved by faculty in mail ballot in May 2007, September 2009)* faculty members consisting of twelve members elected from Harpur College of Arts and Sciences apportioned equally among the Divisions of Arts and Sciences; two members each from the Library; Thomas J. Watson School of Engineering and Applied Science; School of Education; College of Community and Public Affairs; Decker School of Nursing; and the School of Management. *(Approved by faculty in September 2009)*
- b. **University Personnel Committee: Arts and Sciences.** Eleven *(Approved by faculty in May 2007)* faculty members, appointed by the Provost in consultation with outgoing members of the AUPC from the membership of the newly formed AUPC, consisting of: seven faculty members from the faculty of Arts and Sciences including at least one member from each of its divisions; four faculty members from among the Professional Schools, and the Library. No more than one member of this UPC shall come from any one department of Harpur College of Arts and Sciences, school other than Arts and Sciences, or the Library. When any member of the Arts and Sciences UPC resigns or can no longer serve, a new member shall be appointed from the AUPC for the remainder of the appointee's elected term of service on the latter committee. The chairperson and secretary shall be elected annually by the Committee from its own members.
- c. **University Personnel Committee: Professional Schools; and the Library.** Nine faculty members appointed by the Provost from the membership of the AUPC consisting of one faculty member each from: the Library; Thomas J. Watson School of Engineering and Applied Science; School of Education; College of Community and Public Affairs; School of Management; Decker School of Nursing; and three faculty members from the Harpur College of Arts and Sciences. No more than one member of this UPC shall come from any one department of Arts and Sciences. When any member of this UPC resigns or can no longer serve, a new member shall be appointed from the AUPC for the

remainder of the appointee's elected term of service on the latter committee. The chairperson and secretary shall be elected annually by the Committee from among its own members.

- d. In instances where a School does not have a sufficient number of faculty members meeting the stipulated criteria to provide representation, the AUPC shall elect members, as necessary, from a slate offered from that School's existing faculty.

4. **Method of Election.**

- a. **Schedule of Elections.** The schedule for elections of the AUPC shall be established by the Interpretations and Procedures Subcommittee of the AUPC in consultation with the Provost.

- b. **Harpur College of Arts and Sciences.**

- i. Each department having no incumbent member on the AUPC shall nominate two qualified persons from among its own members. Nominations shall be by preferential vote of all members of the department through secret ballot listing all eligible members. In the event that a department has two or fewer members eligible to serve, those eligible shall be considered nominated.
- ii. Departmental nominees within each division shall be voted upon by voting faculty members of that division. Additional nominees shall be placed on any ballot by petition containing the signatures of ten voting faculty members of the division.
- iii. Each division shall elect, from among those nominated, the designated number of faculty members to serve on the AUPC. Election shall be by a weighted ranking of candidates (*Approved by faculty in May 2007*) vote of those voting. The ballots shall be retained in the event a resignation occurs.

- c. **Professional Schools and the Library.** Each School and the Library with one (*Approved by faculty in May 2007*) continuing member of the AUPC shall elect a qualified person from its own members to serve on the AUPC. Election shall be by the majority vote of all members voting from that academic subdivision through a secret ballot listing all eligible members. In the event that an academic subdivision has only one (*Approved by faculty in May 2007*) member-eligible to serve, that member shall be considered elected. The ballots shall be retained in the event a resignation occurs.

Title E. Personnel Procedures

1. **Procedures for Initial Appointments.** Faculty shall serve in advisory and consultative roles in recruitment and appointment of new faculty.
 - a. The manner in which each academic subdivision handles appointments below the rank of associate professor, all visiting appointments, and changes from a qualified to an unqualified title (*Approved by faculty in mail ballot in May 2005*), shall be specified in its Bylaws.

Recommendations from academic subdivisions shall be submitted to the President through the Dean or Director.

- b. In cases of initial appointments to the rank of associate professor or full professor, or any changes from a qualified to an unqualified title at these ranks (*Approved by faculty in mail ballot in May 2005*), and any appointments with tenure, recommendations will be submitted to the President by the IPC, the Chairperson, and the Dean or Director. In cases of non-concurrence between any of these parties, or requests for consultation by any of these parties, the appropriate UPC shall review the case and submit a formal report and recommendation to the President.

2. Procedures for Cases Other Than Initial Appointments.

- a. Each IPC shall, in cooperation with the Chairperson of the academic subdivision, provide a mechanism for an annual review of the records of faculty members in their purview of responsibility to determine whether there are any individuals whose cases (e.g., for promotion) shall be considered. At the same time, an individual who believes his/her own or any other case merits consideration, though it is not required to be considered according to any timetable, may petition in writing the appropriate IPC at a time consistent with the timetable for a given year. The IPC shall receive all such requests and take appropriate action.
- b. The chairperson of the IPC, in consultation with the Dean or Director, shall be responsible for initiating action on personnel cases mandated for consideration at least one month in advance of deadlines established by the Provost and the University Personnel Committee in accordance with the Policies of the Board of Trustees (Article XI, Title D, Section 5, 1994).
- c. This initial action shall consist of the following: First, notifying the faculty member whose status is under consideration of the necessary performance information to be provided, and of the status of the information in the individual's file. Second, presenting each faculty member of that academic subdivision with a list of all faculty members who are to be considered or are being considered by the IPC for promotion, tenure, renewal, and non-renewal (excluding resignations). The Chairperson shall provide for the faculty of his/her academic subdivision a summary of appropriate information including but not limited to educational background, professional experience, community service, and honors. Any faculty member has the right to file a written opinion, which must be appended to the report of the IPC. Third, notifying the appropriate Student Advisory Committee, if extant, of all faculty members under consideration, and requesting a report as defined in Title C. Such reports, if received from the Student Advisory Committee, must be included in the report of the IPC. This report must be shared with the faculty member in question, who shall be given time to file a written comment with the IPC. This comment, when extant, must also be included in its report. If a report from a Student Advisory Committee is not included in the report of an IPC, the reasons shall be stated in the latter report. Further, individual faculty members whose status is under consideration may request that a caucus of the faculty members within the academic subdivision not sitting on the IPC in question meet and discuss the case, excluding the

individual under consideration. The IPC, on a majority vote, has the authority to call a meeting of the appropriate faculty as described in the preceding sentence. A summary report of this meeting must be submitted to the IPC and appended to its report.

- d. At the conclusion of its deliberations, the IPC shall conduct a secret ballot on the case under consideration. Although the chair of a departmentalized academic subdivision is a full participant in discussions, that individual shall not vote. *(Approved by faculty in mail ballot in September 2009)*
 - i. Reasonable efforts shall be made to secure the views of Committee members not in residence, and such members shall be entitled to attend Committee meetings and to participate fully in all deliberations when in attendance, and to vote when in attendance or when their vote to be obtained by mail would not unduly interfere with scheduling and successive steps of Personnel Committee procedures. Decisions shall require a majority of the total of Committee members in residence plus those members not in residence but voting. The results of this vote shall become a part of the Committee's report and recommendation.
 - ii. The Secretary shall prepare a written report including the report and recommendation of the Committee, the record of the final vote taken, and all supporting documentation. Upon approval by the majority of the Committee members in residence plus those not in residence but in attendance, the report shall be submitted to the appropriate University Personnel Committee through the appropriate administrative officer.
 - iii. Individual faculty members or groups of faculty members may also submit separate reports to the UPC.
 - iv. The chairperson shall notify in writing each candidate whose case the IPC has considered of its report and recommendation before *(Approved by faculty in mail ballot in February 1989)* said report is forwarded. The chairperson shall at the same time inform the candidate in writing that he/she has five working days to review the report and recommendation and to respond in writing to the IPC report. This response, if any, shall be included in the evaluation file. *(Approved by faculty in mail ballot in February 1989)* In non-mandated cases, however, the candidate shall be allowed at least one academic day after receipt of the written recommendation and consultation with the chairperson to terminate the personnel proceedings before the case is forwarded to the appropriate Dean or Director.
 - v. The department Chairperson shall submit a written report to the UPC through the Dean or Director, and this report shall be made available to the members of the Personnel Committee that considered the case, subsequent to the Committee's decision, and to the candidate. *(Approved by faculty in mail ballot in February 1989)*
 - vi. The Dean or Director shall be responsible for conducting a review of the reports and recommendations received on personnel cases. The Dean or Director may, at this point, initiate informal discussions and consultation in order to clarify any difficulties contained in or created by the recommendations and/or candidate's response *(Approved by*

faculty in mail ballot in February 1989) on a given case. Deans and Directors must include their reports and recommendations when forwarding the other reports and supporting evidence on a case to the UPC and must provide a copy of their report to the candidate. *(Approved by faculty in mail ballot in February 1989)* A written report by a Dean or Director of a non-departmentalized academic subdivision must be made available to the members of the IPC responsible for the given case, subsequent to the Committee's decision, and to the candidate. *(Approved by faculty in mail ballot in February 1989)*

- e. In personnel cases involving faculty status, the final campus review by faculty is conducted by the University Personnel Committee (UPC). This review is subsequent to reviews by the Initiating Personnel Committee (IPC) and by appropriate administrators through the level of Dean or Director.
 - i. The appropriate UPC shall examine the official personnel file with the ultimate goal of achieving a decision that is reflected in the Final UPC Report. As an intermediate goal, the UPC will typically prepare a Preliminary UPC Report.
 - (a) Prior to completion of its Preliminary Report the UPC may, at its discretion, seek additional information, as well as clarification of information already in the file.
 - (b) Any additional documents received by the UPC in this process must be placed in the official personnel file. The UPC may also add written comments to the file. As with all information in the official personnel file, the added information is subject to all relevant rules and regulations.
 - (c) In cases where there is not concurrence by all parties, including the UPC, who have acted on the case, the UPC must include in the Preliminary UPC Report, and add to the personnel file, a summary (however brief) of the discussion that led to the UPC decision. Any minority report from the UPC membership must also be included.
 - (d) At any point in this process the UPC may decide to move directly to a Formal Review of the case. When this is done, the Preliminary Report will simply state the UPC's decision to move directly to a Formal Review and its rationale for doing so.
 - ii. Notification of its action, in the form of the Preliminary UPC Report, shall be sent to the faculty member under review, IPC, appropriate administrators through the level of Dean or Director, and the Provost.
 - (a) Unless prohibited by rules and regulations, including those concerning confidentiality, any information added by the UPC to the personnel file will accompany the Preliminary UPC Report.
 - (b) Except when there is a request for a formal review, the Preliminary UPC Report will automatically become the Final UPC Report one week subsequent to this

notification - - at which time it will be forwarded to the President through the Provost.

- (c) Any request for a formal review must be given within one week of this notification.
- iii. The UPC shall hold a formal review of a pending personnel action upon the request of any one of the following:
- (a) The faculty member involved.
 - (b) The appropriate Dean or Director.
 - (c) The Provost
 - (d) 1/3 of the voting members of an IPC. *(Approved by faculty in May 2007)*
- iv. Notification of the formal review shall be made to the faculty member involved, to the IPC, to the appropriate Chairperson, Dean or Director, and to the Provost. Rationale, however brief, for holding a formal review must be given. *(Approved by faculty in May 2007)* Each of the parties shall be requested to submit to the UPC within two weeks of notification, in writing, all material considered relevant to the matter. Any material received after two weeks, but prior to the final decision of the appropriate UPC, may be accepted as supporting evidence by the Committee at its discretion.
- v. The recommendation of the UPC shall be voted by secret ballot, and a majority of all Committee members eligible to vote shall be required for the establishment of the recommendation. A written recommendation and report of the Committee and a tally of the vote shall be submitted to the President through the Provost *(Approved by faculty in May 2007)* and a copy shall be placed in the official personnel file of the faculty member whose case is being considered. At least five days before the file is to be reviewed by the President of the University, the candidate must be informed in writing of the decision of the UPC and that he/she may review the file and respond. *(Approved by faculty in mail ballot in February 1989)* If the President is not inclined to implement the recommendations of the UPC, the President or the President's designee shall meet with the UPC to review the case. This must be done within three weeks of the receipt of the report from the UPC. If the President then decides against implementing the UPC's recommendation, he/she shall indicate the reasons for his/her decision.
- f. Nothing in these procedures shall be construed to limit in any way informal consultation among appropriate administrative officers, the heads of the academic subdivisions, the IPC, and the UPC.
- g. All parties involved in personnel actions shall protect the confidentiality of all personnel proceedings and documents.

- h. In any case that is not mandated, the individual shall have the option of terminating the personnel proceedings at any point in the process prior to the President's decision.
- i. Nothing in this Article shall restrict the right of an individual to have his/her case reviewed by all of the committees and administrative officers identified in this Article. However, in any mandated case when any personnel committee, Chairperson, Dean, or Director has made a negative recommendation, and the individual resigns prior to completion of the case, the recommendations along with all documentation acquired in the personnel action to this point shall be sent to the UPC through the channels defined in this Article but shall not be subject to further review. Moreover, such documents and recommendations shall not be placed in any of his/her personnel files, unless the individual requests otherwise.
- j. When an IPC fails to carry out its mandated functions, the AUPC shall insure the proper processing of personnel cases. This may include the augmentation of the regular IPC. To effect this augmentation, the AUPC shall appoint additional members to the IPC in question in consultation with the President or his/her designee. No special augmentation or other variance from normal procedure shall occur unless (a) two-thirds of the AUPC approve, and (b) two-thirds of the department or school voting faculty involved approve.

ARTICLE VIII

AMENDMENTS

Proposals to amend the Bylaws must be presented to the faculty at least two weeks before discussion at a faculty meeting. These Bylaws may be amended only by a majority of the total voting faculty who vote in a (*Approved by faculty in May 2007*) ballot distributed to the entire voting faculty. The final tally shall not be made until at least two (*Approved by faculty in May 2007*) weeks have elapsed from the date of mailing.

Exception: By a two-thirds majority vote of the Faculty Senate, and after presentation at two consecutive meetings of the Senate, the composition of standing committees may be revised to allow for participation of new units or departments of the State University of New York at Binghamton.

APPENDIX TO FACULTY BYLAWS

Title A. Faculty Senate Committees

In accordance with Article IV. Title B. of the Faculty Bylaws, following are the charges of all currently authorized Faculty Senate committees:

BUDGET REVIEW COMMITTEE

Charge:

1. to review on a regular basis all institutional budgets *prior* to the presentation of such budgets to SUNY Central, and *prior* to implementing campus budgetary policies; to report its findings to the Executive Committee of the Faculty Senate. The explicit intention of this charge is to have faculty involvement in budgetary planning *prior* to policy or budgetary implementation, including midstream budget changes;
2. to reflect, in their recommendations on the budget, the academic priorities and policies established by the Faculty Senate;
3. to seek advice as necessary from other faculty with expertise in the budgetary process;
4. to report periodically on the budget process to the Faculty Senate.

Composition:

Membership shall be representative of all schools, the Library, and Health, Physical Education and Athletics. There shall be ten (*Approved by faculty in May 2007*) faculty (three from Harpur College of Arts and Sciences and one each from Thomas J. Watson School of Engineering and Applied Science; School of Education; College of Community and Public Affairs; School of Management; Decker School of Nursing; the Library; and Health, Physical Education and Athletics) and two students (one undergraduate and one graduate). Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

BYLAWS REVIEW COMMITTEE

Charge:

to recommend to the Senate and the faculty additions to and modifications of the Faculty Bylaws.

Composition:

Five faculty: three to be elected and two ex officio (the two immediate past Vice Chairpersons of the Faculty Senate.) Of the five members, three shall be from Harpur College of Arts and Sciences and two shall be from the professional schools, Library and/or Health, Physical Education and Athletics. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

CONVOCATIONS COMMITTEE**Charge:**

1. to receive and discuss recommendations for programs that enhance and support the intellectual, cultural and artistic aspects of the academic curriculum.
2. to bring such programs to the campus.
3. to allocate to these programs, as required, funds contributed by the Student Association, the University and others.
4. to establish admission fees for these programs as necessary and desirable.

Composition:

Three faculty members, three administrative appointees, three undergraduate students, and one graduate student. One of the administrative appointees shall be designated as executive secretary to the committee. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

Duties of Executive Secretary: The executive secretary shall be responsible for keeping minutes and records of the committee, executing contracts on behalf of the committee, and arranging for disbursement of funds allocated by the committee.

EDUCATIONAL OPPORTUNITIES PROGRAM ADVISORY COMMITTEE**Charge:**

1. to advise and assist the Director of the Educational Opportunity Program:
 - a. in establishing policies, procedures and academic guidelines for selection of students for the program;

- b. in developing educational programs for its students;
 - c. in fostering developmental course work and tutorial services;
 - d. in fostering liaison between the Educational Opportunity Program and the State University of New York at Binghamton faculty, students, administration, schools and departments;
2. to advise the State University of New York at Binghamton administration as appropriate on all matters related to the Educational Opportunity Program;
 3. to make recommendations to the Faculty Senate and other appropriate legislative bodies on matters related to the Educational Opportunity Program;
 4. to prepare an annual report on the status of the Educational Opportunity Program for the President and Vice President, and others as deemed appropriate.

Composition:

Five faculty members representing schools and departments teaching large numbers of students in the EOP Program, one graduate student, one undergraduate student, three undergraduates in the Educational Opportunity Program, the Director of Admissions--ex officio, the Associate Dean of Harpur College--ex officio, the Director of the EOP Program--ex officio. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

EDUCATIONAL POLICY AND PRIORITIES COMMITTEE

Charge:

1. to review existing educational objectives and recommend to the Faculty Senate such modifications as will assure a rational and coherent body of policy and educational objectives for the programs, schools, colleges, or departments;
2. to recommend new programs compatible with the educational objectives of the State University of New York at Binghamton;
3. when questions are raised concerning the relation of an existing or proposed program to the State University of New York at Binghamton's objectives, to consider such questions and recommend appropriate action to the Faculty Senate, including where necessary a recommendation that priority of support be granted to a program, school, or college, to meet the University's objectives;

4. along with the Executive Committee (and when appropriate, the Budget Review Committee) review administrative proposals requiring expeditious action. Such review shall include but not be limited to the creation or elimination of, or significant increases or decreases, in the funding and/or personnel of programs, schools, colleges, or departments.

5. New Degree Programs (*Approved by Faculty Senate on April 15, 2003*)

Degree proposals submitted to SUNY System Administration and the State Education Department must follow specific guidelines and provide specific kinds of information. In addition, a local template in current use, called “The Academic Business Plan,” guides proposals through a series of topics designed to make comprehensive sense of the feasibility, benefit, cost, and ongoing viability of each new degree proposal. Program proposals submitted to the faculty will mainly consist of the more detailed Academic Business Plans. All proposals in either form need to address the following issues:

- a. Justification for the program. This should include the pedagogical need for the program and how it fits within the University’s mission and goals.
 - b. Curriculum for the program. This should include a summary of courses proposed for inclusion in the program, distinguishing those that exist and those that need to be created; how the curriculum compares with similar programs at peer institutions.
 - c. Resources needed for the program. This should include a summary of necessary resources (such as faculty, graduate student, and staff positions and other financial support) and the short-and long-term institutional costs and revenue from the program. Sources of necessary short-term costs need to be identified.
 - d. Evidence of consultation with related units across campus and commentary from programs that might be affected.
 - e. Evidence of support from any off campus programs or other entities that will participate.
- 1) The Provost prepares a Letter of Intent for submission to SUNY System Administration. Draft of letter is sent to Faculty Senate Executive Committee (FSEC) for informational purposes at least one week prior to submission to System Administration.
 - 2) Proposals for undergraduate degrees are approved at the school level before submission to the Educational Policy and Priorities Committee (EPPC) for initial action on behalf of the Faculty Senate. Proposals for graduate degrees are approved at the school level and by the Graduate Council before submission to the EPPC.
 - 3) EPPC reviews the proposal and makes recommendation to Faculty Senate Executive Committee. EPPC’s principal role is, in the words of the committee’s charge, to ensure that the proposal is “compatible with the educational objectives of the State University of New York at Binghamton” and that it is pedagogically and fiscally viable. EPPC will announce its agenda to the campus and seek input from all relevant academic units. EPPC’s recommendation could include requests for additional information, and EPPC retains the option of returning a proposal to the originating department for further work before it is forwarded to the Executive Committee. External review documents, if any, should be submitted to EPPC together with the

proposal.

- 4) The Faculty Senate Executive Committee considers the recommendation of the EPPC and makes a recommendation to the Faculty Senate. This recommendation could include a request for additional information, and the FSEC retains the option of returning a proposal to the originating department for further work before it is forwarded to the Faculty Senate.
- 5) The Faculty Senate makes a recommendation to the President regarding the proposed degree program.
- 6) Degree proposals may undergo revision between the time they are initially developed and approved internally on campus and when they are submitted to System Administration, in response to recommendations from external reviewers. The Provost will submit the final version of the degree proposal to the Faculty Senate Executive Committee at least two weeks prior to planned submission to System Administration. The FSEC reviews the final proposal and may decide to seek additional endorsement by the full Faculty Senate if substantive changes have been made to the initial proposal approved by the Senate.
- 7) The EPPC may re-review new programs within 3-5 years, using information gathered through the assessment process and/or additional reasonable data requested from the program. In the event of such a re-review, EPPC will inform the FSEC of any concerns that arise.

6. New 3/2, 4/1, or Combined Programs Leading to Double Degrees

Proposals for new 3/2, 4/1, or other programs that propose to combine existing degrees are submitted to the Graduate Council for information and advice. These proposals will also be submitted to EPPC for information, and EPPC may undertake additional review.

7. New Departments and Other Academic Units

All proposals for establishment of new departments and other academic units or elimination of existing units require review by the Faculty Senate (unless mandated by the Board of Trustees). Proposal review should follow the same procedures outlined above for degree programs (including the routing hierarchy). However, additional materials should be provided as follows:

- a. Need for a new departmental structure. This could include addressing the need to change from an existing program to a department or the justification for starting a new department.
- b. Relationship of proposed department to existing programs. This should include supporting documentation from existing departments/academic units that may be affected by creation of the new department.
- c. Resources necessary to develop new department. This should include summary of new positions needed (faculty, staff, etc.), source of funding for new positions and/or possible

replacement of existing positions in other programs that may get transferred to the new unit.

Composition:

Seven faculty, all tenured, distributed as follows:

1. four from Harpur College of Arts and Sciences, with a minimum of one from Humanities and Fine Arts, one from Social Sciences, and one from Science and Mathematics
2. three from the Professional Schools (Thomas J. Watson School of Engineering and Applied Science; School of Education; College of Community and Public Affairs; School of Management; Decker School of Nursing; the Library; Health, Physical Education and Athletics)
3. two undergraduate students
4. one graduate student

Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

EVALUATION COORDINATING COMMITTEE *(Approved by Faculty Senate May 10, 2011)*

Charge:

1. To coordinate or conduct regular evaluations of those senior administrators who have significant responsibilities involving them in the academic program. These positions currently include, but are not limited to: the President, the Provost, the Vice President for Research, all Deans, the Vice Provost and Dean of the Graduate School, the Vice Provost for Undergraduate Education, the Vice Provost for International Education, the Associate Vice President for Information Technology Services, and the Director of Continuing Education and Summer Programs.
2. To prepare confidential reports for distribution only to the administrator being evaluated; that administrator's immediate supervisor; and the Faculty Senate Executive Committee.

Composition:

The Evaluation Coordinating Committee (ECC) will consist of nine full-time Faculty Senate members chosen by the Committee on Committees and confirmed by the Faculty Senate Executive Committee, including one representative from each of the following units: the Decker School of Nursing, the School of Management, the School of Education, the College of Community and Public Affairs, the Watson School of Engineering and Applied Science, the Library, and three representatives from Harpur College of Arts and Sciences, including one

member from each of the following Divisions: Humanities, Science and Mathematics, and Social Sciences. ECC members will serve one year terms renewable for the duration of their Faculty Senate terms.

EXECUTIVE COMMITTEE

Functions:

1. Report to the Faculty Senate on matters of concern to the faculty that have come to its attention. The Executive Committee shall have the discretion to:
 - a. refer questions or requests it may receive for consideration to the appropriate faculty committee;
 - b. make recommendations to the Faculty Senate on pending legislation;
 - c. consider matters in confidence when appropriate;
 - d. establish and maintain communication with appropriate policy-making individuals and groups.
2. to represent faculty interests and views, and strengthen the role of the faculty in University policy-making.

Composition:

The Executive Committee shall consist of seventeen (*Approved by faculty in May 2007*) members of the State University of New York at Binghamton voting faculty distributed as follows:

1. Nine from Harpur College of Arts and Sciences, distributed as equally as possible among the divisions of the School; such distribution to be determined by the Committee on Committees. Each division shall be considered a separate constituency for the purpose of this Article;
2. Two from the Thomas J. Watson School of Engineering and Applied Science; (*Approved by faculty in mail ballot in March 2006*)
3. Six (*Approved by faculty in May 2007*), distributed one each from the Library; Health, Physical Education and Athletics; Decker School of Nursing; School of Education; College of Community and Public Affairs; and School of Management;
4. The Chairperson and Vice Chairperson of the Senate and the Faculty Senator representing the faculty to the SUNY Faculty Senate shall be ex officio voting members of the Executive Committee and, if not already a member of the Executive Committee, the size of the Executive Committee shall be (temporarily) increased. (*Approved by faculty in mail ballot in March 2006*)
5. If one of the academic units listed above (*Approved by faculty in mail ballot in March 2006*) has fewer than 8 voting faculty, that unit will not have a member on the Executive Committee and the size of

the Executive Committee will be reduced accordingly. Such a unit may send a non-voting observer from among its voting faculty to Executive Committee meetings. *(Approved by faculty in mail ballot in December 2004)*

6. Officers: The Executive Committee shall elect its own chairperson, who shall serve for a two-year term. *(Approved by faculty in mail ballot in May 2000)*

COMMITTEE ON COMMITTEES (SUBCOMMITTEE OF EXECUTIVE COMMITTEE)

Charge:

to assist the Executive Committee in the election of standing committees of the faculty and provide advice as appropriate on nominations for ad hoc committees, joint, and University-wide committees with faculty as members. The Committee on Committees is not a standing Committee of the Faculty Senate, but shall instead report to the Executive Committee. The Executive Committee shall elect the membership of all standing committees and the Committee on Committees.

INTERCOLLEGIATE ATHLETICS COMMITTEE *(Approved by Faculty Senate on October 12, 1999)*

Charge:

to oversee and recommend procedures by which the university and the Department of Athletics maintain university, conference, and NCAA standards for the academic pursuits of student-athletes. This includes

1. evaluating and recommending procedures by which the Department of Athletics promotes the academic success of student-athletes, maintains university academic standards, and ensures compliance with NCAA academic requirements;
2. evaluating and recommending policies and procedures within other university departments and offices, including Admissions, that affect student-athletes and university academic standards;
3. developing guidelines for the integration of student-athletes into university academic life, and promoting initiatives that integrate Department of Athletics academic support programs with other campus resources, offices and programs;
4. making recommendations to the Faculty Senate regarding these and other academic issues that impact student-athletes and the Department of Athletics. *(Approved by Faculty Senate May 17, 2011)*

Composition:

Four faculty drawn from various schools. The Faculty Representative to the NCAA shall be a non-voting member of the committee. Two undergraduate students (one male and one female) with vote designated by the Student Association. One graduate student teaching assistant with vote designated by the Graduate Student Organization. The Director of Health, Physical Education and Athletics shall be a non-voting ex officio member of the committee. One individual designated by the Vice President for Student Affairs without vote.

LIBRARY COMMITTEE

Charge:

1. advise the Faculty Senate and the Director of Libraries on matters of Library policy and budget priorities;
2. serve as liaison between the faculty and Library;
3. consult with student representatives when appropriate.

Composition:

Seven faculty members including a minimum of three from Harpur College of Arts and Sciences, two undergraduate students, one graduate student. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

PROFESSIONAL STANDARDS COMMITTEE

Charge:

1. to consider all sides of issues involving professional conduct and to seek a resolution or to recommend appropriate action to assure high standards of professional conduct;
2. to report annually on the number of issues raised, the nature of the issues raised, and the procedures used in recommending resolution of redress.
3. the committee will not consider cases which are matters of grievance or discipline under provisions of the Collective Bargaining Agreement or aspects of promotion, tenure, and renewal cases related to the substantive issues to be considered by the University Personnel Committees, such as composition of initiating personnel committees, adherence to proper procedures, the fairness of presentation of the case, or the weighing of factors by parties at the various stages of the personnel process. The committee may be concerned with the unprofessional conduct of faculty in the context of personnel cases. *(Approved by Faculty Senate May 10, 2011)*

Composition:

Five tenured voting faculty. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

UNIVERSITY UNDERGRADUATE CURRICULUM COMMITTEE

Charge:

1. to receive or devise proposals for all-university or inter-school curricular initiatives, including but not limited to proposals for all-university graduation requirements;
2. to review, refine, and report to the Senate on such proposals, with recommendations for Senate action.

Composition:

Ten (*Approved by faculty in May 2007, October 2009*) faculty (four from Harpur College of Arts and Sciences, with one each from Fine Arts, Humanities, Science and Mathematics, and Social Sciences; and one each from School of Management; College of Community and Public Affairs; Thomas J. Watson School of Engineering and Applied Science; Decker School of Nursing; the Library; and Health, Physical Education and Athletics), one undergraduate student, one graduate student (who must carry a Teaching Assistantship). Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members.

PROCEDURES COMMITTEE

The Procedures Committee is described in Article III, Title B. 9. of the Faculty Bylaws.

Title B. Joint Faculty Administration Committees

ACADEMIC COMPUTING AND EDUCATIONAL TECHNOLOGY COMMITTEE

(Joint) (*Approved by Faculty Senate on February 20, 1996*)

Charge:

1. to advise the Faculty Senate, the Associate Vice President for Computing and Educational Technology, and the administration on matters of Computer Center policy and administration, and
2. to serve as a liaison between the faculty and the Computer Center.

Composition (*Approved by Faculty Senate on November 5, 2002*):

The Academic Computing and Educational Technology Committee is a Joint Committee between the Provost and the Faculty Senate as described in Article IV, Title B. 2. of the Faculty Bylaws.

The Academic Computing and Educational Technology Committee consists of fourteen members total, the Provost who is Chair, the Vice Provost for Administration, the Associate Vice President for Computing and Educational Technology, seven faculty drawn from various schools and the Library, two additional members chosen by the Provost, a graduate student, and an undergraduate student. Thus, Faculty Senate representatives comprise seven of the fourteen voting members of the Academic Computing and Educational Technology Committee. Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee.

COMMITTEE FOR THE UNIVERSITY ENVIRONMENT (Joint) *(Approved by Faculty Senate Executive Committee on June 11, 2003)*

Charge:

1. to act to preserve and enhance the quality of the University environment;
2. to develop and oversee a university-wide environmental policy;
3. to participate broadly in the physical planning of the University and its environs;
4. to make recommendations about all future construction, including the need for such construction, placement, general shape, and functional relationship of buildings, access routes, and parking areas, and their relationship to natural areas;
5. to participate in the institution of proposals for construction, and in the planning of buildings, roads, and other structures on this campus by meeting regularly with the university architects and the Associate Vice President for Physical Facilities, or their representatives. The Committee shall meet with concerned campus groups at various stages in the planning of such construction.
6. to make recommendations concerning the use of all campus natural areas;
7. to consider the need for additions to the land holdings of the University, and to make recommendations for such acquisitions as are deemed necessary;
8. to establish liaison with local organizations and governmental agencies concerned with the quality of the environment.

Composition:

- 8 faculty members, 5 selected by the Faculty Senate and 3 selected by the Provost
- 3 students, 2 nominated by the Student Association (SA) and 1 by the Graduate Student Organization (GSO)
- Vice President for Administration or his/her designee
- One professional employee appointed by the Professional Employees Council (PEC)
- One Residential Life representative appointed by the Vice President for Student Affairs
- One Physical Plant representative appointed by the Associate Vice President for Physical Facilities
- One environmental ombudsperson or other environmental professional appointed by the Vice President for Administration
- The Steward of the Nature Preserve *(Approved by Faculty Senate May 10, 2011)*

- Additional non-voting members whose expertise would contribute to the committee's function may be added at the discretion of the committee chair, subject to the approval of the Executive Committee. The term of office of such appointees shall be the same as that of the committee's elected members. *(Approved by Faculty Senate on November 29, 2005)*

Faculty Senate appoints the Chair and the President appoints an Administrative Vice Chair.