

# **CONSTITUTION OF THE PACE UNIVERSITY NEW YORK FACULTY COUNCIL**

## **PREAMBLE**

The Pace University (University) New York Faculty Council (NYFC) is organized to establish a structure within which the members of the NYFC may engage in a cooperative effort directed toward the progressive improvement of the University.

In order to ensure meaningful faculty participation in the decision making process at the University and to establish efficient communication between the faculty and other components of the University, the NYFC supports the faculty governance structure called the Joint Faculty Council (JFC) and promulgates this constitution.

## **Article I. Statement of Purpose**

The faculty is the body with primary control and responsibility for curriculum, subject matter and method of instruction, academic research, faculty status, and those aspects of student life that are related to the educational process. This right is to be generally referred to as the faculty's determinative power.

On matters for which the NYFC has determinative power, the privilege of review lodged in the Board of Trustees or its delegated representatives shall be exercised adversely only in exceptional circumstances and only for reasons communicated to the NYFC in writing. The NYFC shall have the right to review said adverse exercise and shall have the right to be heard regarding the adverse exercise.

The NYFC has the right to participate in a timely manner at all stages with University administration and the Board of Trustees in the budgeting and strategic planning activities of the University.

The NYFC, through the JFC, is the faculty representative body delegated to share in decision making in areas of general policy and management of the University. Faculty serving on any committee formed by the administration shall be deemed to represent the NYFC only if they are elected or selected by the NYFC. The NYFC reserves the right to select only the number of representatives to any committee or deliberative body as are actually needed.

## **Article II. Authority of the NYFC**

The NYFC is the legislative body through which the New York faculty makes decisions in areas of its determinative powers. The NYFC is also the mechanism for the NY faculty to make recommendations to the Board, the President of the university or other appropriate persons or bodies within and without the University. On matters of University-wide concern, the NYFC may vest its authority in its representatives to the JFC when the NYFC, by a majority vote, deems it appropriate to do so.

### **Article III. Structure of the NYFC- Membership**

**Section 1.** There shall be voting members, non-voting members, and guests.

**Section 2.** Voting members shall include:

- a) All full-time tenured or tenure-track faculty members of Pace University who meet the following conditions:-
  - i. teach on the New York campus or teach on both campuses and have declared membership in the NYFC to the NYFC chair and
  - ii. do not have membership in the Pace Westchester Faculty Council (WFC)
- b) Full-time faculty members are those who are designated as such contractually. Full-time faculty members teach an agreed number of credit hours, nine or ten months per year. [Full-time faculty members with teaching reductions for administrative work are still considered full-time for voting purposes. For the purposes of this document, faculty with administrative responsibilities on the campus or departmental levels are considered faculty; those with college or university-wide administrative responsibilities are considered members of the administration.]
- c) All Professors Emeriti in Residence.
- d) All full-time lecturers and clinical faculty.
- e) Each school or college may select two adjunct faculty members to participate as voting members in the NYFC.

**Section 3.** Non-voting members shall include but are not necessarily limited to:

- a) Members of the Pace University academic administration, members of the Pace University non-academic administration and such other members of the University community as may be approved by the Executive Committee.
- b) Representatives of the Student Government and Student Press, by request of the appropriate student organization, may be approved as guests by the Executive Committee or the Presiding officer.

### **Article IV. Officers of the NYFC**

**Section 1.** The officers of the council shall be Chairperson, First Vice Chairperson, Second Vice-Chairperson, and Secretary.

**Section 2.** The Chairperson and the First Vice-Chairperson of the Council shall be tenured members of the faculty and shall have been voting members of the

NYFC for a period of not less than two years at the time of their nomination. The Second Vice-Chairperson and Secretary must be tenured or tenure-track members of the faculty and must be voting members of the NYFC at the time of their nomination.

**Section 3.** Nomination and Election of Officers

- a) The Nominations Committee (described in Article VII Section 3 below) shall issue a call for nominations to the Executive Committee in September of even-number years, and shall accept all nominations submitted to it. The Nominations Committee shall prepare a single list of candidates for the positions of the officers of the NYFC and shall report all nominations at the subsequent November meeting.
- b) Additional nominations may be made by the voting membership of the NYFC anytime between the November meeting and the December meeting.
- c) A vote on the nominees shall be held at the December meeting.
- d) The Officers shall be elected by a majority of those present at the December meeting.
- e) Whenever an election is contested, the vote shall be taken by secret ballot.
- f) Council officers shall hold office for a two-year period. Their term begins on January 1st of the odd year immediately following their December election and concludes on December 31 of the even year two years after their December election.
- g) In case of vacancy, the Executive Committee shall nominate a replacement. Additional nominations shall be made by the Council and an election will be held at the meeting following the occurrence of the vacancy.

**Article V. Duties of the Officers of the Council**

**Section 1.**

The Chairperson shall preside at all regular and special meetings of the Council and at the meetings of the Executive Committee. The Chair is an ex officio voting member of every committee except the Nominating Committee, and represents the faculty to the administration.

## **Section 2.**

The First Vice Chairperson shall assist the Chairperson. In the absence of the Chairperson, the First Vice-Chairperson shall preside over general meetings of the Council and over meetings of the executive committee.

## **Section 3.**

The Second Vice Chairperson shall assist the Chair and substitute for the chair or first Vice Chair when necessary.

## **Section 4.**

The Secretary

- a) The Secretary shall record the discussion during each regular and special meeting of the NYFC for distribution in a timely fashion to each member of the Council.
- b) The minutes shall normally include the following:
  - i. Names of those present;
  - ii. A summary of the topics discussed;
  - iii. A verbatim report of any formal resolution offered, with the names of the proponent and the person who seconded the resolution.
  - iv. The conclusion reached on any resolution so offered;
  - v. The names of the members of any committees elected or appointed;
  - vi. A summary of Committee reports;
  - vii. A summary of miscellaneous announcements.
- c) The minutes shall be subject to the approval of the Council.
- d) When the Council is in Executive session, the Secretary will take note of the proceedings in a memorandum to be distributed only to the Executive Committee unless NYFC votes to release all or any part of the contents to the University community.
- e) Except when the timing of emergency meetings make such distribution impossible, the Secretary shall publish the agenda and the announced date and place of each NYFC meeting and a first draft of the minutes of the previous meeting at least one week preceding that meeting.

- f) The Secretary shall keep a running record of all motions / resolutions passed by Council. Resolutions adopted by the NYFC will be forwarded to the appropriate decision making person or body. This record will constitute the Bylaws of the NYFC and shall be available at every meeting and to any interested faculty member.

## **Article VI. Meetings**

### **Section 1. Scheduled Meetings**

There shall be a regular meeting of the Council on the first Monday of each month starting from October through May, excepting January. If the executive committee shall so determine, the meetings may be moved to a different day or date each month.

### **Section 2. Special Meetings**

Special Meetings may be called whenever necessary in the opinion of the Executive Committee or as a result of written petition of at least 25 Council members. Special meetings require five days written notice to the membership.

### **Section 3. A Quorum**

A Quorum shall consist of 25 Council voting members. Each voting member of the council shall have one vote and a majority of the voting members present shall be necessary to pass a resolution.

### **Section 4. Order of Business**

At each regular meeting the order of business shall be:

- i. Approval of the minutes of the preceding regular meeting;
- ii. Announcements;
- iii. Committee Reports;
- iv. Reports from the Administration
- v. Old business;
- vi. New business.

### **Section 5. Procedures**

(a) The procedure of all meetings shall be governed by Robert's Rules of Order, unless there is explicit endorsement of contrary procedure in the NYFC

Constitution or its By-laws. A parliamentarian, if appointed, will aid the Chair as needed.

(b) If a secret ballot is requested for any vote or motion at a meeting, and if that request is seconded, then the NYFC Executive shall conduct that vote or motion with a secret ballot using paper votes without calling for a vote on whether to conduct a secret ballot.

(c) Elections for the CDFPT representatives and the members of the CDFPT Appeals committee shall be conducted as follows. The Secretary of the NYFC will circulate a ballot via email to the membership of the NYFC and allow members to vote via email, setting a deadline for submitting the ballot of no later than 48 hours before the NYFC meeting where an in-person ballot will also be held. The Secretary will prepare a voting roster for use at the meeting, showing which members have already cast email ballots; those who cast email ballots before the deadline will be not allowed to vote at the meeting.

## **Article VII. Committees**

The Council shall have the following standing committees with functions, duties and membership as hereinafter set forth. They shall also have such duties as may be conferred from time to time by the NYFC or by the Executive Committee. The NYFC may create other standing committees as required; however the committees listed herein shall be considered as permanent standing committees.

The primary responsibility of all NYFC committees and NYFC representatives to University committees is to report their findings to the NYFC in whatever form the committee finds most appropriate.

Voting members of the NYFC are eligible to serve on all committees. Exceptions, who must be tenured, are the Chair and the First Vice-Chair of the Faculty Council and the faculty members on CDFPT and the Appeals Committee.

The term of office on any committee is two (2) years unless otherwise specified. Nominations to a committee may be made at any time by contacting the Secretary. It is suggested that if an elected committee member is unable to serve on a committee for which alternates are not provided through election, then the committee member may send an alternate in his/her place.

When a committee is first constituted, if it contains seats which must have staggered terms, then when the first election is held for this committee terms of varying lengths will be assigned to each candidate based on the number of votes they receive so that approximately equal numbers of seats will become vacant in each following year. If a committee which

should have staggered terms should for any circumstance lose the staggering of terms, then the next election for this committee will repeat the election procedures described for the first election to establish the staggered terms.

### **Section 1.** Election of Committee Members

The slate of willing candidates shall be a combination of a list of candidates proposed by the Nominations Committee, self-nominations and nominations of other members present at the meetings of the spring semester of odd-numbered years, and those members who send in nominations in response to an emailed call for nominations, which will be circulated during February. The Secretary will prepare a ballot for all committee positions that combine nominations from all of the sources discussed above. Neither the Secretary's report nor balloting on these nominations will identify the originating source for any nomination.

The final slate of committee members will be approved for their term of office by the NYFC either in April, or when the ballot incorporating nominations from all sources (described above) has been prepared but no later than the May meeting. A separate ballot for alternate seats for untenured faculty will be held no later than the first meeting of the Fall semester following the regular committee elections in the preceding Spring

Committee chairs will be elected by a majority vote of the committee members at the beginning of the new academic year. This meeting will be called by the former chair, or in the absence of a former chair, by a convener designated by the NYFC Chair.

In the event of vacant seats or resignations by committee members, the NYFC Executive or the Nominations committee may appoint a replacement member to serve the balance of the term, drawing first from the elected alternate members of the committee in question; such appointments will be brought to the next meeting for ratification.

### **Section 2.** Executive Committee

- a) The Executive Committee is composed of the Officers of Council, and the two most recently retired Chairs;
- b) The Executive Committee shall prepare the agenda for each meeting;
- c) The Executive Committee shall represent the NYFC to the Executive Committee of the JFC;
- d) The Executive Committee shall be responsible for the initiation of periodic meetings of the Chairs of the standing committees of the council;

- e) The Executive Committee shall be responsible for maintaining communication with all members of the NYFC.

### **Section 3. Nominations Committee**

- a) The Nominations Committee is composed of 5 voting members of the NYFC elected in April of odd-numbered years.
- b) This Committee shall accept all nominations for the Executive Committee submitted to it, and shall prepare a single list of candidates for the positions of the officers of the NYFC and shall report all nominations at the November meeting in even-numbered years when the officers of the Executive Committee stand for election.
- c) This Committee shall have the responsibility for soliciting nominees for all NYFC Committees as well as NYFC representatives for University committees. The Committee shall propose a slate of nominees to the Secretary for open committee seats by the April meeting of odd-numbered years, and those nominees will be added to the list of self-nominations and other nominations, and combined into one ballot for committee elections at either the April or May meeting (as described in Article VII.1). Neither the Secretary's report nor balloting on these nominations will identify the originating source for any nomination.

### **Section 4. Committee on Faculty Affairs**

- a) The Committee on Faculty Affairs is composed of up to 13 elected voting members of the NYFC. Two additional alternate seats are reserved for tenure-track and contingent faculty of the NYFC.
- b) This Committee shall have primary committee responsibility for all matters related to working conditions, and work rules. The committee's duties shall include, but not be limited to, the formulation of and review of policy regarding teaching loads, hiring, promotion and tenure and will have responsibility to report its recommendations to the Council on all revisions to the Faculty Handbook.
- c) The chair of the Fringe Benefits committee is an ex-officio member of this committee and will report to this committee. The duties of this committee are outlined in Section 7 below.

- d) The chair of the Handbook committee will be an ex-officio member of this committee and will report to this committee. The duties of this subcommittee are outlined in Section 10 below.
- e) This Committee will make policy on and monitor compliance with academic freedom.
- f) Faculty from the NY campus who are representatives to any committee of the Board of Trustees that deals with budget and planning shall be ex-officio members of this committee.
- g) The committee shall coordinate its efforts with those of other standing committees.

**Section 5. Committee on Budget**

- a) The Committee on Budget is composed of 5 elected voting members of the NYFC and one ex-officio voting member, the chair of the NYFC Executive.
- b) The primary function of this committee is to formulate faculty recommendations to the University Budget Committee and to report on budgetary matters at the NYFC meetings.
- c) The Committee members also constitute the 4 voting and 1 alternate NYFC representatives to the University Budget Committee, which is described in the Faculty Handbook. As described in the Faculty Handbook, the NYFC Chairperson is also a voting representative to the University Budget Committee.
- d) Voting and alternate members to the University Budget Committee are elected to 3-year terms by the NY Faculty Council. The ends of each term of service on the committee are staggered to ensure unbroken representation.

**Section 6. Committee on Curriculum Policies and Procedures**

- a) The Committee on Curriculum Policies and Procedures shall be composed of the following members:
  - i. 10 at-large voting members of the NYFC;
  - ii. One voting member for each academic department, either the Department Chair or a department representative;-
  - iii. Chairs of College/School Curriculum committees;
  - iv. The Committee chair/co-chairs may invite such individuals ex officio as the campus Directors of Academic Programs, e.g., the Honors College; the Academic Deans, or their chosen representatives, Director of Libraries, Registrar, Director of Admissions, and Director of Special Programs, or the Director of Graduate Admissions.
- b) The primary function of the Curriculum Committee is to offer recommendations to the NYFC with reference to improving and updating the academic programs on the campus and to maintain an ongoing relationship with the JFC with regard to curricular issues.
- c) The Committee also has an obligation to review, and if necessary, recommend to Council that there be changes in the Core Curriculum.
- d) The qualitative goal of this Committee is to assist the various divisions of the University in the development of quality programs that will prepare students in a manner consistent with the stated objectives of the University.
- e) Specific Functions
  - i. To make recommendations to the NYFC based on its review and evaluation of the curricular matters found below;
  - ii. departmental initiatives from all of the schools and colleges in developing new degree granting programs;
  - iii. modifications in course offerings that may cause significant change in the requirements of an existing program;
  - iv. new curricula within existing degree granting programs;

- v. deletions of major and minor programs;
- vi. review the core curriculum, from time to time, with particular attention to changes in course offerings that impact on the core;
- vii. to establish academic policy regarding Graduate study at the University.

**Section 7.** Committee on Academic Resources

- a) The Committee on Academic Resources is composed of up to 15 elected voting members of the NYFC. Two additional alternate seats are reserved for tenure-track and contingent faculty of the NYFC. The University Librarian; the Director of the New York Library; the Director of Academic Computing, and one representative from the Provost's Office and one representative of each Academic Dean's Office will serve as ex officio members of the committee.
- b) The primary duties of the Committee on Academic Resources are to make recommendations to the NYFC on matters found below:
  - i. To develop more effective and general use of the Learning Resources of the University, including, but not limited to the Library, Educational Media; the Academic Computer Laboratory; and other instructional technologies.
  - ii. To assist in the improvement of the physical plant and equipment of the Library, Educational Media and Academic Computing;
  - iii. To advise Learning Resources staff on maximization of benefits from the University's Learning Resources by faculty and students;
  - iv. To communicate faculty interests and concerns on issues relating to technology to the NYFC and to the administration;
  - v. To maintain, edit, and publish the Faculty Resource Guide.

**Section 8.** Committee on Admissions and Retention

- a) The Committee on Admissions and Retention shall be composed of the following:
  - i. 15 elected voting members of the NYFC;
  - ii. 2 additional alternate members which are reserved for tenure-track and contingent faculty of the NYFC.
  - iii. Members of the admissions and program infrastructures of the University as determined by the NYFC, as non-voting members.
- b) The duties of the Committee on Admissions and Retention are:
  - i. To make recommendations to the NYFC on admissions and retention;
  - ii. To consult with the staff of the Department of Enrollment Management and Dean for Students concerning unusual conditions that may arise regarding admissions and retention;
  - iii. To act in an advisory capacity to the Admissions Office, especially to ensure that appropriate admissions standards are maintained;
  - iv. To oversee and advise on retention initiatives;
  - v. To nominate NYFC representatives, chosen from the membership of this committee, to campus or university-wide admissions or retention advisory committees.

**Section 9.** Committee on Fringe Benefits

- a) The Committee on Fringe Benefits shall be composed of the 5 elected voting and 3 alternate NYFC representatives on the University Benefits Advisory Committee.
- b) The duties of the Committee on Fringe Benefits are:
  - i. To make policy recommendations to the Faculty Council on matters such as pensions, insurance programs, medical benefits,

and other appropriate matters offered through the auspices of the University. In matters where the Faculty Affairs committee has primary responsibility, the benefits committee shall have an advisory capacity.

ii. To consult with the appropriate officers of the university whenever necessary, regarding the various components of the faculty "benefits package";

iii. The Chair of this Committee shall be an ex officio (non voting) member of the Faculty Affairs Committee.

iv. The voting members representing the NYFC on the University Benefits Advisory committee will be appointed by the NYFC from the elected membership of this NYFC committee.

**Section 10.** Salary Review Board

- a) The Salary Review Board is composed of 3 elected voting members of the NYFC and one alternate member.
- b) The duties of the Salary Review Board are to make recommendations to the President pertaining to salary appeals in accordance with the procedures detailed in the Faculty Handbook.

**Section 11.** Committee on Scholarly Research

- a) The Committee on Scholarly Research is composed of 15 elected voting members of the NYFC. Two additional alternate seats are reserved for tenure-track and contingent faculty of the NYFC.
- b) The duties of the Committee on Scholarly Research are:
  - i. To make policy recommendations to the NYFC on all matters pertaining to providing support in the form of released time and/or direct financial support for scholarly research;
  - ii. To meet at least once each semester to consider requests by faculty for support for scholarly research.

**Section 12.** Committee on the Kenan Faculty Development Fund

- a) The Committee on the Kenan Faculty Development Fund is composed of 10 elected voting members of the NYFC.

- b) The function of the committee is to consider, each semester, requests by faculty for faculty development funding from the Kenan Trust Fund.

**Section 13.** Committee on the Faculty Handbook

- a) The Committee on the Faculty Handbook is composed of 5 elected voting members of the NYFC;
- b) Duties of the Committee on the Faculty Handbook are:
  - i. To develop for possible acceptance proposed changes to the Faculty Handbook, evaluate them and make recommendations to the NYFC;
  - ii. The Chair and one member elected by the Committee will represent the NYFC at the JFC.

**Section 14.** Committee on the Calendar

- a) The Committee on the Calendar is composed of 5 elected voting members of the NYFC.
- b) The duties of the Committee on the Calendar are to establish policies regarding construction of the University Calendar and to represent NYFC views to the University Scheduling and Calendar Committee.
- c) Three members of this committee are voting members of the University Scheduling and Calendar Committee, and two members of this committee are alternate members of the University Scheduling and Calendar Committee.

**Section 15.** Committee on Student Affairs, Athletics, Publications, and Scholastic Standing,

- a) The Committee on Student Affairs, Athletics, Publications, and Scholastic Standing is composed of 15 elected voting members of the NYFC. Two additional alternate seats are reserved for tenure-track and contingent faculty of the NYFC. The Dean for Students; Director of Student Life; the Director of Career Placement and Counseling; the Director of Athletics; one representative from the Provost's Office; one representative from each Academic Dean's Office will serve as ex officio non voting members of the committee.

- b) The duties of the Committee on Student Affairs, Athletics, Publications, and Scholastic Standing are:
- i. To make policy recommendations to the NYFC on matters found below;
  - ii. To establish and publish, in conjunction with the officers of administration, general standards of conduct for students; and to review and oversee the administration of these standards;
  - iii. To act in an advisory capacity to the Office of the Dean for Students; the Office of the Director of Student Life; the Office of Career Placement and Counseling; and the activities of the student organizations under the administration of the Dean for Students;
  - iv. To recommend for approval to NYFC, faculty advisors to those student activities which fall under the sphere of this committee;
  - v. To recommend the sports that the University should participate in on an intercollegiate and intramural basis, the eligibility and recruitment criteria for participation in University athletics, and the establishment of standards for awards in athletics;
  - vi. To serve as an advisory body to the individual faculty advisors and moderators of the various student publications and to the Dean for Students and the Director of Student Life regarding student publications.
  - vii. To evaluate and make recommendations implementing policies governing student scholarship at all levels throughout the University;
  - viii. To review existing honors and awards throughout the University and make recommendations for possible change;
  - ix. To devise ways and means of stimulating participation in the competitions for the special scholastic awards offered by the University and its departments;
  - x. To nominate candidates for academic honors as well as other honors and awards;

**Section 16.** Committee on Buildings, Maintenance, and Space Allocation

- a) The Committee on Buildings and Maintenance is composed 10 elected voting members of the NYFC.
- b) The duties of the Committee are:
  - i. To make policy recommendations to the NYFC concerning the state of the physical plant as it impacts on faculty interests;
  - ii. To make recommendations to the NYFC on issues of space allocation.
  - iii. Members of this committee will be nominated as NYFC representatives to campus-wide or university-wide Master Plan advisory committees.

**Section 17.** Committee on Public Relations and Public Functions

- a) The Public Relations and Public Functions Committee is composed of 5 elected voting members of the NYFC. When this committee meets separately from any university-wide marketing and public relations committee, then the Executive Director of University Relations, the Vice President for Enrollment Planning, and the V.P. for Enrollment Management (or the people filling the equivalent offices) will serve as ex officio members of the committee.
- b) The duties of the Public Relations and Public Functions Committee are:
  - i. To make policy recommendations to the NYFC on matters found below;
  - ii. To act in an advisory capacity in the fields of public relations, marketing and advertising;
  - iii. To act in an advisory capacity with regard to the honorary degrees and awards.
  - iv. Members of this committee will be nominated as representatives to university-wide marketing and public relations committees.

**Section 18.** Committee on Grievances

- a) The Faculty Council Grievance Committee shall be composed of five regular and five alternate faculty members who shall be elected to two-year terms.
  - i. Members shall not serve more than two consecutive terms;
  - ii. The NYFC will develop procedures for electing the regular and alternate members and for staggering terms.
- b) The committee shall be available to implement any university-wide Grievance, Discrimination, or Harassment Procedure adopted by the faculty and the administration.

### **Article VIII. Amendments**

- Section 1.** Amendments to this constitution may be initiated either by the Executive Committee or by a proposal submitted in writing to the Executive Committee and signed by at least ten members of the NYFC. Such a proposed amendment shall be sent to the Secretary in time to be distributed in writing to the members of the Council and to the Faculty at large with the agenda for the meeting at which it is to be discussed.
- Section 2.** The Executive Committee shall place any proposed amendment on the agenda of the next regular meeting. At that meeting, the amendment shall be discussed, but shall not be voted on. At the next regular meeting, the proposed amendment shall be voted on. If the proposed amendment receives a favorable vote of the two-thirds of voting members present the amendment shall become a part of this constitution. A written copy of any passed amendment shall be sent to every member of the NYFC.
- Section 3.** Amendments to this document shall conform to Section 9 of the JFC Constitution.