

Bylaws of the
SUNY Polytechnic Institute
Governance Council



Adopted by
The Utica and Albany
Campuses of SUNY Poly

— September 9, 2015 —

Preamble

This governance structure is adopted by the SUNY Polytechnic Institute (“SUNY Poly”) faculty in order to fulfill its responsibilities as determined by the Board of Trustees of the State University of New York (“SUNY”) and by the professional status of its members. The Education Law of New York establishes the Board of Trustees and charges it with the responsibility for and conduct of the University. The trustees, in turn, have promulgated Policies which provide basic principles of policy determination and organization. These Policies vest system-wide authority in the Chancellor of the University and local authority in campus Presidents; at the same time, they recognize the value of establishing appropriate vehicles for the involvement of faculty and other staff in the policy-making process, or governance.

Article X of the Policies, among other provisions, empowers the faculty to develop a governance structure for the conduct of its affairs. The Policies establish a Voting Faculty for every college within SUNY and charges the faculty broadly with “the obligation to participate significantly in the initiation, development and implementation of the educational program.” The Policies thereby provide a reliable framework for campus governance in which the faculty have an active voice advising the administration.

As stated in the 2000 Resolution on Faculty Governance passed by the SUNY University Faculty Senate: “Meaningful faculty consultation can only occur when direct communication of the issue needing resolution exists between the administration and the elected faculty representatives of the faculty governance organization or the entire faculty. Ongoing, complete communication of important issues between the administration and the faculty governance body will help improve decision making in the university.”

In promulgating this governance document, the faculty of SUNY Poly accept in general the principles of academic responsibility outlined by the American Association of University Professors, the American Council on Education, and the Association of Governing Boards of Universities and Colleges in their policy statement of 1966, and which is still the current policy of the AAUP as well as of the SUNY University Faculty Senate. According to that policy, the views of the faculty are primary with respect to “curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.” The purpose of this present document is, therefore, to provide mechanisms to facilitate the involvement of the faculty of SUNY Poly as a group in governance issues in a manner consistent with SUNY Policy and AAUP principles.

Similarly, Middle States, in *Characteristics of Excellence in Higher Education* (p.12), states that “Institutional governance provides the means through which *authority and responsibility are assigned, delegated, and shared* in a climate of mutual support and respect.” The document continues that this can be achieved if all constituencies “participate in the governance function in a manner *appropriate to that institution*” so that “issues concerning mission, vision, program planning, resource allocation and others, as appropriate, can be discussed openly by those who are responsible for each activity.”[Italics added]

Under SUNY Poly’s federated model of shared governance, the principles in the above italicized statements require (1) ensuring that the two major constituencies--the colleges at Utica and the colleges at Albany--conduct their governance functions in an autonomous yet complementary and

when possible supportively innovative fashion, and (2) cognizant that SUNY Poly is, though federated, also one institution, balancing that with a governance body at the SUNY Poly federal level that enable the faculty of SUNY Poly to participate actively with respect to issues concerning SUNY Poly's institution-wide mission, vision, program planning, resource allocation, and others.

By participating actively in the SUNY Poly federated level governance structures described herein, the faculty at SUNY Polytechnic Institute will make a substantial contribution to the institution and ensure continued confidence in their ability to affect policy formulation in a positive manner. In no way is this governance document designed to preclude involvement in appropriate areas of professional competence by other members of the institution's community.

Therefore, to establish the governance structure for the SUNY Polytechnic Institute as a federated institution, the governance bodies at its constituent sites ratify this governance structure, and in accordance with Article X, Section 5(b) of the Policies of the Board of Trustees, limited portions of these bylaws are subject to approval by the President of SUNY Poly. Consistent with that federated governance structure, any powers and duties not specifically granted to the SUNY Poly governance unit in this governance document will remain under the purview of the relevant governance units at the two principal sites comprising SUNY Poly.

I. Federated Structure

As one federated institution with two co-equal sites, the governance structure of SUNY Poly consists of three components: the governance unit for the colleges at the Albany site, the governance unit for the colleges at the Utica site, and the governance unit at the overarching federal SUNY Poly level. Consistent with SUNY Poly's federated nature, the primary authority and responsibility with respect to governance as defined by the Board of Trustees and by the AAUP policy statement resides, respectively, with the governance units at the two sites, Utica and Albany.

Therefore, in recognizing the importance of diversity in approach and mission of each site, the governance unit at Albany and the governance unit at Utica shall be responsible for:

1. Personnel Policy
2. Curriculum
3. Academic Standing and Appeals
4. Academic Conduct
5. Quality and Safety of Campus Life

The SUNY Poly Governance Council shall be responsible for institution-wide governance issues, coordinating policies and procedures related to 1-5 above that transcend either governance unit, resolving conflicts between the Albany and Utica governance units, and it shall be responsible for governance with respect to the issues identified by the Middle States Commission on Higher Education relating to SUNY Poly's mission, vision, program planning, resource allocation, and others.

II. Mission Statement SUNY Poly Governance Council

The mission of the SUNY Poly governance unit is to participate in governance at the federal level and to ensure the separate governance units at the Utica and Albany sites work together purposefully and effectively in support of the faculty and students and SUNY Poly's education, research, and service objectives.

Specifically, with respect to the enumerated list below, the SUNY Poly Governance Council is the body that makes recommendations (that can include a minority report) to the President of SUNY Poly, and shall inform the governance bodies at the constituent sites of its recommendations:

1. Establish the method for and supervise the election of SUNY Poly's University Faculty Senator(s) and Alternate(s) and any other institution-wide elections that may arise.
2. Establish the method for nomination of students and staff for SUNY or other excellence or Chancellor's awards where the nominations must come from SUNY Poly as a whole.
3. Propose the method to be used to select shared governance membership on institution-wide task forces, search committees, and similar bodies
4. Make recommendations with respect to institution-wide policies and those relating to SUNY Poly's mission, vision, program planning, and resource allocation. Provide advice to the administration on those policies, and monitor their implementation. Report to the SUNY Poly governance unit and to the constituent governance units on the administration's decisions with respect to those issues.
5. Coordinate policies and procedures related to personnel policy, curriculum, academic standing and appeals, and academic conduct that transcend SUNY Poly's constituent governance units. This may include mediating and resolving disagreements between the sites should they arise concerning any of the local issues those bodies are considering.
6. Coordinate to facilitate and encourage existing and developing intellectual assets of the two sites and promote free exchange of new ideas and novel concepts in pedagogy, research, and outreach.
7. Provide counsel to the SUNY Poly President and to the Assemblies and their constituent bodies at each site.
8. Seek efficiencies that may be derived from sharing expertise and programs and by avoiding unnecessary duplication of services.
9. Ensure there is regular communication among the individual Assemblies and their respective committees or councils.
10. Establish an institution-wide website where the meeting times, agenda, minutes and policy decisions, where not confidential, may be shared among SUNY Poly's various constituencies and the general public.

If new issues arise at the SUNY Poly level that are not clearly or sufficiently covered by the enumerated list above, the SUNY Poly Governance Council shall attempt to develop a recommendation that is then sent to the governance bodies at the constituent sites. The governance bodies at the constituent sites shall have six weeks to respond to the proposed recommendation. If the governance bodies at the constituent sites agree with the proposed recommendation, the SUNY Poly Governance Council will then forward the recommendation to

the administration. If the governance bodies at the constituent sites disagree with each other in their response to the proposed recommendation, then the SUNY Poly Governance Council will forward the recommendation to the administration and include a minority report. In both the case of unanimous consent by the sites and of disagreement between the sites, the responses of the governance bodies at the two constituent sites shall be appended to the Governance Council's recommendation to the administration. If the governance bodies at both sites disagree with the Governance Council's proposed recommendation, then the SUNY Poly Governance Council shall forward its recommendation to the administration, noting the dissent by the governance bodies at the two sites in a preamble to its recommendation, and append the responses of the governance bodies from the two constituent sites to its recommendation.

As noted in Article X, Section 5 (b) of the Policies of the Board of Trustees, "All actions under bylaws shall be advisory upon the Chancellor and the chief administrative officer of the college."

III. Voting Membership of the SUNY Poly Governance Council

Voting Faculty: ten members of the Governance Council will be the co-chairs of the five Standing Committees of the Council. As noted under "Standing Committees of the SUNY Poly Governance Council", since both the Utica and Albany governance bodies will elect a co-chair of each committee, these ten members will be evenly divided between the two sites. The respective Assemblies should stipulate how each site selects its representatives to each of the five Standing Committees.

Other Staff: each site will select a maximum of an additional two members from its staff as members of the Governance Council. These members may but need not be members of the Voting Faculty but must be non-student and non-management confidential employees, whether full-time or part-time, of the given site; however, if the SUNY Poly University Senator and the Alternate to the University Faculty Senate are not already members of the Governance Council by virtue of their having been elected chair of a Standing Committee, these two individuals must be included under "Other Staff" members on the council. The respective Assemblies should stipulate how each site selects its "Other Staff" representatives on the council.

Students: the Utica site Student Association shall elect two student representatives to the council, ideally one undergraduate student and one graduate student; the Albany site Undergraduate Student Association and Albany Graduate Student Association shall each elect one student from their number as representative to the council.

Co-Chairs: each site shall elect one co-chair of the SUNY Poly Governance Council (see below).

IV. Ex Officio Voting Membership of the SUNY Poly Governance Council

The Chancellor of the State University of New York

The President of SUNY Polytechnic Institute or his or her designee

V. Co-chairs of the SUNY Poly Governance Council

1. The two co-chairs of the Governance council come from each of the sites, one selected by the governance bodies at each site. The term in office is one calendar year beginning no later than September 1, with a maximum of three consecutive terms, at which point there has to be a minimum of one intervening term. The only exception is a co-chair elected to fill the minor portion of an unexpired term, who may serve three one-year terms in addition to the minor portion. A governance leader at one of the sites cannot simultaneously serve as a co-chair of the SUNY Poly Governance Council.
2. The Co-chairs, individually or jointly, are the spokespersons for the SUNY Poly Governance Council. They are empowered to speak for the body on matters on which the body has formally adopted a position or, where appropriate, after informal consultation. In other matters the Co-chairs retain full freedom of expression in their respective capacities as faculty, staff members, or members of the public, but must take care to state that the expressed opinions are their own, not those of the body.

VI. Meetings of the SUNY Poly Governance Council

1. The Governance Council shall have at least four regular meetings scheduled for each academic calendar year, two per semester. If need arises, the Governance Council may schedule additional meetings during a semester, during the winter break or during the summer. Electronic media can be utilized to conduct meetings provided all participants can hear each other simultaneously in order to allow for equal participation in deliberation.
2. At the request of the Chancellor, the SUNY Poly President, one of the Assemblies at either site, or by petition of at least five members of the Governance Council, a special meeting of the Governance Council shall be called.

VII. Rules of Order

1. For the SUNY Poly Governance Council and its Standing Committees the rules contained in *Robert's Rules of Order*, revised, shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with these Bylaws or any special Rules of Order of the Governance Council or its Standing Committees.
2. A quorum for meetings of the SUNY Poly Governance Council or its Standing Committees shall consist of not less than one half of the members of the given body, excluding the Chancellor and President, and including at least one representative participating from each site.
3. Meetings of the Governance Council, its Standing and Ad-hoc committees, and such other groups as it may establish, may be held by electronic means. Each group is authorized to adopt rules and procedures not inconsistent with these bylaws governing the conduct of its own meetings, electronic or otherwise.

VIII. Standing Committees of the SUNY Poly Governance Council

1. Initially, there shall be *five* Standing Committees. Additional Standing Committees may be formed by an amendment to this set of Bylaws that has been adopted in the manner specified in Article XV of these bylaws.
2. Each Standing Committee shall have two co-chairs, one from each site and elected by the governance bodies at each site. The term in office is one calendar year beginning no later than September 1, with a maximum of three consecutive terms, at which point there has to be a minimum of one intervening term. The only exception is a co-chair elected to fill the minor portion of an unexpired term, who may serve three one-year terms in addition to the minor portion. The co-chairs will establish the agenda for the committee's meetings. Unless otherwise determined by the committee members, in a rotating fashion, members of the Standing Committee who are not Co-chairs will be responsible for the minutes of each meeting.
3. The minimum number of voting members on each Standing Committee is three from each site, including one student member from each site. (Note: the Standing Committee on Academic Staff Status will not have students as members.) A standing committee may increase its membership with the approval of the Governance Council, and as long as representation of the sites remains equal.
4. Each site's Assembly and student governance body should reflect in its own bylaws how its representatives on each of the Standing Committees are to be elected each year.
5. A member of a Standing Committee does not also have to serve on a comparable governance body at the member's home site but is responsible for keeping the home site governance body or bodies informed of information on the Standing Committee's deliberations.
6. Vacancies will be filled utilizing the same process outlined above; i.e., the site will elect a replacement.
7. Each Standing Committee shall have at least four regular meetings scheduled for each academic calendar year, two per semester. If need arises, a Standing Committee may schedule additional meetings during a semester, during the winter break or during the summer. Electronic media can be utilized to conduct meetings provided all participants can hear each other simultaneously in order to allow for equal participation in deliberation.
8. The following are among the topics that normally are not under the purview of the Governance Council's standing committees, but under the purview of the Assemblies and their committees or councils at each of the sites. The deliberations and policies of each site should be shared with their governance counterparts at the other site for information:
 - Academic infrastructure (classrooms and their facilities).
 - Campus life and related concerns including quality of student life outside the classroom, freedom of expression/"public space", student government, and athletics and recreation.
 - Research: relationship between teaching and research.

- Graduate academic programs, courses, instruction, admission standards and requirements, graduation requirements, honors, academic standing, and appeals.
 - Undergraduate academic programs, courses, instruction, admission standards and requirements, graduation requirements, honors, academic standing, and appeals.
9. Within that context, mediation and, if necessary, resolution of potential problematic differences between the two sites will be an important role of each of the standing committees. Due to the federated governance system, many of the practices, requirements, rules, and regulations will differ between the two sites. In situations when conformity is needed or highly desirable, each standing committee, within the scope of its proper authority, will seek to achieve a workable compromise. If a committee is able to achieve a resolution, it will make a recommendation (which may include minority reports) to the SUNY Poly Governance Council. If the Council approves the recommendation, it will then be forwarded to the governance bodies at the two sites, which will have a minimum of one month to comment, and then to the SUNY Poly President. If a committee is unable to achieve a workable compromise, the Council as a whole will determine the issue. The Governance Council's resolution of the issue will then be sent to the governance bodies at the constituent sites. The governance bodies at the constituent sites shall have six weeks to respond to the proposed resolution. If the governance bodies at the constituent sites agree with the proposed resolution, the SUNY Poly Governance Council will then forward it as a recommendation to the administration. If the governance bodies at the constituent sites disagree with each other in their response to the proposed resolution, then the SUNY Poly Governance Council will forward the resolution to the administration in the form of a recommendation and include a minority report. In both the case of unanimous consent by the sites and of disagreement between the sites, the responses of the governance bodies at the two constituent sites shall be appended to the Governance Council's recommendation to the administration. If the governance bodies at both sites disagree with the Governance Council's proposed resolution of the issue, then the SUNY Poly Governance Council shall forward its recommendation to the administration, noting the dissent by the governance bodies at the two sites in a preamble to its recommendation, and append the responses of the governance bodies from the two constituent sites to its recommendation.

IX. Standing Committee on Academic Staff Status

1. In recognition that criteria concerning reappointment, promotion, and tenure differ not only among academic disciplines but between sites, this committee will be concerned with fostering an appreciation of those differences and will encourage the development of guidelines for decisions among the disciplines at each site.
2. The tenure and promotion committee at each site will include, as non-voting observer, one representative who is a faculty member with continuing appointment from the other site.
3. All members of the Standing Committee on Promotions and Continuing Appointments must be faculty with continuing appointment of SUNY Poly.
4. When called up to do so, this committee may advise the President on whether it feels a recommendation from either site's Committee on Promotion and Continuing Appointment followed proper procedures in its deliberation.

X. Standing Committee on Academic Assessment

1. Review the policies and procedures adopted at each SUNY Poly site to review that site's academic programs, including majors, minors, and General Education. Ensure that each site's policy and procedure is in accord with SUNY, State Education Department, and Middle States Commission on Higher Education requirements and expectations.
2. Determine institution-wide mechanisms, instruments and cyclical schedule for the review of academic administrators (above the level of chair or constellation head).
3. Determine institution-wide mechanisms, instruments and cyclical schedules for institutional assessment of other offices and functions that affect the academic success and climate of SUNY Poly. Including but not limited to student affairs offices, registrar, admissions and recruitment, human resources, information technology, and infrastructure, transportation, and parking.
4. Periodically assess the effectiveness of the SUNY Poly Governance Council, its Standing Committees and their interactions with the Assemblies of the sites and, as appropriate, make recommendations for changes to the Governance Council and/or individual site Assemblies.
5. Participate in a joint faculty/administration working group which will recommend procedures to the President for the periodic assessment of the performance of governance and the offices and staff involved in academic success.

XI. Standing Committee on SUNY Poly Planning, Policy and Budget

1. Advise the SUNY Poly administration on matters of institution-wide mission and vision.
2. Review and make recommendations concerning the SUNY Poly budget of state monies apportioned to the institution, and concerning student tuition, user fees, and scholarships.
3. Fulfill the responsibility of shared institutional governance for the oversight and development of the educational, research and service programs of SUNY Poly. The committee shall coordinate with other Assembly bodies at each site and with academic, governance, and administrative units, as appropriate, in carrying out this responsibility. The Council shall make policy recommendations to the Governance Council and, where appropriate, the individual site Assemblies.
4. Review and provide advice on important recent trends and developments in the SUNY Poly state side budget, including changes in funding sources and expenditures. It also shall review the development and implementation of SUNY Poly's Strategic Plan. As appropriate, it shall make recommendations to the Governance Council and individual site Assemblies.
5. Review and provide advice on any master planning that impacts on the educational, research and service missions of SUNY Poly, including planning for major new buildings and facilities; the operation of facilities; renovation; and management, including traffic, transportation, and parking. As appropriate, it shall make recommendations to the Governance Council and individual site Assemblies.
6. Coordinate decisions between the sites regarding the academic calendar.

XII. Standing Committee on Academic Affairs

1. The Academic Affairs Committee addresses all issues that are part of the faculty's primary responsibility that are not delegated to other standing committees of the Governance Council. These issues include, as they are relevant at SUNY Poly rather than merely constituent site level, admissions and transfer policy, the academic code of conduct, academic freedom, academic standing, grading, graduation requirements, research, subject matter and methods of instruction, and those aspects of student life which relate to the educational process.
2. This committee will define the policies and processes that will be common to both sites to deal with alleged breaches of ethics in research and scholarship.
3. This committee is also charged with catalyzing intellectual assets of the two sites, exploring and developing new inter- or cross-disciplinary collaborations, promoting free exchanges of new ideas and novel interdisciplinary concepts in pedagogy, research, and outreach to advance the fields of engineering, engineering technology, computer science, business, health-science, social sciences, humanities, and supporting disciplines through the intrinsically interdisciplinary framework of 21st century higher education.
4. The committee may form ad hoc committees in response to arising grant and industry opportunities.
5. Since it is the mission of this committee, and indeed the Governance Council, to encourage cooperation, innovation, creativity, entrepreneurship and sharing among the faculty at both SUNY Poly sites, nothing in this section or elsewhere in the SUNY Poly Bylaws should be construed as suggesting all such sharing needs to be done under the aegis of the Governance Council or its Standing Committees.

XIII. Standing Committee on Libraries, Technology, and Distance Learning

1. Review and make recommendations with respect to the technological and academic infrastructure, including but not limited to the library, computing, distance learning, and presentation systems, and policies and procedures associated with the use of technology in the institution's educational programs.
2. As informed by the President or the Governance Council, or in response to a request or suggestion from either site, this committee will look at and advise the President on issues relating to improving the sharing of educational opportunities and administrative services across SUNY Polytechnic Institute where doing so will enhance the education experience of SUNY Poly students.

XIV. University Faculty Senator and Alternate

1. The University Faculty Senator and Alternate represent faculty and professional staff at both sites. Election procedures shall conform to requirements set forth in the Policies of the Board of Trustees and in the By-laws of the University Faculty Senate. The term of

office for the position of Senator is three years and the incumbent is limited to two consecutive three-year terms, except that a Senator elected to fill the minor portion of an unexpired term may serve two complete terms in addition to the minor portion. After serving the maximum period an incumbent shall be ineligible for a further term for an intervening period of at least one calendar year. To facilitate full communication at the two sites, the institution shall cover the expenses of attendance of both the Senator and the Alternate at all plenary meetings.

2. The position of Senator shall rotate between the sites and the Alternate shall be selected from the site other than that of the Senator. Except for the initial election, no candidate for the position of Senator, other than an incumbent seeking re-election, shall be from the same site as the previous Senator. For the initial term to begin July 2015, candidates for the position of Senator may come from either site. In order to facilitate this arrangement the election for Alternate shall be held not less than two weeks nor more than four weeks after the election for Senator and candidates for the position of Alternate can not come from the same site as the newly elected Senator.

Notwithstanding the foregoing, should the institution attain sufficient size to be allocated two Senators and two Alternates, one Senate seat shall be allocated to each site, and beginning with the next election both the Senator and Alternate for a particular seat shall come from the same site.

3. The Alternate Senator shall serve as the Senator in the event that the Senator is temporarily unable to perform such duties. When an incumbent in either position becomes unable to perform the duties of office for an extended period or becomes ineligible to continue serving due to resignation, retirement, or other reasons, the Governance Council shall, by majority vote, declare that position to be vacant, and shall call for a new election; a vacancy in the position of Senator does not result in the Alternate Senator automatically assuming that position but requires an election.

XV. Amendments

1. When an amendment is proposed, it must be presented to each of the SUNY Polytechnic Institute Assemblies. To be ratified, the amendment must be approved by a majority vote of the Voting Faculty members of each site and, where required under Article X, Section 5(b) of the Policies of the Board of Trustees, approved by the SUNY Poly President.
2. If the amendment relates to an aspect that requires consultation with the administration, then a ratified amendment will go into effect only with the President's approval.

XVI. Ratification of the Bylaws

1. The proposed governance structure for SUNY Poly will go into effect only if it is ratified by a majority of each of the governance bodies at both sites and, where appropriate, after the acceptance and approval of the SUNY Poly President.

2. If and when this proposed governance structure for SUNY Poly goes into effect, pre-existing charters, bylaws, and associated policies and practices at each constituent site will remain in effect until and unless a change is approved by the governance bodies at the site.

Article XVII - Re-examination of Governance Structure

In order to ensure that members of the governance bodies at the two sites have an opportunity to reflect upon and influence the governance structure there shall be a periodic referendum regarding the need for a major review. During academic year 2019-20 and every fifth year thereafter, the Governance Council shall conduct a referendum on the matter "Shall an ad-hoc committee be formed for the purpose of examining these by-laws and at the committee's discretion proposing either a new set of by-laws or amendments to the existing by laws?" Should the referendum pass by a majority of all valid ballots cast at both sites, the Governance Council shall establish such a committee. The committee will have until the end of the semester after its establishment to complete its work, and its recommendations shall be put to a vote in the manner specified in Article XV.

Nothing in this article shall preclude the Governance Council from establishing such an ad-hoc committee outside the referendum process.