

Overview of Ratification of Amendments to University Faculty Senate Bylaws And Request for Action by all State Operated and Statutory campuses of SUNY

What: Changing the description of the Vice President's standing within bylaws of the University Faculty Senate required parallel actions by the SUNY Board of Trustees. As described on pages 2-4, that has happened. The final steps involve campus-based actions to approve the changes to the bylaws.

How: Actions on each campus, between now and May 1, 2019¹ are requested. Ratification of amendments to the UFS bylaws requires that at least 18 of the 34 UFS State Operated and Statutory (contract) campuses approve the changes. The process for ratification is as follows:

1. **UFS/CAMPUS:** The University Faculty Senator(s) works with the Campus Governance Leader(s) and the campus Human Resources Office to identify members of the "Professional Staff" of the campus. Article II of the Policies of the Board of Trustees define the professional staff: "All persons occupying positions designated by the Chancellor as being in the unclassified service."
2. **CAMPUS:** The local campus governance body will prepare for the ratification vote, following local procedures for campus-wide secret ballots, including local campus criteria for what constitutes approval of bylaws changes (e.g., majority of professional staff, simple majority of those voting, two-thirds of those voting).
3. **CAMPUS:** Submit the proposed amendments of the Policies of the Board of Trustees/Bylaws of the University Faculty Senate to the professional staff of the campus for a vote by secret ballot, **to be completed before May 1, 2019.**
4. **UFS SENATOR/UFS:** The University Faculty Senator(s) reports the results of the campus vote—approved or not approved—to the President of the University Faculty Senate no later than May 1, 2019.

The ballot submitted for ratification should include the following explanation:

The SUNY University Faculty Senate is requesting your vote to approve or disapprove of amendments to the Policies of the Board of Trustees and identical sections of the UFS Bylaws regarding the positions of President and Vice President/Secretary of the UFS. These amendments would (1) require the VP/Secretary to resign their position as a Senator upon election; (2) designate that the VP/Secretary remains a member of the UFS; (3) provide that an incumbent VP/Secretary be eligible for re-election to a second term; (4) provide that an incumbent VP/Secretary be eligible to run for the position of President of the UFS; (5) clarify that, if an interim President or VP/Secretary is elected due to a vacancy, they are eligible for two full terms if they are elected to fill less than half of a

¹ Although one year is available for this process, it is appropriate to complete the ratification procedure prior to May 1, 2019, before the end of the spring 2019 semester.

remaining term.

The changes in language in the Policies and Bylaws would be as follows (additions in **bold**, deletions in ~~striketrough~~):

TITLE C. OFFICERS

§ 1. President of the Senate.

Before July 1 of each odd-numbered year, the Senate shall elect one of its elected members **or the current Vice-President/Secretary** as President of the Senate for a term of two years. Upon election as President to the Senate, ~~the an~~ elected member shall vacate the position as the representative of his or her unit in the Senate. The President of the Senate shall preside at all meetings of the Senate and shall exercise such other powers and duties as may be vested in the President by this Article and the bylaws of the Senate. The President shall be an ex officio member of all Senate committees. The President of the Senate may be reelected for a second term, but may not thereafter be eligible for a successive term **provided however that a President initially elected to fill less than half of a term arising from a vacancy is eligible to serve two additional successive full terms.**

§ 2. Vice-President/Secretary.

Before July 1 of each even-numbered year, the Senate shall elect one of its elected members to serve as Vice-President/Secretary for a term of two years. **Upon election as Vice-President/Secretary, the elected member shall vacate the position as representative of his or her unit in the Senate and shall serve as a voting member of the Senate.** The Vice-President/Secretary shall take and keep minutes of the Senate and shall exercise such other powers and duties as the Senate shall provide in its bylaws. The Vice-President/Secretary shall serve as President of the Senate during that officer's absence or inability to act. ~~Any regular member of the Senate is eligible to serve as Vice-President/Secretary for one year beyond the expiration of his or her three-year term as a Senate member. In such case, the Vice-President/Secretary shall become a nonvoting member of the Senate and the unit shall be represented by a regularly-elected successor.~~ **The Vice-President/Secretary of the Senate may be reelected for a second term, but may not thereafter be eligible for a successive term provided however that a Vice-President/Secretary initially elected to fill less than half of a term arising from a vacancy is eligible to serve two additional successive full terms.**

Approve of Amendments

Disapprove of Amendments

Background

The SUNY University Faculty Senate Executive Committee reviewed the role of the UFS President, and ways it had changed, beginning in 2014. It was agreed that the role of the Vice President/Secretary should be expanded to better assist the President and the UFS. Two steps were taken: an agreement to provide funding in support of the Vice President/Secretary role to provide for partial release from campus duties; and analysis of the UFS Bylaws to determine changes that would facilitate enhancing the role of the Vice President/Secretary, including the individual's eligibility for re-election and election to the position of President. Several recommended changes ensued:

- Expand the duties of the VP/Secretary, as assigned by the UFS President, throughout the calendar year.
- To facilitate this increased role, the campus of the VP/Secretary is asked to provide 25% release time for the VP/Secretary. The campus is paid, from the UFS budget, 25% of the amount annually paid to the Vice President's campus to facilitate this release.
- Upon election, the VP/Secretary resigns as Senator from his/her campus, as the individual serving in this office now represents all State Operated and Statutory campuses of SUNY, not just his/her home campus.
- Change eligibility for election to the position of VP/Secretary to include all sitting senators as well as the incumbent VP/Secretary (eligible to run for one re-election); and change eligibility for election to the position of President to include the incumbent (eligible to run for one re-election), VP/Secretary, and all sitting senators.

The definition of the positions of President and VP/Secretary is contained within Article VII, Title C of the Policies of the Board of Trustees, with identical language within Article III, Section A of the Bylaws of the University Faculty Senate.

TITLE F. AMENDMENTS

§ 1. Procedure. Proposed amendments to this Article [VII] may be recommended to the Board of Trustees by a majority vote in the Senate. The Chancellor shall transmit proposed amendments to the Board of Trustees with recommendations. Amendments, in such form as approved by the Board, shall become effective **if ratified by the professional staff of a majority of the State-operated units and contract colleges, by secret ballot**, within such time period not in excess of one year as may be fixed by the Board of Trustees.

Proposed Changes to Board of Trustees Policies and Corresponding UFS Bylaws

The University Faculty Senate passed Resolution 171-03 on October 24, 2015, requesting that the Board of Trustees approve amendments to Article VII, Title C of the Policies of the Board of Trustees. The Board of Trustees approved these amendments on March 24,

2016, but recommended some additional changes in wording. The UFS passed Resolution 173-01 on May 6, 2016, addressing the suggestions of the Board of Trustees. The Board approved most of these final amendments on September 13, 2018 via final rulemaking. Note that the process undertaken by the Board of Trustees is to undertake changes to the existing Rules and Regulations of the State of New York; the Policies of the Board of Trustees are part of these Rules and Regulations.