

ACADEMIC SENATE BYLAWS

Section A. PREAMBLE. The Academic Senate, hereafter called the Senate, carries out the academic governance process through judicious and timely deliberations. It also ensures through the electoral process a broad participatory role from individual divisions in the initiation, development, implementation, and evaluation of the educational program at Herkimer County Community College. In addition, the Senate structure provides for an organized liaison between the faculty and the President of the College.

Article I. Name

The name of this organization will be the Herkimer County Community College Academic Senate.

Article II. Purpose

Section 1. The Academic Senate shall be the representative governing body of the Academic Staff. (See Article IX, Sec 3, for membership list.)

Section 2. The Academic Senate shall, through its President, inform the President of the College of its recommendations.

Section 3. The Academic Senate shall be the voice of the Academic Staff to the President of the College.

Section 4. The Academic Senate shall advise the President of the College directly.

Section 5. The Academic Senate shall address campus concerns as determined by the Senate, recommended by the Academic Staff, or identified by the President of the College.

Article III. Goals

“The faculty shall participate in the formulation of the policy relating to student health, scholarship, standards of admission attendance and discharge of students, curriculum and other study programs, the granting of degrees, student activities, extra-curricular [co-curricular] activities and student discipline. The faculty shall also present recommendations to the president [President of the College] regarding (a) the instructional budget and (b) appointments, reappointments, tenure, special salary increments, promotions and leaves of absence of members of the instructional staff.” (CCR, Section 605.1 Faculty Role).

Section 1. The goals of the Academic Senate shall include, but not be limited to, the following:

- A. To provide a mechanism for Academic Staff to fulfill its obligation to participate significantly in the initiation, development, implementation, and evaluation of the educational program;
- B. To advise and consult the President of the College;
- C. To provide an opportunity for the exchange of ideas of mutual interest and concern among members of the Academic Staff and the College community;
- D. To take appropriate action to maintain an atmosphere of academic freedom, intellectual integrity, assessment and cooperation in the pursuit of learning;
- E. To provide enhanced opportunities for professional growth;
- F. To participate in the process of goal setting and planning of the College;
- G. To review and make recommendations concerning proposed changes in the substance or status (including termination) of existing programs and to propose new programs of instruction, research and service offered by the College;
- H. To advise, review, and consult on the preparation of the College's budget requests, master plan, strategic plan, and other similar documents as these relate to the academic area of the college;
- I. To advise, review and consult on the distribution of funds and other resources, including personnel, to departments and other major units as these relate to the academic area of the college;
- J. To advise, review and consult on the administrative organization or reorganization of the College and its components;
- K. To advise, review and consult on the College's philosophy, mission, and vision;
- L. To advise, review, and consult on development and utilization of the College's physical plant as these relate to the academic area of the college;
- M. To advise, review, and consult on budgetary implications of proposed new academic programs or specializations, and of proposed new services, research, or support programs, or proposed changes in all such programs. In this capacity, the Senate shall render advice to other appropriate Standing Committees charged with reviewing such proposals;
- N. To provide, upon request, information and advice concerning the College's resources, objectives, or plans to any Committee established or authorized under these Bylaws.

Article IV. Membership

Section 1. Voting Members

Membership of the Academic Senate shall be elected from the Academic Staff. (See Article IX, Sec 3, for the full membership list.)

Section 2. Non-voting Members

The following personnel are invited to attend and provide input to Academic Senate Meetings.:

President of the College, Vice Presidents, Assistant to the President, General Counsel, Chief Academic Officer, Deans, Associate Deans, Assistant Deans, Director of the Library, Director of Campus Safety, Director of the Academic Support Center, Director of Human Resources, Controller, Director of Public Relations, Athletic Director, Director of Student Activities, Director of the Advisement Center, Director of Institutional Research, Registrar, adjunct faculty, emeritus personnel, President of the Student Government Association, President of the HCCC Professional Association, Delegate to the SUNY Faculty Council of Community Colleges, past Presidents of the Senate and other administrative or staff members who may be added to the academic or management staff of the college.

If non-voting members wish to bring agenda items to the Senate, these items should be forwarded to the Senate Executive Committee two weeks prior to the meeting at which the items are to be considered.

Section 3. Verification of Voting Status

It shall be the responsibility of the Nominations, Elections, and Governance Committee to verify voting status based upon the criteria specified in Sections 1 and 2.

Article V. Officers

Section 1. Officers

The officers of the Academic Senate shall be a President, a Vice President, and a Secretary.

Section 2. Duties

A. President. The President shall:

1. Preside at all meetings of the Academic Senate, the Executive Committee, and Academic Staff meetings called by the Academic Senate;
2. Act as liaison between the Academic Senate and the President of the College;

3. Attend monthly meetings of the Board of Trustees of Herkimer County Community College and report on these proceedings to the Senate, as well as provide an update on the activities of the Senate to the Board of Trustees;
4. Represent the Academic Staff at appropriate College functions;
5. Prepare, with the Executive Committee, and distribute the agenda at least five working days prior to meetings of the Academic Senate, when possible;
6. Appoint, with the advice of the Executive Committee and the consent of the Academic Senate, all chairpersons of Standing Committees of the Academic Senate;
7. Convene and preside over all meetings of the Academic Senate, and the Executive Committee of the Academic Senate, and the Academic Staff, except those meetings of the Academic Staff convened by the President of the College;
8. Write an annual informational letter to all Academic Staff at the beginning of the Fall Semester;
9. By September, publish dates and times of Senate meetings for the academic year;
10. Represent the Academic Staff on the campus-wide shared governance body.

B. Vice President. The Vice President shall:

1. Perform the duties of the President in his/her absence;
2. Perform other duties as assigned by the President.

C. Secretary. The Secretary shall:

1. Keep the minutes of all meetings of the Executive Committee,
2. Carry on the correspondence of the Academic Senate under the aegis of the President;
3. Distribute minutes and notices of meetings;
4. Coordinate with the college-provided clerical staff member, if present, for the recording of minutes of all of Senate and Academic Staff meetings
5. Distribute a list of respective constituents to each senator each September. This list, along with the list of Senators and Senate officers will also be sent to the President of the College and posted electronically to the appropriate area for campus-wide access.

The college will provide a member of the clerical staff to record the regular Academic Senate and Academic Staff meetings, if requested by the Senate.

Officers shall perform other duties described by these bylaws and by parliamentary authority contained in the current edition of *Robert's Rules of Order, Newly Revised*.

Article VI. Elections

Section 1. Senators

- A. Representation. Four Senators shall be elected from each constituent area. (See Article IX, Section 3.)
- B. Term of Office
 - 1. Senators shall be elected from the designated areas for two-year terms. One-half shall be elected each year. Senators may serve no more than three consecutive two-year terms. One year after leaving office a Senator may serve again.
 - 2. Officers of the Academic Senate shall be elected from the Academic Staff at large. Terms of office shall be two years. The President and Secretary of the Senate shall be elected in years ending in an odd number and the Vice President of the Senate shall be elected in years ending with an even number. Officers may be elected to no more than two consecutive two-year terms in the same office and under no circumstances can someone serve as an officer for more than a total of five consecutive years. One year after leaving office an officer may serve again as an officer.
- C. Regulations. Elections shall be set by the Nominations, Elections & Governance Committee during the Spring semester each year and held no earlier than the midpoint of the semester and no later than the midpoint of April. Terms of office will begin the first day of faculty obligation for the Fall semester. Elections will be by secret ballot. Absentee ballots may be requested from the Nominations, Elections & Governance Committee. The winner of all elections shall be the candidate receiving the most votes cast. In officer elections, the winner is the candidate with the majority of votes cast. If no candidate receives a majority, the election will follow *Robert's Rules of Order* to resolve the election. In some cases, interim elections may be held.

Article VII. Duties

Section 1. Senators

The duties and responsibilities of Senators shall include the following:

- A. To attend all meetings of the Academic Senate;
- B. To determine the opinion of their constituents before meetings of the Academic Senate;
- C. To represent their constituencies at meetings of the Academic Senate;

- D. To report fully and regularly to their constituencies on the activities of the Academic Senate;
- E. To serve on standing committees as designated by the Executive Committee;
- F. To attend all general Faculty meetings.

Article VIII. Conduct of Business

Section 1. Meetings

- A. Whenever possible, regular meetings of the Academic Senate shall be held at least monthly beginning with the first week of faculty obligation through the end of faculty obligation in May.
- B. The business of the Academic Senate shall be conducted in accordance with the provisions of the Bylaws. All conduct of business within the Academic Senate not otherwise provided for in the Bylaws shall be in accordance with *Robert's Rules of Order, Newly Revised*. To this end, a parliamentarian shall be appointed by the President of the Senate.
- C. The Academic Senate shall pass normal business by majority vote. Majority vote is defined as the majority of votes cast, excluding abstentions. The President of the Senate may reserve the casting of his/her vote until the announcement of votes, at which time he/she may vote in order to create or break a tie.
- D. Academic Senate minutes shall be distributed as follows:
 - 1. Executive Committee minutes shall be published electronically to the appropriate area for campus-wide access;
 - 2. Senate agendas and minutes approved by the Academic Senate shall be distributed to all voting members of the Academic Staff and published electronically to the appropriate area for campus-wide access, or put on reserve in the library. A physical copy will also be stored in the archives of the Academic Senate's office space.

Section 2. Committees

The Academic Senate shall recommend the formulation of new committees, standing or ad hoc, as the need arises.

Section 3. Quorum

The quorum for meetings of the Academic Senate and all committees shall be a simple majority.

Article IX. Committees

Section 1. Executive Committee

A. Membership

Membership of this Committee shall consist of the officers of the Academic Senate, the Delegate to the Faculty Council of Community Colleges and the Chairpersons of all standing committees. Past presidents of the Academic Senate and the Alternate Delegate to the Faculty Council of Community Colleges may be invited as non-voting members.

B. Duties

The duties of this Committee shall be:

1. To receive reports from all standing committees;
2. To apportion the business of the Academic Senate to the appropriate standing or ad hoc Committees;
3. To appoint interim members from the Academic Staff as may be necessary to fill vacancies to standing committees of the Senate;
4. To appoint and charge ad hoc Committees from the Academic Staff as needed;
5. To carry on Academic Senate business between regular meetings of the full Academic Staff;
6. To call special meetings of the Academic Staff;
7. To meet at least monthly from the first week of faculty obligation through the last in the Academic year;
8. To review its structure, function, and composition, and to make recommendations for changes to the Academic Staff;
9. To review and approve procedural changes to the Academic Senate resolutions as presented by the appropriate standing committee.

Section 2. Standing Committees

Committees shall submit to the Academic Senate all recommendations made by the Committees, both standing and ad hoc. Committees shall receive requests from and make reports only through the Executive Committee of the Academic Senate. Committees shall keep records of their proceedings, operations, and attendance. Annual reports shall be submitted in writing to the President of the Academic Senate no later than the end of the spring semester. Upon request of

the Academic Senate or the Executive Committee, committees shall conduct special investigations in the areas which are properly within their jurisdiction. Each Committee shall periodically review its structure, function, and composition, and shall make recommendations for changes to the Academic Senate. Regular reports shall be made to the Executive Committee.

Committees shall be composed of and elected by the Academic Staff in accordance with Article IX, Section 3. A-C; however, the Executive Committee may appoint members of the Academic Staff to Committees, but no more than one per Committee, and only when confirmed by a majority vote of the Senate.

All elected members of the Standing Committees of the Academic Senate will serve three year terms. One third of each Standing Committee's elected members shall stand for election each year.

A. Academic Policies

1. Membership

The voting members of this Committee shall be at least five members of the Academic Staff, one from each of the represented areas identified in Article IX, Section 3. A-C. The committee may invite other members of the campus community to provide input at any time.

2. Duties

It shall be the responsibility of this Committee to review all policies pertaining to the academic standards and educational policies of the College and to make recommendations to the Academic Senate. This shall include, but not be limited to, policies related to advising, admission, registration, scheduling, grading, probation, suspension, student withdrawal from classes, student academic grievance procedures, the academic calendar, and the student evaluation of faculty questionnaire.

B. Curriculum

1. Membership

The voting membership of this Committee shall be seven members of the Full-time Teaching Faculty. Up to two members of the non-teaching faculty may also be elected to the committee, as voting members, at the discretion of the Committee and the Academic Senate. The non-voting members of this Committee shall be the Director of the Advisement Center and the Registrar. The Committee should also consult and apprise the Assessment committee, the Financial Aid Office and the Institutional Research Office regarding the work of the Committee, when necessary or appropriate.

2. Duties

It shall be the responsibility of this Committee to review all proposals for changes in the curricular offerings of the College, including new curricula and courses and major revisions or deletions of existing curricula, and courses, and to recommend appropriate action to the Academic Senate. It shall review the development, delivery and assessment of the college's educational offerings. It shall review the philosophy of the academic programs, and it may consider changes in courses and programs in all Divisions of the College. It may review all programs for the purpose of evaluation. The Academic Senate, after reviewing the Committee's recommendations, shall forward appropriate recommendations to the Chief Academic Officer, or other designee as set by the College President.

C. Planning

1. Membership

The voting membership of this Committee shall be four to seven members of the Academic Staff. The Committee may invite other members of the campus community to provide input at any time.

2. Duties

It shall be the responsibility of this Committee to coordinate and provide faculty input into all aspects of College planning that relate to academics including, but not limited to, budgets, accreditation, reorganization and the strategic and master plans of the College. It shall also have the responsibility to periodically review the College's philosophy, mission and vision and assess, on behalf of the faculty, how well the College is meeting its commitment to academics and the community. The Committee shall also research, and apprise the Academic Staff regarding, emerging issues of educational importance. As part of these processes, this Committee shall make recommendations and reports for submission to the President of the College through the Academic Senate.

D. Faculty Development

1. Membership

The voting membership of this Committee shall be four to seven members of the Academic Staff one of whom should be non-teaching faculty and the rest shall be teaching faculty. A non-voting member of this Committee shall be the Chief Academic Officer, or his/her designee.

2. Duties

It shall be the responsibility of this Committee to promote the Academic Staff vitality and continued growth through the development and coordination of programs related to the improvement of teaching and learning, and of general interest to the Faculty. This Committee shall also review applications to engage in coursework and for Leaves for Professional Advancement and, after careful review, make recommendations to the College President through the Academic Senate concerning such applications. The Committee shall act as the steering committee for all Academic Staff awards for coursework and Leaves for Professional Advancement.

E. Nominations, Elections & Governance

1. Membership

Membership of this Committee shall be four to seven Senators.

2. Duties

It shall be the responsibility of this Committee to prepare a slate of candidates for the following positions in the Academic Senate: President, Vice President, Secretary, and Senators. This Committee shall be responsible for reviewing and adjusting the distribution of representatives among departments or units, and the determination of eligibility for voting membership in accordance with Article IV, Section 1.

This Committee shall make recommendations to fill vacancies as they occur on Committees and in the Academic Senate. It will supervise all elections and examine all procedures to make sure they are in keeping with the Academic Senate Bylaws. It will review the Bylaws at least once every three years and make recommendations for changes to the President of the Senate who will present the changes to the Academic Staff. After approval by the Academic Staff, the President of the Senate will submit these changes to the President of the College for consideration and presentation to the board of Trustees.

This Committee shall also be charged with ensuring that principles of democratic governance are being followed in all constituent areas of the governance system. The Nominations, Elections & Governance Committee will oversee update of the Resolutions of the Academic Senate to reflect all policy changes.

This committee shall be responsible for regular review of the bylaws and voting processes.

F. Awards and Recognition Committee

1. Membership

The voting membership of this Committee shall be five to nine members of the Academic Staff. Additional voting and non-voting members may be temporarily appointed, up to one semester, to the Committee by the President of the College, as might be required due to award or recognition criteria.

2. Duties

It shall be the responsibility of this Committee to review and publicize, in a timely manner, the criteria of internal or external awards and recognitions related to members of the Academic Staff.

The Committee shall review all applications or nominations for internal or external awards and recognitions related to members of the Academic Staff and make recommendations to the Academic Senate or other bodies, as may be appropriate for award or recognition criteria.

The Committee shall in all cases keep the Senate transparently updated as to the process of how all reviews of applications or nominations are conducted by the Committee, while maintaining the confidentiality of the names of applicants or nominees as may be appropriate or necessary.

The Committee may consider and develop proposals for new awards or recognitions. The Committee may review applications and nominations for awards and recognitions for members of the campus community other than the Academic Staff, if directed to by the Academic Senate and the President of the College.

- G. Other committees as deemed necessary by the Executive Committee in consultation with the Academic Senate

Section 3. Constituent areas of representation

AREA A: BUSINESS, HEALTH, SCIENCE AND TECHNOLOGY: Accounting, Business Administration, Computer Network Technician, Computer Support Specialist, EMT/Paramedic, Fashion Buying & Merchandising, Health Services Management, Health Services Management Technology, Human Resource Management, Human Services, International Business, Marketing, Paralegal, Physical Therapist Assistant, Small Business Management, Sports Recreation Management, Physical Education, Science, Travel & Tourism and similar disciplines.

AREA B: HUMANITIES AND SOCIAL SCIENCES: Art Studies, Early Childhood, Fine Arts, Childhood Education, Communication Arts, Communication and Media, Corrections, Criminal Justice, Cybersecurity, Economic Crime, Forensic Investigations, General Studies, Humanities, English, Photographic Technology, Social Science and similar disciplines.

AREA C: NON-TEACHING: Admissions Assistants, Advisement Center Specialists, Counselors, Financial Aid Assistants, International Program Director, Learning Center Specialists, Librarians, Special Services Coordinators, Student Activities Director, Technical Assistants affiliated with Academic Divisions, and similar positions that work closely with students.

Article X: Rights of the Academic Staff

Section 1. Academic Staff Meetings

A. Regular and Special Meetings

The President of the Senate shall call a meeting of the Academic Staff once each academic year. The President may call other meetings at his/her discretion, or when petitioned in writing by at least 15% of the Academic Staff.

B. Agenda

The agenda for each regular or special Academic Staff meeting must be announced and proposals for action must be distributed to the Academic Staff at least 48 hours prior to the meeting.

C. Quorum

A quorum for each regular or special meeting shall consist of one-third of the Academic Staff. For the purpose on determining one-third, numbers shall be rounded off to the higher number should there be a fraction.

D. Items Requiring Vote of the Full Academic Staff

The President of the Senate with the consensus of the Senate may submit items to the Academic Staff for review and vote by secret ballot.

E. Secretary of the Academic Staff

The Secretary of the Academic Senate shall serve as secretary at all Academic Staff meetings.

F. Procedure

Procedure of the Academic Staff meetings shall conform to *Robert's Rules of Order, Newly Revised* and may be amended by Academic Staff.

Section 2. Individual Right of Address

Any individual may address the Academic Senate, providing that the subject matter is submitted in writing to the President of the Academic Senate five working days prior to the next meeting of the Academic Senate.

Section 3. Departmental Right of Address

New academic departments, or administrative units or departments, or units whose representation is affected by personnel changes, will have such changes recognized by the Academic Senate through the Academic Senate Committee on Nominations, Elections & Governance.

Section 4. Academic Staff Prerogatives

Any action of the Academic Senate may be rescinded, repealed, or amended by the voting faculty, provided that:

- A. A motion to consider an action of the Academic Senate carries by a majority vote of the Academic Staff present at any Academic Staff meeting;
- B. Thereafter, a substantive proposal concerning the action being considered shall be discussed, after which mail ballots and copies of the proposal will be distributed to the entire voting Academic Staff;
- C. A simple majority of the voting Academic Staff shall approve the proposal;
- D. Nothing in this section abrogates the power of the Academic Senate to rescind, repeal, or amend its own actions.

Section 5. Amendments

Proposed amendments to these bylaws shall be directed to the Nominations, Elections, and Governance Committee who will arrange for an open hearing, assist with wording, and conduct balloting. For any proposed amendment, only one annual open hearing will be held. Additional meetings can be held at the request of the Executive Committee. Written notice to all Academic Staff of the open hearing is required five working days prior to its being held. Academic Staff will have at least ten working days to complete ~~mail~~ balloting.

If a two-thirds vote in the affirmative by those mail ballots returned by voting Academic Staff, these amendments will be forwarded by the President of the Senate to the President of the College for consideration and presentation to the Board of Trustees.

Section 6. Removal from Office

An elected Senator may be recalled or removed from office upon the presentation of a petition of twenty-five percent of his/her representative area and a subsequent vote of two-thirds of that representative area. An elected Senator may be removed from office by a two-thirds vote of the Academic Staff. An officer may be removed from office by two-thirds vote of the Academic Staff.

Section 7. Vacancies

Vacancies in any office or committee shall be filled for the remainder of the unexpired term accordingly:

- A. President. The Vice President shall become President.
- B. Vice President. This office shall be filled by the candidate receiving the greatest number of votes of the Senators present and voting at the next regular Academic Senate meeting.
- C. Secretary. This office shall be filled by the candidate receiving the greatest number of votes of the members of the Academic Senators present and voting at the next regular Academic Senate meeting.
- D. Senators. The President of the Senate will ask the area represented to conduct an election to fill any vacancy.

Section 8. Leaves

An elected Senator who is on leave from the college must choose to fulfill Senatorial duties and responsibilities, resign, or take leave of Senate duties. When the choice is a leave from Senatorial duties, the temporary vacancy shall be filled for the remainder of the leave or unexpired term, whichever comes first, in accordance with Article X.

Section 9: SUNY Faculty Council of Community Colleges' Delegates

The Academic Staff of Herkimer County Community College shall elect a delegate and an alternate at the last Academic Staff meeting of the academic year. The names of the delegate and alternate shall be forwarded to the President of the SUNY Faculty Council of Community Colleges. Delegates shall serve for three-year terms. The Academic Senate shall determine the means of providing a voting representative if neither delegate nor alternate can attend a meeting.

Article XI: Principles of Shared Governance

Section 1. Academic Freedom

Academic Freedom is a foundational principle of higher education and shared governance, protecting the integrity of our educational system and thus serving the public good. Academic Freedom means that all members of the academic community have the right to engage in

intellectual debate and express their views, on and off campus, through any medium in a safe environment, free from censorship, retaliation or other sanction. Academic Freedom allows for appropriate and constructive criticism of such matters as policies, positions, opinions, interpretations and practices of others, in the pursuit of the common good. While Academic Freedom allows for the challenging and debate of the ideas of others in a free marketplace of ideas, it does not allow anyone to substantially impair the rights of others or follow a practice of being professionally ignorant, incompetent or dishonest. Nothing in the above description shall preclude any other rights anyone may also have under the concept of Academic Freedom. See the Faculty Council of Community College's *Academic Freedom Position Statement* and *White Paper on Academic Freedom* for more information.

Section 2. Philosophy of Representation

In order to speak authentically in the name of the Academic Staff, the Senate's officers, Senators and committee members shall follow the practice of serving as instructed delegates. This means that those elected to serve under the bylaws of the Academic Senate must communicate with, and represent all of the different viewpoints of, those who elect them. Only those who have been elected by, or selected by representatives of, the Academic Staff, who have had ample time to communicate with and receive feedback from their colleagues, and who also are held accountable by the Academic Staff, through the policies outlined in these bylaws, may legitimately claim to speak for the Academic Staff.