NEW YORK CITY TECHNICAL COLLEGE
GOVERNANCE PLAN

PART I

ARTICLE I - FUNCTION OF COLLEGE COUNCIL

The College Council shall be the body which establishes college policy on all matters except for those specifically reserved by the laws of the state of New York, by the Bylaws of the Board of Trustees of the City University of New York and the collective negotiation agreements in force.

ARTICLE II - COMPOSITION OF COLLEGE COUNCIL

A. The Council shall be composed of:
   1) Ex officio members (with vote): President of the College, provost, all vice presidents, all full deans, dean of continuing education, chief librarian, registrar, director of admissions, divisional deans and departmental chairpersons.
   2) One member to be elected from each instructional department and voting unit (including Department of Student Affairs, Library, Continuing Education, College Laboratory Technicians series*, Higher Education Officer series* and Registrar series* with up to twenty-five full-time instructional staff members; two members to be elected from each department, or voting unit with more than twenty-five full-time instructional staff members.
   3) Delegates-at-large to be elected from the instructional staff as defined in Article II Section B, 2, with the number of delegates-at-large to be equal to the number of departments and voting units.
   4) Students: Student representatives designated as follows:
      a) Two students elected by the student government.
      b) Four students from each academic division, each of whom is registered in a department within that academic division, elected by the students within that division. Current election procedures for divisional students representatives are to remain in force.
      c) Elections for delegates should be held at the same time as election of Student Government officers.
      d) Election of all student representatives to the College Council shall be by plurality vote of those eligible and voting.
      e) All student representatives on the College Council will serve for a one-year period.

B. Eligibility to serve and to vote on the College Council:
   1) Students
      In order for students to serve on the College Council they must meet all of the following criteria:
      a) they must be currently enrolled in the college and in good academic standing. Any student member of the council placed on academic probation during his/her term of office automatically loses his/her seat and may stand for re-election only on being returned to good standing.
      b) they must have successfully completed twelve hours.
      c) they must be able to serve a minimum of one year.
      d) they must be enrolled for a minimum of 3 hours.
      e) If a student vacancy occurs, the student voting unit from whence the student comes shall provide a replacement. The name of the replacement is to be reported to the council secretary.
   2) Instructional Staff
      The following members of the instructional staff shall be eligible to serve on and vote for the College Council:
      a) All professors and associate professors,
      b) All tenured assistant professors and instructors,
      c) All assistant professors and instructors who have received a third full-time annual appointment,

* These groups shall be construed as separate voting units ONLY for the purpose of electing College Council delegates. However, CLT's may not vote in elections for departmental delegates.
d) All full-time assistant professors ( untenured) who have been appointed to the rank after serving for a minimum of three years as full-time lecturers/instructors,

e) All lecturers full-time who have received a third continuous annual appointment,

f) All college laboratory technicians who have received a third full-time continuous annual appointment,

g) All higher education officers who have received a third continuous full-time annual appointment,

h) All registrars who have received a third full-time continuous annual appointment.

C. Elections to College Council

1) Department Delegates

a) Department delegates shall be elected by those eligible to vote as defined above and in Part II, immediately following the election of department chairpersons. They shall serve a three-year term. Those persons serving as department delegates at the time of the adoption of this constitution shall remain on the council until the expiration of their term.

b) Vacancies shall be filled by the department for the unexpired portion of the term by election within the department if a delegate resigns, retires or is on an extended leave. If the vacancy is caused by a one-semester leave the vacancy shall be filled by a runner-up on a ranked list from the last election until the incumbent returns.

2) Delegates-at-Large

a) Delegates-at-large shall be chosen from the instructional staff as defined above. Such delegates shall be elected for a three year term with 1/3 elected each year on a rotating basis. Those persons serving as delegates-at-large at the time of the adoption of this constitution shall remain on the council until the expiration of their terms.

b) Those elected shall be selected on the basis of a plurality vote with ties broken by the candidates drawing lots.

c) Elections shall be held in the Spring semester no later than the last day of classes each year, but shall not take place until after the elections of departmental chairpersons and delegates.

d) Vacancies for delegates-at-large shall be filled from the list of runner-up candidates of the last election, on a ranked list from the last election for that position with the person having the most votes among the runners-up filling the vacancy. The vacancy shall be for the balance of the semester or academic year, depending upon the type of leave taken by the incumbent. Persons who become unavailable for an indefinite period shall be replaced as per the procedures noted above. Incumbents shall return to their positions upon returning from leave within the time of their original term.

3) All elections shall be supervised by the Legislative Committee and administered by the Office of the Dean of Human Resources and Labor Relations. Student elections shall be supervised by the Office of the Vice-President for Student Affairs.

4) Rules for election shall be established by the College Council.

ARTICLE III - ORGANIZATION OF COLLEGE COUNCIL

A. The chair of the council shall be elected by a majority vote of the council members present at the organizational meeting. Instructional staff members, as defined in II B2, of the College Council and department chairpersons are eligible to serve. Reassigned time shall be provided.

The Council Chair shall:

1) Preside over all meetings of the College Council.

2) Preside over all meetings of the Executive Committee.

3) Oversee the workings of each of the standing committees.

4) Serve as an ex-officio member of all council committees.

5) Meet at least once per semester with the president of the college to discuss council business.

6) Represent the college in all governance matters.

B. The vice-chair shall be elected by a majority vote of the council members present at the organizational meeting. Instructional staff members, as defined in II B2, of the College Council and department chairpersons
are eligible to serve. The council vice-chair shall:
1) Preside over council meetings in the absence of the council chair.
2) Preside over meetings of the Executive Committee in the absence of the council chair.
3) Serve as an ex-officio member of all council committees.
4) Meet, along with the council chair, at least once per semester with the president of the college to discuss council business.
5) Represent the college in governance matters in the absence of the council chair.

C. A parliamentarian shall be elected at the organizational meeting of the council by a majority vote of the council members present. The parliamentarian may or may not be a member of the College Council but may vote only if he/she is a voting member of the council. The parliamentarian shall use the current edition of Robert’s Rules of Order, Newly Revised and shall advise the council on questions of procedure.

D. A council secretary shall be elected at the organizational meeting of the council by a majority vote of the council members present at the meeting. All council members are eligible to serve. The council secretary shall:
1) Notify council members of the time, place and agenda of all council meetings.
2) Prepare and distribute the minutes of all council meetings indicating all present, absent or excused.
3) Provide the college archivist with all minutes of council meetings and those of its committees as well as all other council documents.
4) Prepare and distribute to the college community an annual report summarizing all actions taken by the council.
5) Serve as a member of the Executive Committee of the College Council and also as a member of a standing committee.
6) Serve, without vote, as a resource person to the Committee-on-Committees.
7) Publish a summary of attendance of members annually.
8) Update the data base of council actions annually.

E. Adequate secretarial services to perform council functions shall be provided for by the college administration to the chair, secretary and chairs of standing committees. Up to 20 hours/week of College Office Assistant time is to be allocated for council activities. Additionally, an office shall be provided and equipped with appropriate office technology: e.g. up-to-date services are to include a telephone with voice mail, e-mail, fax machine access and a networked computer with printer.

ARTICLE IV - MEETINGS OF COLLEGE COUNCIL

A. The College Council shall meet a minimum of five times each academic year (at least once during the first two months) as determined by the Executive Committee of the council.
C. No business shall be conducted at College Council meetings unless there is a quorum present. A quorum is defined as a majority of the total College Council membership.
D. The time of adjournment shall be mandatory and no binding resolutions or actions shall be permitted to be taken beyond that time.
E. The Chair may call special meetings of the College Council to deal with specific agenda items upon three working days notice to the membership of the council.
F. All council meetings shall be open to members of the college. Non-members of the council, with the approval of the council, may speak but may not vote.
G. Upon delivery of a petition of a minimum of 1/6 of the membership of the council to the College Council secretary, a meeting must be called in order to deal with the issue of the petition. This meeting must be held within ten (10) working days from the receipt of the petition.
H. The college archivist shall maintain the official records of the council and such records shall be accessible to all members of the college.
ARTICLE V - POWERS AND DUTIES OF COMMITTEES OF COLLEGE COUNCIL

A. The College Council may establish standing and special committees at its discretion.
   1) All members, except ex-officio must serve on a council committee. Ex-officio members may elect to serve.
   2) Committee members shall have access to all college records and sources of information necessary for carrying out their assigned responsibilities.

B. The Executive Committee
   1) The Executive Committee shall be composed of the council chair, vice-chair, secretary of the council and the chairs of all standing committees.
   2) The Council Chair or, in his/her absence, the vice-chairperson shall preside at meetings of the Executive Committee.
   3) In the absence of a chair of a standing committee he/she may be represented by a designee from the same committee, who shall enjoy the same privileges as the committee chair.
   4) The Executive Committee shall meet at least once a month during the academic year.
   5) The Executive Committee shall set the agenda for all meetings of the College Council. A copy of the agenda shall be delivered to each council member at least five working days prior to a meeting and shall be posted on bulletin boards to be designated by the council at least five working days prior to a meeting. Once an agenda has been distributed, it may be modified only by action of the College Council.
   6) The Executive Committee of the council shall refer matters brought to its attention to the appropriate committee or to the council. All proposals submitted to standing and special committees must be written, complete and contain intended committee designations and time frame or they will be returned to their originators for revision. The committee shall receive recommendations and resolutions from all standing and special committees prior to submission to the council.
   7) The Executive Committee of the council shall submit such recommendations and resolutions to the council or shall return them to the appropriate committee with comments. If a recommendation or resolution is returned to a committee and the committee passes it for a second time and forwards it to the Executive Committee, it must be placed on the agenda of the next council meeting. The Executive Committee of the council shall place on the agenda for the last meeting of the Council a report from the Registrar on the list of students for graduation. At the last meeting of the Council the Registrar shall present a certified list of the October and January graduates and a list of proposed candidates for June graduation. Faculty members of the council will affirm and validate the list of candidates.

C. Committee on Committees
   1) The Committee on Committees, composed of five council members of the instructional staff as defined in Article II, B 2 shall be elected by members of the council at the first meeting of the council.
   2) The Committee on Committees will elect its own chairperson.
   3) Each member of this committee must serve on another standing committee of the council.
   4) This committee shall be charged with assigning council members to serve on standing committees within ten days of the first meeting of the council each year.
   5) This committee shall determine the number of members to be assigned to each standing committee with the proviso that no committee shall have fewer than seven members.
   6) In making its assignments the committee will consider appropriate continuity and individual preferences.
   7) At least one student shall be assigned to each standing committee.

D. Standing Committees
   1) Each standing committee shall elect its own chairperson and secretary. Each chairperson and secretary shall serve for one year.
   2) Each committee shall investigate, study and report to the College Council on all matters brought to its attention by any member of the council's constituency.
   3) By a simple majority vote of the College Council a matter resting in the hands of a committee shall be brought before the council at its next scheduled meeting.
   4) Each committee shall transmit its minutes with a record of attendance to the Executive Committee of the
College Council and to all members of the council.
5) No committee has the authority to act for the council.
6) Each committee shall work within a reasonable time frame with full knowledge and awareness of such deadlines as may exist.
7) Curriculum Committee
   This committee shall be responsible for the evaluation of curriculum, the review of proposals for the development and modification of curriculum and formulation of curriculum policy.
8) Committee on Students
   This committee shall be responsible for the evaluation and formulation of policy pertaining to: student recruitment, admission, discharge, student orientation, registration, discipline, counseling, academic standards, granting of degrees, ceremonies, health and other services, extra-curricula activities including athletics, student grievances, as well as other activities relating to students. All actions of this committee shall be undertaken within the boundaries of the students' right to privacy as defined by the Students Records Access Policy of the Board of Trustees of the City University of New York.
9) Budget Committee
   This committee shall be responsible for recommendation and evaluation of policy relating to the financial and budgetary affairs of the college.
10) Legislative Committee
    This committee shall be responsible for the formulation of any required amendments to this constitution, the election procedures and bylaws of this body. In addition, this committee shall review and recommend action to the council on legislation of concern to the college community.
11) Buildings and Grounds Committee
    This committee shall be responsible for recommendations to the council concerning the condition, improvements and safety of the college proper and its environs. This committee shall be expected to provide liaison between the faculty and the Office of the Vice President of Fiscal and Operational Affairs. To further this goal, the Buildings and Grounds Committee shall be represented on all college-wide committees dealing with the planning and use of the physical plant.
12) Personnel Committee
    This committee shall be responsible for the development of policies and practices (not subsumed by the Board of Trustees' Bylaws or existing contractual agreements) relating to the instructional staff.
   a) It shall be responsible for reviewing existing policies and practices and proposing recommendations for change.
   b) It shall also be responsible for the development and continuing review of criteria and procedures for the evaluation of administrators appointed by the president of the college and shall be responsible for seeing that there shall be periodic evaluation of all such administrators.
13) Non-members on Committees
    Members of the instructional staff and students who have not been elected to the council and who wish to serve on a standing committee of the College Council may apply in writing to the chairperson of the Committee on Committees. The chairperson of the Committee on Committees, in consultation with the members of the Committee on Committees and the chairperson of the committee being requested, must either grant or deny the request in writing. A denial must be accompanied by a reason. Those persons who are accepted will serve on the committee but will not have a vote and will not serve as delegates to the council. Representation of non-voting members on a committee shall not exceed 25% of the voting members, nor shall such non-voting members be counted as part of the committee's quorum. Their term shall not exceed the academic year in which they are invited to serve.

ARTICLE VI - PAST PRACTICES OF COLLEGE COUNCIL

A. Nothing in this document shall in any way be construed as to void the legality of any legislation of any previous duly constituted council, except as it may be specifically provided for in this constitution.

PART II - DEPARTMENTAL ELECTIONS

A. All full-time members of the instructional staff as defined below shall be eligible to vote in all departmental
elections:
1) Professors and associate professors
2) Tenured assistant professors and instructors
3) Assistant professors and instructors who have received a third full-time continuous annual appointment.
4) Full-time assistant professors (untenured) who have been appointed to this rank after serving for three years as full time lecturers/instructors
5) Full-time lecturers who have received a third continuous annual appointment.

B. Eligibility to serve as department chairperson and to serve on appointments committees:
The provisions of Article IX, section 9.1, of the Bylaws of the Board of Trustees shall be used to determine those faculty members eligible to serve as department chairpersons and to serve on committees on appointments.

C. In departmental elections for chairperson, committee on appointments and departmental delegate to the College Council, and in the peer evaluation process for promotion, the following shall be deemed ineligible to vote and serve:
1) Appointees (either regular or acting but not including people serving in the below titles as the chief administrator of the Library, the Department of Student Affairs and the Department of Continuing Education) as:
   a) President
   b) Provost
   c) Vice President
   d) Dean
   e) Associate Dean
   f) Assistant Dean
   g) Administrator
   h) Associate Administrator
   i) Assistant Administrator
2) Those serving in a full-time administrative capacity with the City University of New York, or the city, state or federal government.
3) Those placed on disability leave without pay including TIAA Disability.
4) Persons shall be deemed ineligible to vote in their departments if they are serving in a full-time administrative capacity for two years continuously outside of their own departments. For purposes of implementation, calculation of the two-year period shall begin with the September following the adoption of this constitution by the Board of Trustees of the City University of New York.
5) All of the above shall regain their rights immediately upon returning to full-time teaching or other service in their own departments.

PART III - PROMOTION PROCEDURES

A. 1) At the beginning of each academic year, the dean for human resources issues a personnel calendar which includes deadline dates for the promotion process. The dean also sends to each department chair a listing of those faculty eligible to apply for promotion together with promotion applications which are to be delivered personally to each eligible candidate. Any individual who does not receive an application and questions the eligibility listing should contact the dean for human resources.
2) During the fall semester, the president appoints two ad hoc promotion committees each consisting of five or six members of the faculty to examine in depth the candidacies of the applicants for promotion to the rank of associate professor and professor.
   a) The ad hoc committee on promotion to associate professor will be composed of either five or six members of the faculty holding the rank of associate professor or professor. At least two of its members must be from the College P&B Committee with the ad hoc committee chaired by a member of the College P&B Committee.
   b) The ad hoc committee on promotion to professor will be composed of either five or six members of the faculty holding the rank of professor. At least two of its members must be from the College
P&B Committee with the ad hoc committee chaired by a member of the College P&B Committee.

3) Applications of candidates as well as the required evaluations must be filed with the dean for human resources by the announced deadline dates.

B. The promotion process to the senior ranks originates with an evaluation by the departmental peers committee. For promotion to the rank of professor, the peer committee is composed of all full professors in the department; for promotion to the rank of associate professor, the committee consists of all associate and full professors in the department. The following procedures are to be followed at the departmental level:

1) Department Chairs:
   a) have all eligible candidates observed during the fall semester, review the observations with the candidates within a three week period, and prepare the appropriate memoranda;
   b) determine from the candidates whether they wish to appear before the peer committee;
   c) convene the peer committee to discuss each candidate and to elect a representative to be interviewed by the ad hoc committee. It is the peer committee's responsibility to evaluate each candidate using the college's performance criteria for promotion. These evaluations should result in a written report prepared by and voted on by the peer committee. The report should be signed by each of the members of the peer committee. These signatures indicate that the peers have read the report and are aware that they may append comments. Minority reports may be filed.
   d) hold a conference with each applicant to discuss the peer committee evaluation report and minority report (if any). This discussion should be reflected in a memorandum signed by the chair and the applicant, a copy of which should be given to the applicant. The candidate should also receive an unsigned copy of the report including any appended comments.
   e) submit the reports, observations and memoranda together with the name(s) of the elected peer(s) to the dean for human resources via the academic dean by the deadline date.

2) In those instances where a candidate makes application for promotion and does not fit the above model, the following procedures will apply:
   a) Where the department chair is the only peer in the department, the academic dean shall act as a second peer with the department chair writing the report;
   b) Where the department chair makes application and there are no other peers, the evaluation is performed by the academic dean;
   c) Where the department chair makes application and there is only one peer, the academic dean and the peer constitute the evaluating body with the peer writing the report;
   d) Where the department chair makes application and there are two or more peers, the academic dean convenes the peers, an election is held for a peers' chair, the academic dean leaves, and committee of peers evaluates all candidates with the chair of the committee writing the report;
   e) Where the department chair does not make application and is not a peer, the department chair convenes the peers, participates in the evaluation discussions, but does not vote.

C. During the spring semester, the ad hoc committees review all applications, personnel files and relevant materials and interview candidates, elected peers, academic deans, the provost and department chairs. The affirmative action officer may also request to be interviewed. In addition, the committees, at their discretion, may call upon anyone either within or outside of the college to assist in their evaluations. The committees will forward their reports to the president prior to their being presented to the College P&B Committee late in the spring semester.

1) A candidate will be considered recommended with a vote of 5-1 or 4-1.
2) In cases where a committee member is a member of the same department as the candidate, the committee member will recuse him/herself from the interviewing and voting processes. A candidate will then be considered recommended with a vote of 4-1 or 3-1.

D. After action is taken by the College P&B Committee, the president, in consultation with the provost and academic deans, will review the applications of all candidates and will make his/her final recommendations known to the College P&B Committee at its first meeting in September.

1) Appeals may be made to the Personnel Appeals Committee.
2) Candidates not recommended for promotion will meet with their department chair and academic dean
early in the fall semester and prior to the beginning of the next promotion process so that the substance of the ad hoc committee's report relative to their candidacy may be shared with them. A record of this meeting will be summarized in a memorandum and placed in the candidate's personnel file.

PART IV - PERSONNEL APPEALS COMMITTEE

There shall be a Personnel Appeals Committee whose function shall be to review appeals transmitted to it by those who wish to appeal matters relating to instructional staff appointments, reappointments, certificates of continuous employment, tenure, leaves, promotions and the policies, recommendations and procedures thereto pertaining, and to advise the president on their disposition. Such appeals may be made either before or after the president's decision.

This committee shall be composed of two tenured associate or full professors from each academic division and two from the combined unit composed of the Department of Continuing Education, the Library, Registrar series and the Department of Student Affairs. One member from each division shall be elected each fall, by members of the instructional staff in the faculty titles of lecturer, instructor, assistant professor, associate professor and full professor who are eligible to participate in elections for the College Council.

In addition, one member from the HEO series and one member from the CLT series shall be elected every other fall, who will serve, with vote, only when an appeal has been presented to the Personnel Appeals Committee by a person in the HEO series or in the CLT series respectively. All persons in the HEO series who are eligible to vote in the elections for College Council shall be eligible to vote for the HEO representative. All persons in the CLT series who are eligible to vote in the elections for College Council shall be eligible to vote for the CLT representative. These representatives from the HEO and CLT series shall only participate in those actions which involve members of their respective series.

The chairperson of this committee shall be elected from among the membership of the committee by the committee members each fall, following the election held to fill the vacant seats. Each division/area shall conduct a separate election for its representatives. Each elected member shall serve for a two-year term.

PART V - ADMINISTRATIVE ACCOUNTABILITY

The president shall report no less than once during each academic year to the assembled instructional staff of the college on accomplishments of his/her administration and plans for the future. On such occasions the president will entertain questions and statements from the assembled instructional staff.

Division deans shall report no less than once during each academic year to the assembled instructional staff of the division on accomplishments of his/her administration and plans for the future. On such occasions the division dean will entertain questions and statements from the assembled instructional staff of the division.

Department chairpersons shall report no less than once during each academic year to the assembled instructional staff of the department on accomplishments of his/her administration and plans for the future. On such occasions the chairperson will entertain questions and statements from the assembled instructional staff of the department.

PART VI - BYLAWS AND AMENDMENTS

A. Bylaws:
The College Council shall adopt bylaws, pursuant to the current edition of Robert's Rules of Order Newly Revised to define and regulate the details of its organization and procedures.

B. Amendments:
1) Amendments to this governance plan may be initiated by any standing committee or by petition of sixty (60) members of the instructional staff. The proposed amendment shall be submitted to the Legislative Committee for review. The Legislative Committee must submit the proposed amendment with its
recommendations to the Executive Committee for placement on the agenda of the next regular meeting of the College Council.

2) The proposed amendment will require a two-thirds affirmative vote of the College Council. In addition, an affirmative simple majority of those members of the Instructional Staff voting, provided 30% vote, is required.

3) All amendments to this governance plan are subject to approval by the Board of Trustees.

C. The instructional staff shall have the right to reverse any specific vote of the council, including amendments of this governance plan, by a vote of the majority of the membership of said instructional staff eligible to vote. Upon petition of one tenth of the instructional staff to the president of the College Council, a meeting, to which the entire instructional staff is invited, must be held in order to determine if the instructional staff desires to reverse any council decision in the aforementioned manner. This meeting must be held within ten (10) working days from the receipt of the petition. The instructional staff shall be notified of said meeting a minimum of five (5) working days prior to the meeting date. The president of the college shall preside at this meeting.