

Queensborough Community College  
The City University of New York  
Academic Senate

**Memorandum**

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To: Emily Tai, Chair, Academic Senate Steering Committee  
From: Linda Meltzer, Chair, Bylaws Committee  
Date: October 28, 2011  
Re: A. Resolution  
B. Information

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- A. The committee on bylaws would like to recommend the proposed amendment to the Bylaws of the Academic Senate regarding Article II, Section 4.2 which relates to Meetings and Proposed Agenda:

FROM:

Article II. Meetings

Section 4. Proposed Agenda

1. The Steering Committee shall prepare the agenda after discussions with the President.
2. The proposed agenda of a regular meeting shall be sent to all members of the Academic Senate and faculty and students serving on standing committees of the Academic Senate at least one week prior to the meeting. The agenda for a special meeting shall be communicated with the notice of the meeting. All original motions and amendments should be visually presented.
3. The order of business at any meeting, except where otherwise specially provided for, shall be as follows:
  1. Attendance.
  2. Consideration of the minutes of the previous meeting.
  3. Communications from the Board of Trustees or any of its committees.
  4. Communications from the President of the College or his designee on matters concerning the College or University.
  5. Elections.

6. Degrees.
7. Reports of Standing Committees.
8. Reports of Special Committees.
9. Unfinished Business.
10. New Business.
4. The regular order of business may at any time be suspended by an affirmative vote of two-thirds (2/3) of the members present.

TO:

OCC Academic Senate Bylaws

Article II. Meetings

Section 4. Proposed Agenda

1. The Steering Committee shall prepare the agenda after discussions with the President.
2. The proposed agenda of a regular meeting shall be sent to all members of the Academic Senate and faculty and students serving on standing committees of the Academic Senate at least one week prior to the meeting. The agenda for a special meeting shall be communicated with the notice of the meeting. All original motions and amendments should be visually presented. Items requested by a majority of the chairpersons of the academic departments may be considered as an item for the agenda of a regular meeting after those from Senate Standing Committees.
3. The order of business at any meeting, except where otherwise specially provided for, shall be as follows:
  1. Attendance.
  2. Consideration of the minutes of the previous meeting.
  3. Communications from the Board of Trustees or any of its committees.
  4. Communications from the President of the College or his designee on matters concerning the College or University.
  5. Communication and/or Report from the Steering Committee.
  6. Elections.
  7. Degrees.
  8. Reports of Standing Committees.
  9. Reports of Special Committees.
  10. Unfinished Business.
  11. New Business.

Rationale: At various points over the past several years, Chairs have needed to bring a matter of common concern, such as the scheduling of final examinations in the fifteenth week of class,

to the attention of the Academic Senate. A provision that allows for matters of concern to a "majority of Chairs" to be placed before the Academic Senate will provide a clear mode of procedure for addressing such issues. The Steering Committee has also made it a practice to communicate with members of the Senate—through written reports and/or oral communication—following the report of the President. The second proposed addition would standardize the Steering Committee's contribution for the reference of future committee leadership.

**B. Information Only.** As part of its charge, The Committee on Bylaws as per Section 13.3 "shall consider and inform the Academic Senate of changes in the Bylaws of the Board of Trustees." This Committee examined the respective Bylaws Amendments to the CUNY Board of Trustee Bylaws with Dr. Philip Pecorino at our committee meeting on Friday October 28. Therefore, we inform the Academic Senate that:

There have been 2-3 versions of amendments to the Board of Trustee bylaws since earlier in the year, and it is virtually in final form as we write. It will be presented at the Committee on Faculty, staff, and Administration on October 31, and then will be presented to the CUNY Board of Trustees shortly afterward at its upcoming November meeting for approval.

Many of the changes are largely housekeeping items, in keeping with the goal of updating provisions, deletions, clarification, conforming to longstanding University practice, and to make the Bylaws clearer, easier to work with. However, there are some highlights and concerns we want to note.

Article 1 dealing with Meetings of the Board, notably 1.1 and 1.2 have been amended to add requirements necessary for Board of Trustees meetings to comply with the Open Meetings Law and NYS law. Article 3 relating Committees of the Board, notably 3.1 and 3.2 reflect a similar amendment for the same reason.

Several sections have been amended/deleted in the proposed CUNY Board of Trustee Bylaws because they are also governed by the PSC-CUNY collective bargaining agreement or the New York State Education Law. Deletion in the amended Bylaws is intended to eliminate the duplication. This change is found in several Articles throughout the Bylaws.

Proposed changes to two Articles, Article 7 and 11, are noteworthy for concerns that have been raised. Article 7 relates to Academic Due Process, and sets forth grounds and procedures for removing or

suspending members of the instructional staff. This provision applies to instructional staff excluded or not otherwise covered by the PSC-CUNY collective bargaining agreement. Those instructional staff that are tenured are covered by NYS Education Law, in the event there is no collective bargaining agreement in effect. There does not appear to be the same coverage for untenured staff however.

Article 11 of the Bylaws generally sets forth the position descriptions for members of the instructional staff, removing all descriptions for all titles except for those of Chancellor, Senior University staff and President. Of particular note, Section 11.1 now provides that the minimum qualifications and duties for all other titles in the instructional staff shall be established by the Chancellor or his/her designee, except that any revisions to title positions for faculty rank titles shall be approved by the Board of Trustees as a Board policy item.

We note that while we examined these bylaw changes which the CUNY Board of Trustees intend to approve at its Board meeting in November, the Board will add "Board Policies" later. We haven't seen that document yet.

Respectfully submitted,

Linda Meltzer, Esq., Chair