FACULTY BYLAWS AMENDMENTS

IT IS HEREBY PROPOSED THAT:

1. The following amendments to the faculty bylaws be proposed to the faculty
2. CONE be instructed to submit the amendments to the faculty
3. The President be requested to call a faculty meeting to vote on the amendments.

AN INTRODUCTION TO THE PROPOSED REVISION OF THE
FACULTY BYLAWS AND THE UNIVERSITY SENATE CHARTER

The Ad Hoc Bylaws Committee of the Executive Committee of the University Senate proposes the adoption of revised Faculty Bylaws of the University at Albany and The Charter of the University Senate. The Charter is a "new" document incorporating revised rules of order, council and committee structures, and other Senate policies and safeguards ratified by our predecessors over the years.

To be adopted, the Bylaws amendments must first be approved by the University Senate and then presented to the Voting Faculty. Approval by the Voting Faculty requires a majority vote at a Faculty Meeting attended by 40% of the Voting Faculty; if no quorum is present at the Faculty Meeting, approval requires a two-thirds vote on a mail ballot to all Voting Faculty to which at least 40% respond. If approved by the Voting Faculty, final adoption requires the University President's approval of those portions of the Bylaws that specify consultation between faculty governance and the President. Since the Charter concerns the workings of Senate, its councils and committees, adoption requires only approval by the University Senate. However, since some portions of the Charter reference changes in the Bylaws, any approval of the Charter will necessarily be contingent upon adoption of the revised Bylaws.
If all this seems a complex, cumbersome process, our predecessors meant it to be so. The bylaws of a SUNY campus are intended to provide and to require both the mechanisms and the rules of order whereby the Voting Faculty control those aspects of the campus that lie within their charge and those structures and channels whereby Voting Faculty provide the formal consultation with campus administration demanded by the Chancellor and the SUNY Board of Trustees. From the point of view of the faculty, the Bylaws thus represent some of their most important and cherished powers and obligations; and from the point of view of the campus President, these rules are the formal vehicle of "collegiality," of advice and consent, by which many of the most significant and far-reaching decisions and actions are to be made. Little wonder then that the process for amendment is sufficiently daunting to discourage frivolous changes or hasty decisions.

In spring 2002 each Senate Council examined its charges for anachronisms or failures to reflect current functions. The Executive Committee then appointed the ad hoc group to examine the responses and address other potential changes and problems, including apparent dissatisfaction with and avoidance of Senate activities by many faculty. As the bylaws committee tackled these matters, it perceived, and the Executive Committee concurred, that instead of piecemeal, cosmetic changes and minor updates the whole structure of faculty governance at the University should be reviewed with the following goals in mind:

- Revise bylaws and charges where outdated or obstructive of governance efficiency and effectiveness.
- Increase faculty involvement in governance.
- Ensure a clear, strong voice for faculty in the University planning processes and educational policies.
- Create an environment where faculty governance serves a defined role in all University-wide committees and task forces and is the primary organization under which most such entities work.
- Address an appropriate role for governance in hiring processes for senior administrators.
- Make composition of the Senate more representative and accountable to constituent groups.

The committee continued to meet weekly or biweekly all of last year, through the summer, and this September and October. Progress reports were duly presented at all meetings of the University Senate and its Executive Committee, and PowerPoint presentations concerning the directions being taken were placed on the Senate's web page. Continuing feedback was solicited through a series of open forums on the uptown and downtown campuses and by individual presentations to various constituent groups, including representatives of academic units, Senate councils, UUP, Student Association, GSO, and the administration. The group consulted the Policies of the Board of Trustees and examined governance structures and bylaws at sibling, peer, aspirational peer, and competitor institutions. The proposed changes represent the distillation of all of this input.
Most important to the members of the bylaws group was that nothing proposed would give up or abrogate the existing powers and influence of faculty governance. Those powers are considerable. Indeed, perhaps the most startling or "radical" elements of the document lie within the majority of the text that was unchanged. If the Senate has been remiss in the past for not fully utilizing these powers and/or for not insisting this authority be recognized by the administration, then perhaps the Senate needs to be more representative; if the Senate wishes to consult more regularly and effectively with the administration, it in turn must consult more effectively and regularly with its constituents. In that spirit, a "Preamble" has been added to the proposed revision of the Bylaws, and much of that document and most of the Charter are concerned with attracting more Voting Faculty to participate in faculty governance, improving representation and responsiveness of faculty governance, and establishing additional safeguards and watchdog structures not just on the administration of the University but upon those to whom we entrust the processes of faculty governance.

In these interesting times, when external demands for assessment of standard offerings clash with startlingly new scholarly ventures and research opportunities, and when continuing budget constraints require consideration of innovative promises for new revenues, questions and challenges concerning the University's traditions, its funding, its directions, its mission, its integrity multiply. The campus administration and its faculty governance will require the active and unselfish participation of its greatest pool of talent, the Voting Faculty, to address the questions, to surmount the challenges, and to support the decisions that need to be made. The proposed changes represented by the Bylaws and Charter documents are intended to encourage and facilitate that participation.

SOME OF THE MORE SUBSTANTIVE CHANGES BEING PROPOSED INCLUDE:

- Providing a clear enumeration of faculty rights and responsibilities with respect to consultation on new curricular and research programs and budgetary policies
- Providing provisions for advice and consultation between faculty governance and administration and between governance bodies and their constituencies, with routine evaluation of the effectiveness of that communication; differentiation between governance bodies and advisory groups outside of faculty governance
- Disbanding the Committee on Nominations and Election, more clearly enunciating election rules, and moving oversight of Senate elections to a Senate Council on Governance, which shall seek to recruit more Faculty into the Senate and its councils and committees and shall also undertake assessments of the effectiveness of governance and consultation
- Decreasing Senate terms to 2 years, increasing council terms to 2 years, and creating a 3 term limit for both
- Increasing the number of elected Voting Faculty senators from 34 to 52, including 44 elected by schools and colleges, 4 at large Teaching Faculty, and 4 at large Professional Employees
- Requiring senators to report regularly to their constituencies, and requiring that large schools and colleges designate specific senators to represent particular
academic departments or small groups of programs so each faculty has an identifiable senator

- Eliminating appointed senators except for a provision that the Senate Executive Committee may nominate up to two senators and a Senate council may nominate its chair-elect both for one year terms subject to approval by the Senate
- Apportioning the current number of student senators, which remains the same but is apportioned according to the ratio of undergraduate to graduate students; the number of student senators include the ex officio officers of GSO, SA, and SA Senate
- Retaining those administrator ex officio voting members of the Senate whose responsibilities most closely correspond to Senate charges and councils to provide a conduit for consulting with the senate on all major decisions
- Creating a formal Charter including Senate, council and committee structures and responsibilities
- Creating a University Planning Council (replacing Educational Policy Council), including a Facilities Committee and a Resource Analysis and Planning Committee to review recent budgets and the implementation of the University's strategic plan
- Creating a General Education Committee of the Undergraduate Academic Council to deal with issues of General Education, including course approval
- Creating an Academic Assessment Council (replacing Joint Program Review Committee of UAC and GAC) concerned with major and program assessment
- Creating committees within University Life Council, including one on Wellness and Safety and one on Athletics, the latter including the faculty members of the IAAB
- Changing CAFE (the former Council on Academic Freedom and Ethics) to a committee of the Executive Committee, comparable to CERS (the recently formed Committee on Ethics in Research and Scholarship)

Members of the Ad Hoc Bylaws Committee of the Executive Committee of the University Senate:

Professor Donna L. Armstrong, Epidemiology, Public Health
Assistant Dean Richard L. Collier, Undergraduate Studies
Professor Bruce C. Dudek, Psychology, Arts and Sciences - Co-Chair
Professor Carolyn MacDonald, Physics, Arts and Sciences - Co-Chair
Professor David P. McCaffrey, Public Administration, Rockefeller College
Professor John S. Pipkin, Geography and Planning, Arts and Sciences
Professor Marjorie Pryse, Women's Studies and English, Arts and Sciences
Professor Edelgard Wulfert, Psychology, Arts and Sciences

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