

Procedures for creating an ad hoc advisory group to the President:

For the purposes of formal consultation as outlined in the Faculty Bylaws of the University at Albany

Preface

The preamble of the Faculty Bylaws of the University at Albany indicates that the Faculty at the University at Albany is responsible for carrying out and maintaining the teaching, research, and service components of the University. These responsibilities and the right to carry out and maintain these components are derived from Policies of the Board of Trustees of the State University of New York. The Faculty Bylaws inform the Faculty about its responsibilities and the mechanisms by which they are fulfilled.

In order to execute the responsibilities outlined in the Bylaws, the Faculty needs to consult regularly and effectively with the university community and the President and his/her executive staff. The main conduit for communication between the Faculty and the President is through the elected governance body, the University Senate. (The Faculty can also express itself through Faculty meetings and Referendums.) The University Senate derives its charge and its power to represent the Faculty through the Bylaws. The University Senate is therefore responsible for making formal recommendations, requesting policy and curricular changes, and advising the President on budgetary matters.

The President may, at times, require special expertise when making decisions about the maintenance and future of the University and may call on individual members of the teaching and professional staff to serve as advisors. These university community members are free to

offer their expertise but they do not represent the Faculty as a whole and would not be considered part of a formal consultative process with the University Senate. The President also maintains the right to gather university faculty members to serve on task forces, advisory groups, or special committees without specific consultation with the University Senate. However, these bodies, formed by the President or his/her executive staff, do not constitute formal consultation with the Faculty as outlined in the Bylaws.

In addition to the routine formal consultation process that takes place between the University Senate and the President, the President may wish to organize a special ad hoc advisory group to focus on a particular area of concern or special need. The Bylaws indicate that no ad hoc advisory groups shall replace approval by or formal consultation with the Faculty, meaning the University Senate. However, the University Senate and President may make some ad hoc advisory groups part of the formal consultative process by agreeing on the membership and providing regular feedback to the University Senate from these groups. Specifically, the Bylaws indicate that “a majority of the faculty members must either be appointed by, or their recommended appointment approved by, the Senate Governance Council, as specified in Article 2, Section 5.5, and specific faculty members must be designated to regularly report to the Senate.” It is important to clarify that a formally constituted ad hoc advisory group is *part* of the formal consultative process and does not replace the need for formal consultation with the elected governance body, the University Senate.

The University Senate recognizes its position as an advisory body to the President and also recognizes that the President may, at times, choose not to follow the advice of the University Senate. In these cases, the commitment to transparency and open dialogue are most critical.

What follows are the proposed procedures by which the Governance Council of the University Senate should proceed in response to the President's request to create an ad hoc advisory group outside of established, elected governance bodies.

Guidelines for the Governance Council

- 1) The President makes a formal written request to the Chair of the Governance Council of the University Senate to form an ad hoc advisory group that will play a part in the formal consultative process between the President and the Faculty.
 - a. The letter should include the specific task that the group will be charged to consider.
 - b. The letter should include the membership chosen to serve by the President. This will give the Governance Council the minimum number of University Senate representatives needed to staff the advisory group.
 - c. The letter should also include the length of time for which the ad hoc group will serve. The Governance Council may stipulate an end date by which the ad hoc committee will cease to represent a formally constituted body.
 - d. In the event that this information is not included in the original request, the Chair of the Governance Council will request the information in writing from the President or his/her designee.

- 2) Once the requested information has been provided, the Governance Council will meet and the Chair of the Council will provide the President or his/her designee with a list of names that will represent the University Senate.
- 3) The Governance Council will designate at least two representatives to serve as official University Senate “reporters”.
 - a. The “reporters” will formally report the work of the ad hoc group at each meeting of the Senate Executive Committee (SEC) and University Senate.
 - b. “Reporters” may be questioned by the University Senate. “Reporters” need not be Senators but must be Voting Faculty members.
 - c. It is the responsibility of the Governance Council to ensure that the University Senate is getting regular feedback from “reporters”
 - i. To that end, the Chair of the Governance Council should ensure that the Senate agenda includes a report (e.g. “Ad hoc X Group report”) under Old Business whenever a formally constituted ad hoc group is at work.
- 4) When the President is satisfied with the membership of the ad hoc body, he or she will communicate the final list of names and affiliations of the ad hoc group members to the Chair of the Governance Council in writing.

- 5) Formal consultation will begin when the Governance Council verifies that the majority of the members serving on the ad hoc advisory group were chosen by the Governance Council.
- 6) After verifying the members, the Chair of the Governance Council will report the membership of the ad hoc advisory committee in writing at the next SEC meeting and the next University Senate meeting.
 - a. The “reporters” will also be identified in the Governance Council Chair’s written report.
- 7) Any change in the verified membership of the ad hoc advisory group reported to the University Senate should be sent in writing to the Governance Council by the “reporter” and/or the President or his/her designee.
 - a. The Governance Council must respond in writing to the President or his/her designee, within the shortest possible delay, to verify that the ad hoc group meets the criteria to be part of the formal consultation process.
 - b. In cases where the membership selected by the University Senate of a formally constituted ad hoc group has dropped below majority, the Governance Council will indicate in writing to the President that there is a membership deficiency.
 - i. The written communication will state clearly that the ad hoc group no longer conforms to the standards of formal consultation.
 - ii. If requested by the President, the Council may supply additional University Senate selected members to meet the “majority rule.”

- c. The Governance Council will supply names of representatives to ameliorate the deficiency.

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