

# **By-Laws and Elections Committee**

## **Final Report**

**2016-2017**

### **Members:**

**L. Boorady, Chair (Fashion & Textile Technology)**

**W. Benfanti (Institutional Advancement), M. Brickhouse (Academic Resource Center), J. Cole (Philo. & Humanities), J. Cushman (Mathematics), J. Cushman (Mathematics), S. Gellin (Engineering Technology), L. Klenk (El. Ed. & Reading), M. Lindstrom (Library), H. McCarthy (Student rep), R. Park (Academic Support Program), Amy Rosen-Brand (Disability Services), D. Sarratori (Weigel H.C.), T. Tang (Geography and Planning)**

**Charge:** *The By-Laws and Elections Committee has the responsibility for considering and recommending changes in the By-Laws designed to facilitate the democratic governance of the college, consistent with the policies of the Board of Trustees of the State University of New York and other binding legal agreements. In addition, the By-Laws and Elections Committee shall conduct the necessary elections provided for in the By-Laws. The rules for conducting these elections and other germane considerations related to elections shall be recommended to the College Senate by the By-Laws and Elections Committee.*

**Name of Chair Submitting Report:** Lynn Boorady

### **Anticipated Vacancies in 2017-2018 for Committee Members:**

Need new student representative.

### **Report:**

1. Renaming of the Agenda Committee. There is still discussion on the renaming of the Agenda Committee. I talked to the current Agenda Committee and there was some discussion on what to rename the committee and how it is separate from the Chair's committee so there will be more discussion before a motion goes before the senate. It also looks as though a College Senate Executive Committee in the Policies of the BOT is specifically mentioned on page 25 and therefore the changing of this committee name may be a moot point and the correct name should be utilized.
2. The motion to include contingent faculty representation on the senate has also stalled before going to the full senate. A complete definition of contingent that everyone can agree on needs to be determined, and it should not include people who already have representation on the Senate and can be easily identified for voting purposes. Currently

the schools are not on the same page with full time non-tenure faculty voting rights and this will need to be addressed first, particularly to confirm who has voting rights and that voting rights are the same across schools. Also, more information may need to be gathered on part-time non-tenure track employee representation on the senate. Numerous emails from part time faculty have indicated that they do want representation on the College Senate and other SUNY campuses do have them on their respective senates. Here is a summary of the Voting rights as they currently stand (as gathered by Scott Goodman):

**“II B.** In accordance with the *Policies*, the Article X, Section 1, the college voting faculty is herewith defined as comprising:

1. The Chancellor of the University and the President of the College; and
2. Members of the academic staff of the College, **including those having temporary appointments**; and
3. Vice Presidents (including Associate Vice Presidents, Assistant Vice Presidents), Deans (including Associate Deans, Assistant Deans), Directors (including Associate Directors, Assistant Directors), Associate Directors; and
4. All professional librarians of the College; and
5. All other professionals as defined by the active voting list of the Public Employees Relations Board of the State of New York; and
6. All college support staff.

Those with temporary appointments are eligible to vote (according to Senate bylaws), and are therefore supposed to be eligible to run in 2 different elections. However, the 2014 Policies of the BOT (page 25) do NOT specify that those with temporary appointments are voting faculty, it only says those with “term appointments AND academic rank must be able to vote. This issue needs to be clarified.

<http://system.suny.edu/media/suny/content-assets/documents/boardoftrustees/SUNY-BOT-Policies-June2014.pdf>

Buffalo State College School bylaws (voting rights):

SNSS: The voting members of the school shall be those members of the academic staff having academic rank (Assistant Professor, Associate Professor, Professor, and Distinguished Professor) and who are assigned full time ....

SAH: Voting members are those fulltime members of the Faculty who hold academic rank and term or continuing appointment, as defined by the Policies of the Trustees. Professional Staff of the Arts and Humanities shall have voting rights where stipulated.

SOE: Voting members of the SOE Faculty shall be defined according to the College By-Laws as stated by the Board of Trustees of the State University of New York.

SOP: The voting faculty of the School of the Professions are those voting faculty of the College, as defined in Article II.B of the College By-Laws, whose professional obligation is to the School of the Professions.

Thus, it looks like SOE and SOP fully defer to the College (Senate?) bylaws, whereas SAH and SNSS have defined voting a bit differently (SNSS doesn't even mention Staff). The SNSS and SAH bylaws specifically state that if a conflict exists, the College Bylaws (which I take to mean "Senate Bylaws") take precedence. So there is a bylaw problem to resolve between the Schools and the Senate, but maybe those with temporary appointments are eligible to run already, we just aren't doing it."

3. The motion to reduce the undergraduate senate representation to 6 and to change the by-laws to reflect the 2 seats given to graduate students did make it to the floor. There was a lot of discussion both pro and con. However, in a rereading of the by-laws, we believe that this change must be taken to the entire voting body. See Article III, B and C (below).

The committee withdrew this motion and suggest separating the issue of officially allotting two seats to the graduate students. Then discussion can take place regarding the number of seats allocated to undergraduate students. It was suggested that before reducing the number of seats, action be taken to improve undergraduate student engagement with the College Senate.

#### **Article VIII. Amendments**

A. Amendments to these By-Laws may be originated in the following ways:

1. Any member or group of members, of the faculty or of the College Senate may propose an amendment to these By-Laws, in writing to the Elections and By-Laws Committee. The Committee may present the amendment, with or without its revisions, to the faculty.

2. Any group of at least 10% of the faculty may petition the President of the College to present an amendment to the faculty.

**B. Proposed amendments, ready to be presented to the Faculty, shall be circulated to the Faculty in written form. No vote shall take place until seven calendar days have elapsed after this distribution. A vote must take place within forty calendar days. A proposed amendment may be further modified by the Faculty at the time the amendment is being considered.**

**C. These By-Laws may be amended by a written majority vote of the voting Faculty.**

D. The voting members of the Senate authorize the members of the College Senate Bylaws and Elections Committee to make such terminology changes in the College Senate Bylaws as to include such things as gender-inclusive language and other technical changes that reflect the present organizational structure of the college. These changes must be reported to the Senate in the final report of the Committee to the Senate, and archived in the records of the Senate.

The UFS elections took place and ended April 27<sup>th</sup> with the election of David Carson and Steve Macho as the 2017 Senate At-Large members and Joe Marren was elected as a UFS senator with Amy Rosen-Brand as the Alternate.

#### ***Election Results:***

2017 Senator at large: David Carson and Steve Macho

2017 UFS Senator: Joe Marren

2017 UFS Alternate: Amy Rosen-Brand

***May 12 Caucus Results:***

Chair of the Senate was decided through a three-way election between Fred Floss, Howard Reid and Marc Bayer. Howard Reid won with just under 54% of the votes.

College Senate Vice-Chair is Joe Marren

Committee Chairs:

Academic Plan: Kimberly Kline

Budget Staff and Allocations: Fred Floss

By-Laws and Elections: Amy Rosen-Brand

Curriculum: Ann Emo

Faculty/Staff Welfare: Maria Brickhouse

Instruction and Research: Arlesa Shephard

Standards for Students: Amy Wilson

Vice-Chair for Student Welfare: Steve Macho