

File 1

St. John's University, New York

STATUTES



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PART ONE

OBJECTIVES OF THE UNIVERSITY

St. John's University, New York, is a Catholic institution of higher learning founded and sponsored by the Congregation of the Mission. The fundamental purpose of the University is to offer men and women, in a Catholic atmosphere, the opportunity to achieve for themselves a higher education in the liberal arts and sciences and to prepare for certain professions.

As a university, St. John's is dedicated to the intellectual growth of its students and to the advancement of knowledge through research. It aims to help students attain a mastery of the essential preparation for success in a chosen career, the ability to think clearly and consistently, an appreciation of our intellectual heritage, a facility in written and oral communication, and an appreciation of the aesthetic values in life.

As a Catholic University committed to a Christian vision of reality, St. John's hopes to further in its students a deep appreciation of Christian ideals of living and a true sense of Christian responsibility to self and others. Moreover, St. John's hopes to be a locus where the Church is able to reflect upon itself and its mission employing all the resources and scientific techniques of a university in its continued effort, through the medium of free inquiry after truth, to comprehend its nature and its role in God's plan.

As an urban institution of higher learning, St. John's aims to contribute to the cultural, commercial, industrial, and professional needs and desires of the community, and in turn to draw upon the cultural richness that a metropolitan area affords.

All members of the University community are obligated to recognize their responsibility to adhere to these objectives of the University.

PART TWO

BOARD ORGANIZATION

Article 1, Membership, Officers, and Tenure

- §1.1 a. The Board of Trustees shall consist of not fewer than five nor more than twenty-five *ex officio* and elected members of whom at least one-third shall be priests of the Congregation of the Mission, Eastern Province of the United States.
- b. With the exception of the President of the University (the "President"), no member of the University staff shall be a member of the Board of Trustees.
- §1.2 The President and the Provincial of the Congregation of the Mission, Eastern Province of the United States, shall be *ex officio* members of the Board of Trustees. All other members of the Board shall be elected by the Board of Trustees.
- §1.3 Subject to the limitations of Section 1.1 of this Article, the Board of Trustees shall, in its discretion, elect additional members to the Board.
- §1.4 a. The officers of the Board of Trustees are Chairman, Vice Chairman, and Secretary, and shall be elected at the annual meeting to serve until the next annual meeting and until their respective successors shall have been elected and qualified.
- b. The Chairman shall be a priest of the Congregation of the Mission and shall preside at all meetings of the Board. He shall serve as the principal officer of the Board and shall act as liaison officer between the Board and the President.
- c. In the absence of the Chairman, the Vice Chairman shall be invested with the powers and discharge the duties of the Chairman.

Board Organization

d. The senior trustee shall possess the powers and perform the duties of Chairman in the absence of both the Chairman and Vice Chairman.

§1.5 a. An *ex officio* member of the Board of Trustees shall have tenure which shall be coextensive with his tenure in that office to which membership on the Board has been attached.

b. The term of service of each elected trustee shall be three years. Any elected trustee shall be eligible for reelection.

c. It is the intention of these Statutes that the terms of approximately one-third of the elected trustees will expire annually.

§1.6 The Board of Trustees shall fill any vacancy occurring in the office of any elected trustee by electing another for the unexpired term. The office of any elected trustee shall become vacant on his death, resignation, refusal to act, removal from office, or any other cause specified in the charter or in these Statutes. If any trustee shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the Board of Trustees, he shall be deemed to have resigned and the vacancy shall be filled. Except as herein above provided the provisions of Section 226, subdivision 4, of the Education Law of the State of New York relative to the removal and to the manner of filling of vacancies in the Board, shall be deemed not to apply to St. John's University by virtue of the clause in that section specifically excluding its application to an educational corporation established and maintained by a religious order.

Article 2, Committees

§2.1 Members of all standing committees except the Nominations Committee, shall be appointed, by resolution adopted by a majority of the trustees upon nomination of the Nominations

Committee of the Board, for a one year term and may succeed themselves. A majority of the members of the standing committee shall constitute a quorum for that committee and, except as provided in Section 2.3 in respect of the Executive Committee, all resolutions of said committee shall be enacted by a majority vote of those present and voting.

§2.2 The standing committees shall be:

Executive Committee
Nominations Committee
Educational Policy Committee
Budget and Finance Committee
Planning and Development Committee
Student Activities Committee
Faculty Personnel Committee

§2.3 a. The Executive Committee shall consist of the Vice Chairman of the Board, the President, and five additional members. The Vice Chairman of the Board shall serve as Chairman of the Executive Committee. The affirmative vote of not less than four members shall constitute the action of the Executive Committee.

b. The Executive Committee shall act, within policy limits as defined by the Board, on matters requiring immediate attention between meetings of the Board, except that it shall have no power to grant degrees or make removals from office. Under specified circumstances anticipated by the Board, it shall have authority to take final action in the name of the Board. All such definitive actions shall be reported in full at the next meeting of the Board. All other actions taken by the Executive Committee shall be subject to approval by the Board.

§2.4 a. The Nominations Committee shall consist of not fewer than three appointed members. Appointment shall be by

resolution adopted by a majority of the trustees upon nomination by the Chairman of the Board.

- b. The Nominations Committee shall submit to the Board for its consideration, nominations for membership on the Board, for the offices of Chairman, Vice Chairman and Secretary of the Board and for the office of President of the University. With regard to nominations of those members of the Board who are required by these Statutes to be priests of the Congregation of the Mission and with regard to nominations for the office of Chairman of the Board and for the office of President of the University, which offices likewise are required by these Statutes to be filled by priests of the Congregation of the Mission, the Nominations Committee shall first request recommendations from the Provincial of the Congregation of the Mission, Eastern Province of the United States. The Nominations Committee shall also submit nominations for membership on standing committees of the Board other than the Nominations Committee; for filling vacancies in the Board and in said offices; and for additional membership in the Board pursuant to Section 1.3. Other nominations may be made for any of these offices and memberships by any member of the Board.

§2.5 The Educational Policy Committee shall consist of not fewer than three appointed members and shall be concerned with the policies governing the educational and research programs and activities of the University, the long range plans of the University and of each unit, and the organization of the University for instructional purposes. It shall make recommendations to the Board concerning such matters.

§2.6 The Budget and Finance Committee shall consist of not fewer than three appointed members and shall be responsible for considering and recommending action on financial, business, and administrative management policies. It shall coordinate the formulation of a long-range budget, shall provide a continuing review of the financial condition of the

University, and shall present the budget to the Board. It shall be empowered, subject to final approval by the Board, to approve transactions for the University's investment portfolio.

- §2.7 The Planning and Development Committee shall consist of not fewer than three appointed members and shall be concerned with plans for the future development of the University and all fund-raising programs required to finance this development. It shall also be concerned with policies affecting public relations and information, special events, community relationships, and alumni affairs.
- §2.8 The Student Activities Committee shall consist of not fewer than three appointed members and shall be concerned with policies on student services and with co-curricular activities affecting the general welfare of students.
- §2.9 The Faculty Personnel Committee shall consist of not fewer than three appointed members including the President as an *ex officio* member. The committee shall be concerned with all matters relating to appeals from the decision of the University Personnel Committee, the "truly exceptional circumstances" policy of this Board, and all other faculty personnel actions submitted to the committee by the President of the University.
- §2.10 Minutes of all committee meetings shall be made a part of the official records of the Board of Trustees. Each of the committees shall discuss policies in its area and, except as otherwise provided in Section 2.3 in respect of the Executive Committee, shall submit its recommendations to the Board for action.
- §2.11 Special committees may be appointed from time to time as the Board may determine, and advisory committees may be established for the University as a whole or for particular parts thereof.

Article 3, Meetings

§3.1 a. The annual meeting of the Board of Trustees shall be held in September.

b. At least three additional stated meetings shall be held per year at such times and places as the trustees may fix by resolution from time to time.

c. The Board shall meet on its own adjournment or when required by these Statutes or when summoned by its Chairman or by the President. In the event of the prolonged absence, death or incapacity of the Chairman or the President, the Board shall meet when summoned by the Vice Chairman, or upon the written request of three members of the Board presented to the senior trustee.

§3.2 Notice of the time and place of every meeting shall be mailed not fewer than five days nor more than ten days before the meeting to the usual address of every trustee. So far as legally permissible, a meeting may be held upon longer or shorter notice, provided that at least two-thirds of the members have failed to file a formal protest against such notice after having an opportunity to do so.

§3.3 A majority of the entire membership of the Board shall constitute a quorum, and all resolutions shall be enacted by a two-thirds majority vote of those present and voting, except as otherwise specifically provided by these Statutes.

§3.4 The usual order of business shall be as follows:

- Prayer
- Consideration of the minutes
- Reports of officers
- Reports of committees
 - (a) Standing Committees
 - (b) Special committees
- Unfinished business

New business
Adjournment

Article 4, Powers and Duties

§4.1 Among the powers and duties of the Board of Trustees, and in addition to all powers authorized by law, are the following:

- a. To establish new academic units of the University or to eliminate existing units according to the needs of the University and the communities which it serves.
- b. Acting through the President, to appoint and fix the salaries of such officers and employees as it shall deem necessary who, unless employed under a contract or an appointment whose duration is expressed therein or in these Statutes, shall hold their offices during the pleasure of the Board.

PART THREE

UNIVERSITY EXECUTIVE ORGANIZATION

Article 5, Administrative Officers

§5.1 The administrative officers of the University shall be the President; the Executive Vice President; the Vice President for Academic Planning; the Academic Vice President, Queens; the Academic Vice President, Staten Island; the Vice President for Business Affairs and Treasurer; the Vice President for University Relations; the Vice President for Student Affairs, Queens; the Administrative Vice President and Director of Student Affairs, Staten Island; the Administrative Vice President, Queens; the Vice President for International Studies and Education; the Vice President for Campus Ministry; and the Secretary of the University.

§5.2 The President, Executive Vice President, Academic Vice President, Queens, Academic Vice President, Staten Island, Vice President for Business Affairs and Treasurer and Secretary of the University, shall be elected to their respective offices by majority vote of the Board of Trustees and, with the exception of the election for the office of President, on recommendation of the President. They shall serve in their respective offices until a successor is appointed by majority vote of the Board of Trustees. All of the other officers of the University shall be appointed by the President, subject to the approval of the Board of Trustees, and shall serve in their respective offices until a successor is appointed by the President.

§5.3 The administrative officers shall have the duties and responsibilities hereinafter prescribed for their offices and such other duties and responsibilities as, from time to time, may be designated by the Board of Trustees or by the President acting under the authority of the Board of Trustees.

- §5.4 Other administrators of the University shall include: the Deans for each academic unit; the Dean of Admissions and Registrar, Queens; the Dean of Admissions and Registrar, Staten Island; the Dean of the Summer Sessions; the Dean for Academic Development; the Director of University Libraries; and such other administrators as may be appointed from time to time by the President. The Deans for each academic unit shall be elected by majority vote of the Board of Trustees on recommendation of the President. All other administrators shall be appointed by the President and shall have the duties and responsibilities hereinafter prescribed for their offices and such other duties and responsibilities as from time to time may be designated by the President.

Article 6, President

- §6.1 The President shall be a priest of the Congregation of the Mission, Eastern Province of the United States, and shall be the chief executive officer of the University.
- §6.2 The President shall exercise general supervision over all the affairs and property of the University, subject to the control of the Board of Trustees; he shall exercise leadership in the development, implementation and administration of the affairs of the University and in the development of policies within the University relating thereto; he shall be the official medium of communication between the faculty and the Board of Trustees and, when appropriate, transmit the recommendations of the University Senate and other councils and committees to the Board of Trustees; and he shall evaluate all the activities of the University to insure compliance with approved policies and fulfillment of stated objectives of the Board of Trustees.
- §6.3 He shall be an *ex officio* member of every faculty and may at his discretion call a meeting of any such faculty, and shall *ex officio* hold the academic rank of Professor. All administrative officers, members of the instructional staff and all other employees of the University shall be responsible to him and

shall be under his direction, either directly or through officers to whom he has delegated responsibility for units of the University and for their personnel.

- §6.4 He shall supervise, through the appropriate officers, academic affairs, student affairs, business affairs, development, athletic activities, public relations functions and all other affairs of the University.
- §6.5 He shall act for the University, either directly or through officers and other administrators to whom he has delegated responsibility in all matters pertaining to the appointment, reappointment, promotion, compensation, dismissal and other employment relationships of members of the instructional staff and of all other employees of the University, except as otherwise specifically provided by these Statutes.
- §6.6 He shall initiate long range planning for the improvement and development of the University, taking into consideration the previously approved plans, objectives, educational developments, and the prospective resources of the University. Upon approval by the Board of Trustees these plans shall become a part of the policy of the University and may not thereafter be changed without the approval of the Board of Trustees.
- §6.7 He shall be responsible for the public relations of the University in its association with the educational world, the community, the faculty and the students of the University. He shall exert his efforts toward the maintenance of University contacts and the establishment of new ones in a continuing program to extend the influence and increase the resources of the University.
- §6.8 He shall preside at commencement exercises and other University assemblies, and he shall sign and confer in the name of the Board of Trustees, all certificates, degrees, and honors voted by the Board.

- §6.9 a. He shall have power, together with the Secretary of the Board of Trustees, or the Secretary of the University, to the extent permitted by law of the State of New York, to sign and join in the execution of all deeds and instruments in the name of the Board of Trustees and to affix thereto the corporate seal of the University.
- b. He shall have power to execute and to cause the seal of the University to be affixed to any general or other release in respect of claims, suits, and actions by the University.
- §6.10 a. On or about November 15 of each year, after consultation with the appropriate administrative officers, he shall submit to the administrators who are charged with preparing the annual budget requests, a budget message which will contain guidelines for them in preparing such annual budget requests for the next fiscal year.
- b. On or about March 15 of each year, after following the appropriate procedures set forth in these Statutes, he shall submit the annual budget for the next fiscal year to the Board of Trustees.
- §6.11 On or about September 1 of each year, he shall submit to each member of the Board of Trustees, a written report of the conditions, needs and plans of the University.
- §6.12 He shall be, in consultation with the Executive Committee of the Board of Trustees, the authoritative interpreter of the provisions contained in these Statutes.
- §6.13 He shall have such other powers and perform such other duties as are commonly incident to the office of President.
- §6.14 There may be one or more assistants to the President, who shall be appointed by the President and who shall perform such functions as, from time to time, may be assigned to them by the President.

Article 7, Vice Presidents

- §7.1 a. Each of the Vice Presidents of the University shall report and be directly responsible to the President.
- b. Upon delegation from the President, the Vice President for Academic Planning and the Academic Vice Presidents shall represent the University in educational and accreditational relationships.
- c. Each of the Vice Presidents shall be responsible, through appropriate procedures, for the budgets of their respective offices. On or about February 1 of each year, they shall submit their proposed budgets to the Vice President for Business Affairs and Treasurer for inclusion in the proposed annual budget of the University. The Academic Vice Presidents shall include within their proposed budgets, the academic budgets of all of the academic units within their jurisdiction. Upon approval of the annual budget by the Board of Trustees, the Vice Presidents shall be responsible for the administration of the portion thereof pertaining to their respective offices and units.
- d. On or about August 1 of each year, each Vice President shall submit to the President an annual report on the operation of the Vice President's office, its projected needs and recommendations. Such reports shall include a digest of the reports the Vice Presidents shall receive from their respective academic or administrative units. Each Vice President shall make such interim reports as are requested by the President.

§7.2 Executive Vice President

In the absence of the President, the Executive Vice President shall have the powers and perform the duties of the President. In the event such absence results from a vacancy in the office of the President, the Executive Vice President shall have such powers and perform such duties of the President

until a successor President is appointed by a majority vote of the Board of Trustees in accordance with these Statutes.

§7.3 Vice President for Academic Planning

§7.3.1 The Vice President for Academic Planning shall be the principal educational adviser to the President and shall be responsible for the planning, development and evaluation of the academic affairs of the University. In furtherance of these responsibilities, the Vice President for Academic Planning shall take the initiative in proposing plans and actions in academic matters and in reviewing and implementing educational programs and policies.

§7.3.2 a. The Vice President for Academic Planning shall conduct a systematic and continuing program of evaluation of the academic and related areas of the University and shall serve as a centralized source of institutional data needed for reports to educational and accrediting agencies and for proposals for grants.

b. The Vice President for Academic Planning shall exercise general supervision over the completion of questionnaires, studies and reports submitted by the University to various educational, accrediting and governmental agencies.

c. The Vice President for Academic Planning shall be an *ex officio* member of every academic committee of the University.

§7.3.3 The Vice President for Academic Planning shall be responsible for space allocation.

§7.3.4 a. Through the Director of Financial Aid, the Vice President for Academic Planning shall be responsible for implementing policy concerning financial aid for students at all units of the University.

b. Through the Director of Special University Programs, the

Vice President for Academic Planning shall be responsible for the administration and coordination of special University programs.

c. Through the Director of University Libraries, the Vice President for Academic Planning shall be responsible for the administration and coordination of the University libraries.

d. Through the Director of Admissions Counselling, the Vice President for Academic Planning shall be responsible for high school relations and admissions counselling of prospective students.

§7.3.5 In the absence of the President and Executive Vice President, the Vice President for Academic Planning shall preside at meetings of the University Senate.

§7.4 Academic Vice President

§7.4.1 There shall be two Academic Vice Presidents of the University: The Academic Vice President, Queens, who shall be the chief academic officer for all of the academic units of the University at the Queens campus; and the Academic Vice President, Staten Island, who shall be the chief academic officer for all of the academic units of the University at the Staten Island campus.

§7.4.2 The Academic Vice Presidents shall have administrative responsibility over the academic and related areas of their respective units. After consultation with the Vice President for Academic Planning, they shall implement the academic plans and policies which have been approved by the President.

§7.4.3 In their respective units, the Academic Vice Presidents shall recommend to the President, after appropriate consultation, the appointment of Directors and Chairmen of departments

or divisions [hereinafter referred to as "departments"] and shall be responsible, through appropriate procedures, for the supervision of such Directors and Chairmen.

§7.4.4 In their respective units, the Academic Vice Presidents shall be responsible, through appropriate procedures, for academic appointments, reappointments and assignments. They shall appoint such faculty committees as are not elected.

§7.4.5 No later than May 1 of each year, after following appropriate procedures, the Academic Vice Presidents shall forward to the Board of Trustees, through the President, all recommendations for promotion and tenure for their respective units.

§7.4.6 The Academic Vice Presidents shall be *ex officio* members of the University Personnel Committee. The senior academic Vice President shall preside at meetings of the University Personnel Committee and, in the absence of the President, the Executive Vice President and the Vice President for Academic Planning, shall ~~preside~~ preside at meetings of the University Senate.

§7.4.7 The Academic Vice President, Queens, prior to the commencement of the Spring semester and at least four weeks prior to the elections, shall notify the faculty of the time during the Spring semester at which the elections for Departmental Chairmen and for membership on the Departmental Personnel and Budget Committees shall take place. The Academic Vice President, Queens, shall likewise notify the faculty of the time for subsequent elections of faculty members to the College Personnel Committees and the University Personnel Committee and shall notify the faculty and, where appropriate, the students of the time for elections to the Faculty Councils and the University Senate.

§7.4.8 The Academic Vice Presidents shall be *ex officio* members of all academic committees within their jurisdiction.

§7.5 Vice President for Business Affairs and Treasurer

§7.5.1 The Vice President for Business Affairs and Treasurer shall be the principal fiscal adviser to the President.

§7.5.2 Under the President, the Vice President for Business Affairs and Treasurer shall be responsible for the business affairs of the University and shall advise administrative officers in matters of financial and business policy.

§7.5.3 a. The Vice President for Business Affairs and Treasurer shall: receive all monies paid to the University and be responsible for their custody; deposit all funds of the University in such bank or banks, trust company or trust companies, or with such firm or firms doing a banking business, as the Board of Trustees shall designate; act for the University in respect of all negotiable and non-negotiable paper and its bank accounts. With the consent of the Board of Trustees and under the guidance of the Budget and Finance Committee of the Board of Trustees, the Vice President for Business Affairs and Treasurer shall manage all University investments.

b. The Vice President for Business Affairs and Treasurer shall have the power to sell, assign and transfer all stocks, bonds, evidence of interest, evidence of indebtedness and/or of other obligations, and all other securities, corporate or otherwise, held by the University in its own right, and to execute any and all instruments necessary, proper or desirable for the purpose.

c. The Vice President for Business Affairs and Treasurer shall be responsible for the proper expenditure of all funds of the University and shall keep accurate books of account of the University's transactions which shall be the property of the University and, together with all its property in the possession of the Vice President for Business Affairs and Treasurer, shall be subject at all times to the inspection and control of the Board of Trustees.

- d. The Vice President for Business Affairs and Treasurer shall be responsible for the over-all direction and coordination of the system or preparation, review and execution of the budget. On or about February 15 of each year, after following the appropriate procedures set forth in these Statutes, the Vice President for Business Affairs and Treasurer shall submit to the President the proposed annual budget of the University. Upon approval of the budget by the Board of Trustees, the Vice President for Business Affairs and Treasurer shall be responsible for the control and administration of all items thereof, except for the administration of academic items by the Academic Vice Presidents, pursuant to these Statutes.
 - e. The Vice President for Business Affairs and Treasurer shall make reports to the budget administrators at regular intervals.
 - f. The Vice President for Business Affairs and Treasurer shall arrange for an annual audit of all the accounts and books of the University by an independent firm of certified public accountants approved for that purpose by the President.
- §7.5.4 a. The Vice President for Business Affairs and Treasurer shall have the powers of a purchasing agent for the University, with authority to contract, within budget provisions, for the acquisition of materials, supplies and equipment, and for the engagement of installational, maintenance and repair services, and for minor new construction. These powers, or any of them, may be delegated by the Vice President for Business Affairs and Treasurer to a person or persons recommended by him and approved by the President as University purchasing agent or agents.
- b. The Vice President for Business Affairs and Treasurer shall have the power to execute and to cause the seal of the University to be affixed to any general or other release in respect of claims, suits and actions by the University.

c. In the negotiation and execution of all other contracts, engagements, conveyances, and releases, except as otherwise provided in these Statutes, the Vice President for Business Affairs and Treasurer shall be the agent of the Board of Trustees but shall act in any such matter only after obtaining the consent of the Board of Trustees to negotiate or to conclude the particular transaction.

§7.5.5 The Vice President for Business Affairs, and Treasurer shall have custody of all contracts and other legal documents pertaining to the University and, with the approval of the President, shall procure legal, financial, or other professional advice as agent for the President and the Board of Trustees.

§7.5.6 The Vice President for Business Affairs and Treasurer shall be Chairman and Trustee of the Pension Committee and Chairman of the Committee on Buildings and Grounds of the University.

§7.5.7 The Vice President for Business Affairs and Treasurer shall be responsible for the supervision of auxiliary enterprises and their coordination with the University accounting and purchasing procedures.

§7.5.8 The Vice President for Business Affairs and Treasurer shall be responsible for: the management of all University buildings and properties, including maintenance, repair, remodeling, insurance coverage, and for payment of taxes or assessments against such buildings and properties; liaison with academic officers and architects engaged in planning new construction and remodeling existing buildings.

§7.5.9 Through a Director of the Data Processing Center, the Vice President for Business Affairs and Treasurer shall be responsible for the work of that unit.

§7.5.10 The Vice President for Business Affairs and Treasurer shall have such other powers and perform such other duties as are commonly incident to the office of Treasurer.

§7.5.11 There may be one or more assistant treasurers, appointed by the President on recommendation by the Vice President for Business Affairs and Treasurer, who shall perform such functions as, from time to time, may be assigned to them by the Vice President for Business Affairs and Treasurer.

§7.6 Vice President for University Relations

The Vice President for University Relations shall have the responsibility for the maintenance of University contacts and the establishment of new ones in a continuing program to extend the influence and increase the resources of the University. To these ends, the Vice President for University Relations shall have administrative responsibility over the Public Relations and Development Programs of the University.

§7.7 Vice President for Student Affairs, Queens

§7.7.1 The Vice President for Student Affairs, Queens, shall be responsible for the general administration of all non-academic matters involving students at the Queens campus in accordance with the policies and procedures specified in these Statutes. The Vice President for Student Affairs, Queens, may initiate and implement, through appropriate procedures, such other policies affecting non-academic student matters as are consistent with these Statutes.

§7.7.2 The Vice President for Student Affairs, Queens, shall be responsible for the coordination, administration and supervision of the services performed by the Dean of Students, Director of the Counseling Center, Health Counselor and Physicians at the Queens campus.

§7.7.3 a. Through the Dean of Students at the Queens campus, the Vice President for Student Affairs, Queens, shall supervise undergraduate student activities and shall be responsible for the administration of discipline in non-academic

matters for undergraduate students in accordance with University policy.

b. Through the Director of the Counseling Center the Vice President for Student Affairs, Queens, shall administer the testing programs and educational, vocational and psychological counseling programs to students at the Queens campus.

c. Through the Health Counselor and Physicians, the Vice President for Student Affairs, Queens, shall be responsible for the physical welfare of students at the Queens campus.

§7.7.4 With the approval of the President, the Vice President for Student Affairs, Queens, shall have the power to appoint such assistants, who shall perform such functions as, from time to time, may be assigned to them by the Vice President for Student Affairs, Queens.

§7.8 Administrative Vice President and Director of Student Affairs, Staten Island

§7.8.1 The Administrative Vice President and Director of Student Affairs, Staten Island, shall have administrative responsibility in all areas affecting the Staten Island campus not specifically assigned to, or within the jurisdiction of, another administrative officer.

§7.8.2 The Administrative Vice President and Director of Student Affairs, Staten Island, shall be responsible for the general supervision of all non-academic matters involving students at the Staten Island campus in accordance with the policies and procedures specified in these Statutes and may initiate and implement, through appropriate procedures, such other policies affecting non-academic student matters as are consistent with these Statutes.

§7.8.3 The Administrative Vice President and Director of Student

Affairs, Staten Island, shall be responsible for the coordination, administration and supervision of the services performed by the Dean of Students, Director of the Counseling Center, Director of Placement and Career Development, Campus Chaplains and Health Counselor at the Staten Island campus.

- §7.8.4 a. Through the Dean of Students at the Staten Island campus, the Administrative Vice President and Director of Student Affairs, Staten Island, shall supervise undergraduate student activities and shall be responsible for the administration of discipline in non-academic matters for undergraduate students in accordance with University policy.
- b. Through the Director of the Counseling Center, the Administrative Vice President and Director of Student Affairs, Staten Island, shall administer the testing programs and educational, vocational and psychological counseling programs to students at the Staten Island campus.
- c. Through the Director of Placement and Career Development, the Administrative Vice President and Director of Student Affairs, Staten Island, shall be responsible for the placement and career counseling programs to students at the Staten Island campus.
- d. Through the campus Chaplains and Health Counselor the Administrative Vice President and Director of Student Affairs, Staten Island, shall be responsible for the spiritual and physical welfare of students at the Staten Island campus.
- §7.8.5 With the approval of the President, the Administrative Vice President and Director of Student Affairs, Staten Island, shall have the power to appoint such assistants, who shall perform such functions as, from time to time, may be assigned to them by the Administrative Vice President and Director of Student Affairs, Staten Island.

§7.9 Administrative Vice President, Queens

§7.9.1 The Administrative Vice President, Queens, shall have administrative responsibility in all areas affecting the Queens campus not specifically assigned to, or within the jurisdiction of, another administrative officer.

§7.9.2 The Administrative Vice President, Queens, shall be responsible for the coordination, administration and supervision of the services performed by the Director of Alumni Relations, the Director of Government and Research Grants, the Director of Placement and Career Counseling, Queens, and the Director of Staff Personnel.

§7.9.3 a. Through the Director of Alumni Relations, the Administrative Vice President, Queens, shall be responsible for all programs involving the Alumni Federation and its constituent groups of alumni of the various schools and colleges.

b. Through the Director of Government and Research Grants, the Administrative Vice President, Queens, shall supervise the coordination of all sponsored research and for all applications for research grants and loans.

c. Through the Director of Placement and Career Counseling, Queens, the Administrative Vice President, Queens shall be responsible for the placement and career counseling of students and alumni at the Queens campus.

d. Through the Director of Staff Personnel, the Administrative Vice President, Queens, shall be responsible for non-academic personnel administration.

§7.9.4 With the approval of the President, the Administrative Vice President, Queens, shall have the power to appoint such assistants, who shall perform such functions as, from time to time, may be assigned to them by the Administrative Vice President, Queens.

§7.10 Vice President for International Studies and Education

§7.10.1 The Vice President for International Studies and Education shall be responsible for the planning and development of international studies and education; foreign exchange programs; and University wide activities and programs relating to international studies and education. In furtherance of these responsibilities, the Vice President for International Studies and Education shall take the initiative in proposing plans and actions with regard to international studies and education and in reviewing and implementing educational programs and policies relating thereto.

§7.11.1 Vice President for Campus Ministry

§7.11.1 The Vice President for Campus Ministry shall be a priest of the Congregation of the Mission and shall be the principal adviser to the President regarding campus ministry.

§7.11.2 He shall be responsible for the coordination, administration and supervision of the campus Chaplains at the Queens campus and shall direct, administer and supervise the functions that take place in the campus chapels and the liturgical functions of the University.

§7.11.3 He shall be a liaison between the diocese and the University and between the various colleges and schools in bringing to the University community, programs, lectures, and other matters which are of interest in the light of today's spiritual needs and problems.

§7.11.4 Through the campus Chaplains, he shall be responsible for the spiritual welfare of the University community at the Queens campus.

Article 8, Secretary of the University

§8.1 The Secretary of the University shall: attend the meetings of

the Board of Trustees and serve as assistant to the Secretary to the Board of Trustees; have custody of the seal of the University and, at the request of the President, affix the seal to any documents executed by the President or by the Secretary of the University; be responsible for the issuance of diplomas, certificates, and the University directory, maintain records of the status of all officers of administration and instruction appointed by the Board of Trustees and issue notices to them of their appointments, and inform the members of the faculty and administration of actions of the Board of Trustees.

§8.2 The Secretary of the University shall be responsible for all official publications of the University and shall supervise the program of the University Press. Student publications are not official publications of the University.

§8.3 The Secretary of the University shall have such other powers and perform such other duties as are commonly incident to the office of Secretary.

Article 9, Deans

§9.1 Academic Deans

§9.1.1 Each academic unit of the University shall be administered by a Dean who shall be responsible to the President through the Academic Vice President having jurisdiction over such unit or any part of such unit. The Dean of St. John's College shall be a priest of the Congregation of the Mission, Eastern Province of the United States.

§9.1.2 The Dean of each academic unit shall be responsible for the general academic administration of the unit, which shall be administered in conformity with the policies and procedures specified in these Statutes. The Dean may initiate and implement, through appropriate procedures, such other academic policies affecting the academic unit as are consistent with these Statutes.

§9.1.3 a. The Dean of each academic unit shall be responsible for the discipline of students in such unit on academic matters and shall have the right, in accordance with established University procedures, to suspend, dismiss or otherwise discipline students who fail to comply with the academic standards of the academic unit.

b. The discipline of graduate students on non-academic matters shall be the responsibility of the Dean of the student's academic unit.

c. The discipline of undergraduate students on non-academic matters shall be the responsibility of the Vice President for Student Affairs, Queens, or the Administrative Vice President and Director of Student Affairs, Staten Island or their designees. Said Vice Presidents shall notify the Dean of the student's academic unit of any action taken by them.

§9.1.4 a. The Dean may, after following appropriate procedures, make recommendations to the appropriate Departmental Chairmen for appointments and reappointments to the instructional staff for promotion of or conferral of tenure upon members of the faculty.

b. The Dean shall have general supervisory authority for recruitment to the instructional staff so as to insure the adequate staffing of the academic unit and the implementation of the policies of its personnel committees in this respect.

c. In compliance with the calendar annually issued by the Academic Vice President, Queens, the Dean shall report to the Academic Vice President having jurisdiction of the academic unit or any part of such unit, together with the Dean's own recommendation thereon, the action recommended by the School or College Personnel Committee with respect to each person considered for appointment,

reappointment, promotion or tenure, or the refusal thereof; and the action of the Departmental Personnel and Budget Committee with regard to such matters, where such action by the Departmental Personnel and Budget Committee is deemed by these Statutes to be without appeal.

§9.1.5 a. The Dean shall have immediate supervisory responsibility over the activities of Departmental Chairmen.

b. The Dean shall be responsible for implementing the policies established by the Faculty Council and those established by the University Senate and the Board of Trustees that apply to the academic unit.

§9.1.6 a. The Dean shall serve as the medium of communication for all official business of the academic unit within the University; the Dean shall be an *ex officio* member of all committees of the academic unit.

b. The Dean shall appoint faculty members to serve on committees except where these Statutes require the election of such committees, and assign faculty members to such administrative duties and special posts as the Dean may deem advisable. The Dean shall be consulted concerning the nomination and appointment of faculty members of the academic unit to committees of other colleges and of the University.

c. The Dean shall preside at meetings of the Faculty Council of the academic unit. In the case of St. John's College, the Dean of St. John's College shall preside or in the absence of such Dean, the Dean of the Graduate School.

§9.1.7 After appropriate consultation with the appropriate Academic Vice President, the Dean may serve as spokesman for the academic unit and shall make such public and professional contacts as the Dean deems necessary or advantageous for the welfare of the academic unit; the Dean

or the Dean's designee shall represent the academic unit in educational and professional associations and shall provide for adequate representation at meetings of pertinent learned and professional societies.

§9.1.8 a. The Dean shall be responsible, through appropriate procedures, for developing a budget which will be adequate to the attainment of the objectives of the academic unit. The Dean shall receive the tentative departmental budgets from the Departmental Chairmen. The Dean shall discuss the tentative departmental budgets with the Committee on Budget of the Faculty Council and the Dean shall prepare revised tentative budgets for all budget units within the academic unit. On or before January 15 of each year, the Dean shall transmit the unified budget together with the committee's comments and the Dean's recommendations to the appropriate Academic Vice President for inclusion in the academic budget of the University.

b. The liberal arts departments shall submit copies of their budget proposals to the Dean of the Graduate School and the Dean of St. John's College. Both of said Deans will collaborate on the preparation of a single budget for liberal arts including administrative sections for each academic unit.

c. Under the supervision of the appropriate Academic Vice President, the Dean or the Dean's designee shall be responsible for the administration of the budget of the academic unit.

§9.1.9 The Dean shall be responsible for the preparation of appropriate material for the bulletins of the University and shall submit the material to the Editor of such publications, according to the schedule determined by the Editor and the Registrar. The material shall conform in all respects to the stated policies of the University.

§9.1.10 On or about July 1 of each year, the Dean shall submit to the appropriate Academic Vice President an annual report on the operation of the academic unit including its achievements, projected needs, plans for improvement and strengthening of the educational programs and other appropriate recommendations.

§9.1.11 A person appointed to assist a Dean in the administration of an academic unit of the University may be designated Associate Dean, Assistant Dean, Assistant to Dean or Director. Such person shall be appointed by the President after consultation with the Dean of the academic unit involved and the appropriate Academic Vice President. Such person shall act under the supervision, direction and delegation of the Dean.

§ 9.2 Dean for Academic Development

There shall be a Dean for Academic Development, appointed by the President on recommendation of the Vice President for Academic Planning, who shall: keep informed on developments and innovations in higher education and shall be concerned with their applicability to the University; prepare questionnaires, studies and reports submitted by the University to various educational, accrediting and governmental agencies; and perform such other functions involving academic planning as, from time to time, may be assigned to the Dean for Academic Development by the Vice President for Academic Planning.

§9.3 Dean of Admissions and Registrar

§9.3.1 There shall be two Deans of Admissions and Registrar: the Dean of Admissions and Registrar, Queens, who shall be responsible to the President through the Academic Vice President, Queens, and the Dean of Admissions and Registrar, Staten Island, who shall be responsible to the President through the Academic Vice President, Staten Island.

§9.3.2 a. The Dean shall be responsible for implementing policy concerning admissions, record keeping, registration, and other related functions for all units of the University at their respective campuses with the exception of the School of Law.

b. In their respective units: The Dean shall be responsible for the organization, coordination, and administration of the various University-wide relationships among the administrative officers, faculty, and students as pertain to admissions, student records, statistical reports on admissions and enrollments, scheduling of classes, assignment of classrooms, scheduling of classes, assignment of classrooms, registration, veterans' affairs, Selective Service and Social Security certifications, and the certification of students' eligibility for graduation.

c. The Dean shall prepare reports and provide consultative service on the above activities and on related matters for their respective campuses.

§9.3.3 Under the supervision of the appropriate Academic Vice President, the Deans of Admissions and Registrar shall be responsible for the administration of the budget of their units.

§9.3.4 On or about July 1 of each year, the Deans of Admissions and Registrar shall submit to the appropriate Academic Vice President an annual report on the operation of their units, projected needs and recommendations.

§9.3.5 A person appointed to assist the Dean of Admissions and Registrar in the administration of the respective units may be designated Associate Dean, Assistant Dean, Assistant to Dean, Associate Registrar, Assistant Registrar, or Assistant to Registrar. Such person shall be appointed by the President after consultation with the Dean and the appropriate Academic Vice President. Such person shall

act under the supervision, direction and delegation of the Dean of Admissions and Registrar.

§9.4 Dean of Summer Sessions

§9.4.1 The Dean of Summer Sessions shall be responsible to the President through the appropriate Academic Vice President.

§9.4.2 The Dean of Summer Sessions shall be responsible for: determining the program of the summer sessions; organizing with the appropriate Dean and Departmental Chairmen summer institutes, workshops and special programs; adding, dividing and cancelling classes after consultation with the appropriate Departmental Chairman and Dean; preparing material for the Summer Sessions Bulletin, brochures and other promotional material.

§9.4.3 The Dean of Summer Sessions shall prepare the budget for the summer sessions and, under the supervision of the Academic Vice President, Queens, and, in respect of the summer sessions at Staten Island, the Academic Vice President, Staten Island, shall be responsible for the administration thereof.

§9.4.4 The Dean of Summer Sessions shall appoint members of the summer sessions faculty after consultation with the appropriate Dean and Departmental Chairman.

§9.4.5 On or about October 1 of each year, the Dean of Summer Sessions shall submit to the Academic Vice Presidents an annual report on the operation of the unit, projected needs and recommendations.

Article 10, Directors

§10.1 Director of University Libraries

- §10.1.1 The Director of University Libraries shall be responsible to the President through the Vice President for Academic Planning.
- §10.1.2 The Director of University Libraries shall define the functions and scope of each library in accordance with established policy and shall be responsible for the arrangement, care and over-all administration of the libraries.
- §10.1.3 The Director of University Libraries shall prepare an annual budget for the libraries which shall be transmitted to the Vice President for Academic Planning on or before January 15 of each year. Under the supervision of the Vice President for Academic Planning, the Director of University Libraries shall be responsible for the administration of said budget.
- §10.1.4 The Director of University Libraries shall be an *ex officio* member of the library committee of each school in which one exists.
- §10.1.5 On or about July 1 of each year, the Director of University Libraries shall submit to the Vice President for Academic Planning an annual report on the operation of the libraries, projected needs and recommendations.
- §10.1.6 A person appointed to assist the Director of University Libraries in the administration of the libraries may be designated Librarian or Assistant Librarian. Such person shall be appointed by the President after consultation with the Director of University Libraries and the Vice President for Academic Planning, and shall act under the supervision, direction and delegation of the Director of University Libraries.

PART FOUR

INSTRUCTIONAL STAFF AND FACULTY

Article 11, Definitions of the University Instructional Staff and Faculty

§11.1 The Instructional Staff of St. John's University shall consist of all persons employed in the titles of Professor, Associate Professor, Assistant Professor, Instructor, Teaching Fellow, Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor, Adjunct Instructor, Departmental Chairman, Laboratory Assistant, Research Professor, Research Associate, Research Fellow, Visiting Professor and Assistant Librarian.

§11.2 The Faculty of St. John's University shall consist of all persons employed full time in the ranks of Professor, Associate Professor, Assistant Professor, Instructor, Research Professor, Research Associate and Visiting Professor.

Article 12, University Voting Rule

§12.1 Any individual who, at the time of an election provided for in Articles 13, 14, 17, 18, 19, 21, 22, and 37 of these Statutes is then, and since the beginning of the then current academic year has been, a full-time member of the faculty of the University in the rank of Instructor, Assistant Professor, Associate Professor or Professor, is eligible to vote therein. Proxy or mail voting shall not be permitted, nor shall individuals on an unpaid leave be permitted to vote.

§12.2 Whenever an individual receives notice of non-renewal of contract or resigns, said individual will thereupon be ineligible to participate in any election to which such individual was theretofore eligible under these Statutes.

§12.3 Certification of all elections to faculty agencies established

under these Statutes shall be made by appropriate Deans or Departmental Chairmen to the President of the University within one week of the date of an election. Organizational meetings of these faculty agencies shall be convened as soon as practicable after the membership rosters are complete, but in no case more than one month after all have been certified to the President.

§12.4 No faculty member shall be eligible to vote in any matter concerning such faculty member's own reappointment, promotion, conferral of tenure or in any other matter commonly recognized as involving a conflict of interest.

PART FIVE

INSTRUCTIONAL ORGANIZATION

Article 13, The University Senate

- §13.1 Legislative authority over University-wide educational policy, subject only to the Board of Trustees and to other provisions of these Statutes, shall be vested in a University Senate. The University Senate shall consist of two classes of members: *ex officio* and elected.
- §13.2 *Ex officio* members shall be: the President, the Vice Presidents, the Deans of the Schools and colleges, the Dean of Admissions and Registrar, Queens, the Dean of the Summer Sessions and the Director of University Libraries.
- §13.3 Elected members shall be of five categories: delegates from departments, delegates from schools or colleges, delegates from the full-time non-tenured faculty, delegates from the professional library staff and delegates from the student body.
- a. One delegate from each of the following departments shall be selected in the manner and shall possess the qualifications described in paragraph (g) below and in Section 13.4(a): Accounting and Taxation, Biology, Chemistry, Classical Studies, Economics and Finance, Fine Arts, Government and Politics, Law, Library and Information Science, Management, Marketing, Military Science, Physics, Psychology, Operations Research and Statistics, Sociology and Anthropology, Speech Communication and Theatre.
 - b. Two delegates from each of the following departments shall be selected in the manner and shall possess the qualifications described in paragraph (g) below and in Section 13.4(a): English, History, Mathematics and Com-

puter Science, Modern Foreign Languages, Philosophy, Theology.

- c. Delegates from each of the following schools or colleges in the number indicated shall be selected in the manner and shall possess the qualifications described in paragraph (g) below and in Section 13.4(a): School of Education: 4; School of Law: 1; College of Pharmacy and Allied Health Professions: 1; St. Vincent's College: 5; Notre Dame College: 5. Notre Dame College delegates shall represent at least three of the five divisions of the College.
- d. Nine delegates from the full-time non-tenured faculty shall be selected in the manner described in Section 13.4(b).
- e. One delegate from the professional library staff shall be selected in the manner and shall possess the qualifications described in paragraph (g) below and in Section 13.4(a).
- f. There shall be eight delegates from the student body selected by the students in accordance with Section 13.4(c), and on the following basis: four delegates from the Queens undergraduate student body, two delegates from the Staten Island undergraduate student body and two delegates from the graduate and graduate professional divisions of the student body.
- g. Only faculty members possessing tenure, with the exception of the delegate from the Department of Military Science and the eight full-time non-tenured faculty members, shall be eligible for election as delegates to the University Senate. If, for any reason, a department, school or college faculty, or the professional library staff, is unable or unwilling to elect its quota of delegates, the Academic Vice President having jurisdiction, after consultation with the Chairman of the department and/or the Dean or Deans of the schools or colleges and/or the Director of the University Libraries concerned, shall

appoint a faculty member or members to fill the resulting vacancies. These appointees shall be chosen from the department, school or college or the professional library staff concerned. The same qualifications for voting and for election shall apply to the choice of persons to fill unexpired or temporary vacancies.

- §13.4 a. Delegates from schools or colleges, departments and the professional library staff, shall be elected for three year terms. Regular elections of department, school, college and professional library staff delegates shall be by secret ballot by the members of the faculty entitled to vote in each department, school, college or the professional library staff.
- b. Eight full-time non-tenured faculty members shall be elected for a one year term by all full-time faculty members through a mail ballot. One additional full-time non-tenured faculty member shall be elected for a one year term by and from all full-time faculty members of Notre Dame College through a mail ballot.
- c. The method of selection and the term of office of the senators to be elected from the full-time student body by the students shall be determined by representatives of the full-time student body, in consultation with, and with the approval of, the University Senate.
- §13.5 The University Senate shall be responsible, subject to the Board of Trustees, for the formulation of policy relating to: curriculum matters affecting more than one school or college; the admission, retention and graduation of students; student activities and student discipline. It shall make its own bylaws and conduct the educational affairs customarily cared for by a university faculty, subject to the following provisos.
- a. Among the standing committees of the University Senate shall be a Committee on Educational Programs and

Developments including in its membership, among others, the Vice President for Academic Planning and four student senators.

b. Among the standing committees of the University Senate shall be a Committee on Student Affairs including in its membership, among others, the Vice President for Student Affairs, Queens, and the Administrative Vice President and Director of Student Affairs, Staten Island or their designees, who need not be a member of the University Senate, and four student senators.

c. Among the standing committees of the University Senate shall be a Committee on Budget which shall be empowered to receive and report to the Senate upon the annual budget of the University.

§13.6 The President of the University shall preside at meetings of the University Senate or, in his absence, the Executive Vice President, another Vice President or Dean designated by the President.

§13.7 The Secretary of the University Senate shall be nominated and elected by the Senate.

Article 14, Faculty Councils

§14.1 Legislative authority over school or college educational policy, subject only to the Board of Trustees, shall be vested in Faculty Councils for particular schools and/or colleges.

§14.2 Separate Faculty Councils in the College of Business Administration, in the School of Education, in St. Vincent's College, in the School of Law, in the College of Pharmacy and Allied Health Professions and in Notre Dame College shall consist of the Dean, the Associate Dean, the Assistant Dean or Deans, full-time faculty members who are eligible to

vote under Article 12 of these Statutes. In addition, each separate Faculty Council, other than the Faculty Council of the School of Law, in its bylaws, shall provide for membership by students of such school or college and for membership by students of such school or college and for the number or proportion and means of selection of such student members. The Dean of each school or college or, in the Dean's absence, the senior professor present, shall preside at meetings of the separate Faculty Councils.

§14.3 A single Faculty Council for the liberal arts shall exercise jurisdiction over the educational policies of St. John's College and of the Graduate School of Arts and Sciences. The Liberal Arts Faculty Council shall consist of two classes of members: *ex officio* and elected. In addition, the Liberal Arts Faculty Council, in its bylaws, shall provide for membership by students of St. John's College and of the Graduate School of Arts and Sciences, and for the number or proportion and means of selection of such student members.

- a. *Ex officio* members shall be: the Dean of St. John's College, the Dean of the Graduate School of Arts and Sciences, the Associate and Assistant Deans of the two units, and the Departmental Chairman of each liberal arts instructional department.
- b. Elected members shall be one delegate from each instructional department in the two liberal arts units.
- c. Full-time faculty members who are eligible to vote under Article 12 of these Statutes shall be eligible for election as delegates to the Liberal Arts Faculty Council. If, for any reason, a department is unable or unwilling to elect its delegate, the Dean of St. John's College, after consultation with the Chairman of the department involved and the Dean of the Graduate School of Arts and Sciences, shall appoint a faculty member to fill the existing vacancy. The appointee shall be chosen from the department concerned.

The same qualifications for voting and for election shall apply to the choice of persons to fill unexpired or temporary vacancies.

- d. Membership on the Liberal Arts Faculty Council shall be for a two year term. All elections shall be by secret ballot by the members of the faculty entitled to vote in each department.
- e. The Dean of St. John's College shall preside at meetings of the Liberal Arts Faculty Council or, in his absence, the Dean of the Graduate School of Arts and Sciences. If both Deans are absent, the senior professor present shall preside.

§14.4 Faculty Councils shall be responsible, subject to the Board of Trustees, for the formulation of policy relating to school or college curricular matters, and regulations pertaining to the admission, retention and graduation of students which concern only the school or college which the Faculty Council represents. Each Faculty Council shall make its own bylaws and conduct the educational affairs customarily cared for by a school or college faculty subject to the following provisions.

- a. Among the standing committees of each Faculty Council shall be a Committee on Curriculum and a Committee on Budget. The Committee on Budget shall be empowered to receive and report to the Council on the annual budget of the school or college.
- b. Should a Faculty Council find it necessary to develop policies relating exclusively to students in its own school or college, any committee established to deal with such questions shall provide authorized representatives of the full-time students concerned an opportunity to express their views.
- c. Each Faculty Council shall concern itself, in the formulation of curricular policy and the regulation of the

admissions, retention and graduation of students, exclusively with the schools or colleges it represents. Where an instructional department of a particular school or college provides special instructional services for students of a different school or college (other than liberal arts courses open to students of all schools), that instructional department, with regard solely to such special instructional services, shall be subject to the jurisdiction of the Faculty Council of the school or college whose students are thus serviced.

§14.5 The secretary of each Faculty Council shall be nominated and elected by the Council concerned.

Article 15, Graduate Council

§15.1 Legislative authority over all matters of educational policy affecting graduate study, subject only to the Board of Trustees and to the University Senate as provided in Article 13 of these Statutes, shall be vested in the Graduate Council. This Council shall be responsible for the formulation of policy relating to graduate curricular matters and regulations pertaining to the admission, retention and graduation of students in graduate programs. The Graduate Council shall make its own bylaws.

§15.2 a. The Graduate Council shall consist of two classes of members: *ex officio* and elected. *Ex officio* members shall be the Dean or Director of each graduate school or division of the University which is a member of the Graduate Council. Elected members shall be twelve in number, chosen according to the procedures described in the Council's bylaws. In addition, the Graduate Council, in its bylaws, shall provide for membership by students and for the number or proportion and means of selection of such student members.

- b. All full-time members of the graduate faculty are eligible to vote for Council members and to be elected to the Council. The graduate faculty is understood to include all faculty members who normally teach one or more graduate courses and who share in the other responsibilities of graduate programs.
- c. Elections shall be by secret ballot. All elected members shall hold office for a period of three years.

§15.3 a. The presiding officer of the Graduate Council shall be as determined by the Graduate Council.

- b. The secretary of the Graduate Council shall be nominated and elected by the Graduate Council at the first meeting of each academic year.

PART SIX

DEPARTMENTAL ORGANIZATION

Article 16, Purpose

Each department of instruction, subject to the approval of the appropriate Faculty Council and of the University Senate, and subject to the provisions of other sections of these Statutes, shall have control of the educational, personnel and budget policies of the department through the vote of all its members who are full-time faculty members and who are eligible to vote under Article 12 of these Statutes. Each department shall cooperate with related departments, and with University agencies in general in the development of school, college and University-wide interests.

Article 17, Departmental Chairman

§17.1 The Departmental Chairman is at the same time a faculty member with respect to his teaching obligations as well as serving as the departmental liaison to the Administration. As the academic leader of the department, the Departmental Chairman is obliged to represent its interests and serve its welfare. In an equal sense, the Departmental Chairman has the professional responsibility to consider the departmental needs in conjunction with the over-all interests of the University community. The Departmental Chairman shall carry out the department's policies as well as those of the Faculty Council, of the University Senate, and of the Board of Trustees.

§17.2 The duties of the Departmental Chairman, subject to appropriate procedures and supervision, shall include, but not be limited to, the following:

- a. *Personnel*: Presiding at the Departmental Personnel and Budget Committee meetings; participating in the recruit-

ment of applicants to the faculty of the department; proceeding in the assignment of faculty to specific courses and arranging faculty schedules in conformity with the appropriate departmental committees and in conformity with appropriate procedures; administering the duly established system of evaluation of faculty members in the department; channeling the services of all non-instructional personnel in the department.

b. *Program Development and Supervision of Students:* Presiding at the Departmental Educational Policy Committee meetings; developing programs of study, planning course offerings and the implementation thereof for each semester, including summers, in conjunction with the appropriate departmental committees; reviewing the up-dating of course syllabi, textbooks and other instructional material in conjunction with the appropriate departmental committees; effectuating faculty policies on admissions and academic standing; implementing the advisement procedures in the department.

c. *Additional Duties:* Preparing the departmental budget in conjunction with the Departmental Personnel and Budget Committee and requesting supplies needed by the department; administering the final budget; preparing material for the Bulletin; preparing the departmental annual report; maintaining departmental records; channeling the use of the physical facilities and special departmental equipment; reviewing all grant proposals made by the departmental faculty and, where appropriate, students.

§17.3 The Chairman of the department shall be a tenured person in one of the professorial ranks, appointed by the Board of Trustees upon recommendation of the appropriate school or college Dean, the Academic Vice President having jurisdiction and the President. No such recommendation shall be made to the Board until the following procedures have been complied with.

- §17.4 a. At such time as may be designated by the Academic Vice President, Queens, pursuant to Section 7.4.7 of these Statutes, for the election of Chairmen whose terms are expiring, all faculty members in the department who are eligible to vote under Article 12 of these Statutes shall be convened by the then Chairman of the department, or in the absence of the then present Chairman, by an appropriate school or college Dean, for the purpose of nominating candidates for the position of Departmental Chairman. The qualified faculty members present at this meeting shall, by majority vote, determine the procedures to be followed at the meeting for the presentation of individual names and for the discussion, if any, of the qualifications of prospective nominees. Final voting on nominees shall in every instance be by secret ballot.
- b. Each department shall by this procedure nominate no more than three candidates for the position of Departmental Chairman. These nominations, together with the tally of all votes cast in the selection process shall be transmitted to the Academic Vice President having jurisdiction. The Vice President, after consultation with the appropriate Dean or Deans, shall select from among the candidates so presented the person to be recommended for appointment as Departmental Chairman. The name of the person recommended, together with those of the others nominated, shall be forwarded to the President for recommendation to the Board of Trustees. Should a department submit but one nominee to the Vice President for approval, the Vice President shall have the privilege of recommending in place of the single nominee a person of the Vice President's own choosing who meets the qualifications for Departmental Chairman set forth in Section 17.3 above.
- c. Appointments shall be announced by the Board of Trustees no later than the June 15 after the candidates have been nominated by the department and shall take

effect the July first thereafter. Vacancies shall be filled in the same manner and shall be for the unexpired term.

- d. Should the President not approve any person nominated by a department for the office of Chairman, he shall confer with the members of the department qualified to participate in nominations, and thereafter shall report to the Board of Trustees any subsequent action by the department. The President should base his recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesman, and as a participant in the formation, development and interpretation of University-wide interest and policy.

Article 18, Educational Policy

§18.1 Each department of instruction shall be responsible for the development of policy concerning its own educational affairs, and shall have the fullest measure of autonomy consistent with the maintenance of general educational policy of the University. Departmental authority shall extend (but not be limited) to the content and frequency of specific course offerings, major and minor requirements, prerequisites, and other matters which may affect the level and quality of instruction. Each department shall be responsible for transmitting its policy recommendation regarding its own curriculum to the Faculty Council of its school or college.

- a. When a school or college requires the instructional services of a department in a different school or college in order to complete its curriculum, it shall be the responsibility of the school or college seeking such services to request them from the department in question through the Dean of the school or college to provide such service.

Subsequent to the Dean's approval, it shall be the joint responsibility of the department providing such service and the school serviced to develop suitable courses or programs

Departmental Organization

and to maintain an effective liaison with each other. Courses or programs so developed shall be subject to the jurisdiction of the school or college requesting them.

- b. A department providing courses for a school or college other than its own shall have the right to have a representative present at meetings of the Faculty Council of the school or college for which such services are provided when matters regarding courses it teaches are discussed.
- c. When curricular changes are contemplated by a department of a school or college that will affect the number or quality of the personnel in a department of a different school or college, reasonable efforts shall be made to acquaint both the Dean of the school or college affected and the Chairman of the department affected with the contemplated changes sufficiently in advance of their proposed implementation so that adjustments in personnel may be accomplished with as little difficulty as possible.
- d. All curricular changes whether on the department or school or college level shall be reported in advance of their implementation to the University Senate through its Educational Programs and Developments Committee.

§18.2 *Procedures* for the development of departmental educational policy shall be determined by each department in accord with the following provisos.

- a. There shall be in each instructional department with ten or more faculty members an educational policy committee of not fewer than four members including the Departmental Chairman as chairman of the committee. All full-time faculty members who are eligible to vote under Article 12 of these Statutes shall be eligible for election to this committee. Committee members other than the Chairman shall be elected by all faculty members in the department.

Vacancies, whether temporary or permanent, shall be filled in the same manner. Each departmental committee on educational policy shall serve a three-year term coinciding with the term of office of the Departmental Chairman. Elected members shall be chosen at the time of selection of the Chairman.

- b. Each department engaged in both graduate and undergraduate instruction and with a faculty membership of ten or more shall establish two educational policy committees, one to deal with undergraduate matters, the other to deal with graduate matters. Both committees shall be chosen in accord with the provisions of Section 18.2(a) above.
- c. Departments in the professional schools and colleges, and liberal arts departments with fewer than ten members, may exercise their educational policy functions through a faculty council curriculum committee or through a departmental committee-of-the-whole, provided that in the latter case only full-time faculty members who are eligible to vote under Article 12 of these Statutes shall participate.

Article 19, Personnel and Budget Policy

§19.1 Personnel and Budget Committees shall be established in all departments of the following schools or colleges: College of Business Administration; St. John's College; School of Education; St. Vincent's College; Notre Dame College; the College of Pharmacy and Allied Health Professions.

§19.2 Each Departmental Personnel and Budget Committee in the schools or colleges set forth in Section 19.1 above shall consist of no fewer than three nor more than five tenured faculty members, including the Departmental Chairman as chairman of the committee, with vote. Where there are fewer than three tenured faculty members eligible and willing to serve in a department, non-tenured faculty members shall be

added to achieve the minimum of three on the committee, but such additional non-tenured faculty members may not vote on tenure or promotion matters or on any matter relating to the appointment of a faculty member with concomitant tenure. In such departments with fewer than three tenured faculty members, matters relating to promotion, tenure or an appointment with concomitant tenure shall be submitted to the College Personnel Committee for initial consideration and vote. Under such circumstances, the College Personnel Committee shall request recommendations from the department, giving special weight to the recommendations of the tenured members of the department.

§19.3 Membership on the Departmental Personnel and Budget Committee shall be for a three year term. With the exception of the Chairman, the term of service of approximately one-third of the members of the Departmental Personnel and Budget Committee will ordinarily expire annually.

§19.4 The Departmental Personnel and Budget Committee shall be responsible for departmental policy formulation and administrative action in the areas of staff recruitment, appointments, reappointments, promotions, and the granting of tenure. The committee shall review and express its opinion on department budget requests as prepared by the Chairman, and shall exercise such authorities and responsibilities as may be allocated to it in other portions of these Statutes, and as may be consistent with general school, college and University personnel and budget policies.

PART SEVEN

PERSONNEL COMMITTEES

Article 20, General

In addition to the Departmental Personnel and Budget Committees, the Faculty Personnel Committee of the Board of Trustees and the Board of Trustees, there shall be School or College Personnel Committees and the University Personnel Committee.

Article 21, School or College Personnel Committees

§21.1 There shall be in each school or college of the University, including the University Libraries, a Personnel Committee including in each instance the Dean or, where appropriate, the Director of University Libraries, as chairman of the committee; with vote, and not more than four elected tenured faculty members. Present practices regarding the qualifications for, method of selection and term of office of, elected members shall continue. Committee members other than the Dean or, where appropriate, the Director of University Libraries shall be elected by all full-time faculty members in the school or college or of the University Libraries, who are eligible to vote under Article 12 of these Statutes. Vacancies, whether temporary or permanent, shall be filled in the same manner. The foregoing shall not apply to the School of Law.

§21.2 All department recommendations for appointment, re-appointment, promotion or tenure within the respective schools or colleges shall be considered by the School or College Personnel Committee, and the results of such consideration shall be reported to the Academic Vice President having jurisdiction.

§21.3 All recommendations for appointments and reappointments to faculty rank, for promotions in faculty rank, and for the conferral of tenure on faculty members shall be reviewed by the appropriate School or College Personnel Committee. Notice of the action taken on each such recommendation, together with all credentials pertaining to the individuals involved shall be referred to the University Personnel Committee.

Article 22 University Personnel Committee

§22.1 Final review of individual credentials supporting recommendations for faculty appointments, reappointments, promotion and tenure, and of general University fiscal ability to implement such recommendations shall be provided by the University Personnel Committee.

§22.2 The Academic Vice President, Queens, shall be the chairman of the University Personnel Committee. Other members shall be the Academic Vice President, Staten Island (*qua* Dean); the Executive Vice President; the Vice President for Business Affairs and Treasurer; the Dean of St. John's College; the Dean of the Graduate School of Arts and Sciences; the Dean of the College of Business Administration; the Dean of the Law School; the Dean of the College of Pharmacy and Allied Health Professions; the Dean of St. Vincent's College; the Dean of the School of Education; and eight elected tenured faculty members with the rank of Professor or Associate Professor, of whom three shall be elected by and from the St. John's College faculty with no more than two members from any one department, and one member by and from each of the other schools and colleges, not including the School of Law.

§22.3 The University Personnel Committee shall receive all University Senate recommendations with respect to University-wide personnel and budget policies and shall forward such recom-

mendations, with or without comment, through the President to the Board of Trustees. The committee may request University Senate comments and/or recommendations on personnel and budget matters of University-wide concern. Recommendations for the appointment or reappointment of Instructors and Assistant Professors shall be transmitted by the University Personnel Committee to the President, whose decision shall be final. Recommendations for the appointment or reappointment of Associate Professors and Professors, for promotion to any rank and for the conferral of tenure shall be submitted to the President for transmission, with or without comment, to the Board of Trustees, whose decision shall be final.

§22.4 With respect to the University Personnel Committee, the following shall obtain:

- a. The Academic Vice President, Queens, shall cast a vote only to break a tie.
- b. The Dean of the school or college involved must be disqualified from voting since the Dean casts a vote on the school or college level.
- c. In the event of a case involving a faculty member who is not from either St. John's College or the Graduate School or Arts and Sciences, the Dean of St. John's College and the Dean of the Graduate School of Arts and Sciences are entitled to one vote, to be exercised in accordance with their mutual agreement.
- d. In the event of a case involving a faculty member who is either from St. John's College or the Graduate School of Arts and Sciences, the Dean of St. John's College and the Dean of the Graduate School of Arts and Sciences are precluded from exercising their vote.
- e. The principle of voting parity shall be preserved under any changed circumstances.

f. The chairman of the University Personnel Committee shall notify the applicant as soon as practicable of its decision. When the decision of the committee is negative, the reason(s) will be transmitted, in writing, promptly following the decision.

g. No new evidence may be considered by the University Personnel Committee in connection with an appeal. In cases other than an appeal, if the University Personnel Committee raises new questions which require the introduction of new evidence (being matters which were not known or reasonably could not have been known by the lower committees or matters which were not reasonably available to the lower committees) the case shall be remanded to the lower committees for reconsideration in light of such new evidence.

§22.5 a. The following provisions shall apply to the School of Law in lieu of Sections 22.1 through 22.4.

b. Final review of individual credentials supporting recommendations for Law School faculty reappointments, promotion and tenure, and of general University fiscal ability to implement such recommendations shall be provided by the *Ad Hoc* University Personnel Committee for Law School Personnel.

c. The Academic Vice President, Queens, shall be chairman of the committee and shall cast a vote only to break a tie. Other members shall be the Vice President for Business Affairs and Treasurer, one Dean to be selected by the Academic Vice President, Queens, from the professional schools other than the School of Law [*viz.*, the College of Business Administration, the School of Education and the College of Pharmacy and Allied Health Professions] and two tenured faculty members with the rank of Professor or Associate Professor, to be elected by and from the Law School faculty. The Dean of the School of Law shall

attend as a non-voting member and present the case to the *Ad Hoc* University Personnel Committee for Law School Personnel.

- d. Recommendations for the reappointment of Instructors and Assistant Professors shall be submitted by the *Ad Hoc* University Personnel Committee for Law School Personnel to the President, whose decision shall be final. Recommendations for the reappointment of Associate Professors and Professors, for promotion to any rank, and for the conferral of tenure shall be submitted to the President for transmission, with or without comment, to the Board of Trustees, whose decision shall be final.
- e. For the purposes of these Statutes, wherever references are made in these Statutes (other than in this Article) to the "University Personnel Committee," insofar as they affect Law School personnel, such references shall be deemed to refer to the "*Ad Hoc* University Personnel Committee for Law School Personnel."

PART EIGHT

PROCEDURES FOR APPOINTMENTS, REAPPOINTMENT, PROMOTION AND THE CONFERRAL OF TENURE

Article 23, Recommendations

Recommendations for original appointments and reappointments to the instructional staff of the University, and for promotion of or conferral of tenure upon members of the faculty shall be made by the President, by the Vice President having jurisdiction, by the Dean of schools or colleges, by the Director of University Libraries, or by the Chairmen of departments in which faculty members eligible for reappointment, promotion or tenure teach. All such recommendations, accompanied by written information covering the qualifications of the candidates involved, shall be transmitted through the Department Chairman to the Departmental Personnel and Budget Committee for discussion and advice. Actions of the department committee shall be recorded and the results of its deliberation, together with any minority report, shall be forwarded by the Departmental Chairman through the Dean to the appropriate School or College Personnel Committee. All recommendations concerning the professional library staff shall be transmitted through the Director of University Libraries to the Library Personnel Committee. Actions of the appropriate personnel committees shall be recorded and the results of their deliberations, together with any minority report, shall be forwarded by the Dean or, where appropriate, the Director of University Libraries, to the chairman of the University Personnel Committee.

Article 24, Promotions

§ 24.1 Promotions in faculty rank shall be made in accordance with the procedures set forth in Sections 24.2, 24.3, 24.4, 24.5

and 24.6 below and shall conform to the criteria for promotion described in Article 26 of these Statutes.

On or before June 1 of each calendar year the Academic Vice President, Queens, shall notify faculty members to submit applications and supporting data to Departmental Personnel and Budget Committees on or before a specified date in October. The Academic Vice President, Queens, shall likewise specify the dates referred to in Sections 24.2 through 24.6 and notify the faculty thereof.

- §24.2 On or before a specified date in November of each calendar year the Chairman of each department shall report to the Dean of the appropriate school or college and to the School or College Personnel Committee, the names of eligible faculty members recommended for promotion by the Departmental Personnel and Budget Committee. Each recommendation shall be accompanied by a dossier of information detailing the academic credentials which justify the promotion and reporting the outcome of departmental consideration of the recommendation.
- §24.3 On or before a specified date in December of each calendar year the Dean of each school or college or, where appropriate, the Director of University Libraries, shall report to the chairman of the University Personnel Committee the action recommended by the School or College Personnel Committee. Where a minority of the committee wishes to record a difference of opinion with the majority, reasons for the rejection of the recommendation or for the differences of opinion shall be reduced to writing and shall be placed in the faculty member's dossier. Copies of all such documents added to the personal dossier shall be transmitted to the Chairman of the faculty member's department and shall be promptly communicated to the faculty member concerned.
- §24.4 On or before a specified date in March of each calendar year the chairman of the University Personnel Committee shall forward to the Board of Trustees through the President of

the University all recommendations for promotion which have come to the University Personnel Committee from the Personnel Committees of the various schools and colleges and of the University Libraries, which have been reviewed and acted upon by the University Personnel Committee. Should the University Personnel Committee not support a school or college recommendation, both that positive recommendation and the University Personnel Committee's reasons for disapproving the recommendation shall be forwarded to the President. The President shall forward all these materials to the Board and may add to them his own recommendations for Board action. Copies of adverse recommendations by the University Personnel Committee or the President shall be transmitted to the Dean of the school or college involved or, where appropriate, to the Director of University Libraries, to the Chairman of the affected faculty member's department and shall be promptly communicated to the faculty member concerned.

§24.5 No later than May 15 of each calendar year the Board of Trustees shall act upon the recommendations for promotion and, no later than June 15, shall certify receipt of promotion in writing to each faculty member to whom a promotion has been granted.

§24.6 Appeals procedures shall be available for the use of individual faculty members who may consider themselves aggrieved at any stage in the promotional process. All such appeals shall be submitted in writing to the appropriate body by the faculty member concerned and shall be accompanied by such written evidence as the faculty member may consider supportive of a request for promotion. Each aggrieved faculty member shall also be entitled to a personal hearing by the appeals agency. An appeal from the action of a Departmental Personnel and Budget Committee shall be submitted to the Dean of the faculty member's school or college and shall be considered by the Personnel Committee of that school or college. An adverse decision of the School or College

Personnel Committee shall be final. Where a School or College Personnel Committee has rejected a departmental recommendation for promotion, or where the school or college Dean or a committee minority has filed an adverse report, the faculty member shall direct the appeal to the chairman of the University Personnel Committee. The appeal shall be considered by the University Personnel Committee whose decision, if adverse, shall be final. Appeals from adverse recommendations by the University Personnel Committee or the President shall be directed to the Chairman of the Board of Trustees and shall be considered by an appropriate Board committee whose decision shall be final. Should the Board of Trustees itself reject a promotional recommendation which has been approved by all requisite University agencies, the Board shall state its reasons in writing, shall communicate them to the faculty member involved as well as to the President, the Academic Vice President having jurisdiction, the appropriate school or college Dean, and the Chairman of the faculty member's department. The Board shall reconsider or affirm its action after having received a written appeal from and granted a hearing to the faculty member affected by the action.

Article 25, Tenure

The conferral of tenure shall be made in accordance with the procedures set forth in Sections 25.2, 25.3, 25.4, and 25.6 below and shall conform to the criteria for the conferral of tenure described in Article 29 of these Statutes.

On or before June 1 of each calendar year the Academic Vice President, Queens, shall notify faculty members to submit applications and supporting data to Departmental Personnel and Budget Committees on or before a specified date in October. The Academic Vice President, Queens, shall likewise specify the dates referred to in Sections 25.2 through 25.6 and notify the faculty thereof.

- § 25.2 On or before a specified date in November of each calendar year the Chairman of each department shall report to the Dean of the appropriate school or college and to the School or College Personnel Committee, the names of eligible faculty members recommended for the conferral of tenure by the Departmental Personnel and Budget Committee. Each recommendation shall be accompanied by a dossier of information detailing the academic credentials which justify the conferral of tenure and reporting the outcome of departmental consideration of the recommendation.
- § 25.3 On or before a specified date in December of each calendar year the Dean of each school or college or, where appropriate, the Director of University Libraries, shall report to the chairman of the University Personnel Committee the action recommended by the School or College Personnel Committee. Where a minority of the committee wishes to record a difference of opinion with the majority, reasons for the rejection of the recommendation or for the differences of opinion shall be reduced to writing and shall be placed in the faculty member's dossier. Copies of all such documents added to the personal dossier shall be transmitted to the Chairman of the faculty member's department and shall be promptly communicated to the faculty member concerned.
- § 25.4 On or before a specified date in March of each calendar year the chairman of the University Personnel Committee shall forward to the Board of Trustees through the President of the University all recommendations for the conferral of tenure which have come to the University Personnel Committee from the Personnel Committees of the various schools and colleges and of the University Libraries, which have been reviewed and acted upon by the University Personnel Committee. Should the University Personnel Committee not support a school or college recommendation, both that positive recommendation and the University Personnel Committee's reasons for disapproving the recommendation shall be forwarded to the President. The President shall forward all

these materials to the Board any may add to them his own recommendations for Board action. Copies of adverse recommendations by the University Personnel Committee or the President shall be transmitted to the Dean of the school or college involved or, where appropriate, to the Director of University Libraries, to the Chairman of the affected faculty member's department and shall be promptly communicated to the faculty member concerned.

§25.5 No later than May 15 of each calendar year the Board of Trustees shall act upon the recommendations for the conferral of tenure and, no later than June 15, shall certify the conferral of tenure in writing to each faculty member upon whom tenure has been conferred.

§25.6 Appeals procedures shall be available for the use of individual faculty members who may consider themselves aggrieved at any stage in the process of consideration for tenure. All such appeals shall be submitted in writing to the appropriate body by the faculty member concerned, and shall be accompanied by such written evidence as the faculty member may consider supportive of a request for the conferral of tenure. Each aggrieved faculty member shall also be entitled to a personal hearing by the appeals agency. An appeal from the action of a Departmental Personnel and Budget Committee shall be submitted to the Dean of the faculty member's school or college and shall be considered by the personnel committee of that school or college. An adverse decision of the School or College Personnel Committee shall be final. Where a School or College Personnel Committee has rejected a departmental recommendation for tenure, or where the school or college Dean or a committee minority has filed an adverse report, the faculty member shall direct the appeal to the Chairman of the University Personnel Committee. The appeal shall be considered by the University Personnel Committee whose decision, if adverse, shall be final. Appeals from adverse recommendations by the University Personnel Committee or the President shall be directed to the Chairman

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of the Board of Trustees and shall be considered by an appropriate Board committee whose decision shall be final. Should the Board of Trustees itself reject a tenure recommendation which has been approved by all requisite University agencies, the Board shall state its reasons in writing, shall communicate them to the faculty member involved, as well as to the President, the Academic Vice President having jurisdiction, the appropriate school or college Dean, and the Chairman of the faculty member's department. The Board shall reconsider or affirm its action after having received a written appeal from and granted a hearing to the faculty member affected by the action.

PART NINE

QUALIFICATIONS AND CONDITIONS FOR APPOINTMENT,
REAPPOINTMENT, AND PROMOTION

Article 26, Qualifications and Conditions

§ 26.1 No person shall be required to meet the following qualifications in order to remain in the present rank; but all persons shall be required to meet such qualifications for any higher rank as a requirement for entrance therein. Conditions restricting length of service or defining probationary periods and the procedures to be followed in the case of nonreappointment apply to all present and future members of the faculty.

§ 26.2 Instructor

- a. For appointment as an Instructor the candidate must possess an earned doctoral degree from a university of recognized standing or must present satisfactory evidence that dissertation research has been undertaken and that all other requirements for the doctorate have been met. In technical and professional fields, degrees or other equivalent academic titles earned in approved institutions of higher learning where the training received is properly related to the work of the department may be accepted in lieu of a doctoral degree. In departments such as Fine Arts, achievement deemed equivalent to that obtained through work leading to a doctoral degree may be accepted.
- b. The candidate must evidence satisfactory qualities of personality and character, ability to teach successfully, interest in productive scholarship or creative achievement, and willingness to cooperate with others in the achievement of the objectives of St. John's University.

- c. Service in the rank of Instructor is normally limited to four years.
- d. The foregoing provisions of this Section shall not apply to candidates for appointment to the rank of Instructor in St. Vincent's College, the College of Business Administration, the professional library staff and to clinical instructors in the college of Pharmacy and Allied Health Professions, which conditions and qualifications are set forth in Section 26.3 to Section 26.6, respectively.

§ 26.3 Instructor — St. Vincent's College

For appointment as an Instructor in St. Vincent's College, the candidate must possess an appropriate master's degree and at least two years of college teaching or the equivalent. The candidate must evidence satisfactory qualities of personality and character, ability to teach successfully and counsel students effectively, interest in scholarship or creative achievement of the objectives of St. Vincent's College and St. John's University.

§ 26.4 Instructor - College of Business Administration

For appointment as an Instructor in the College of Business Administration, the candidate must possess an appropriate master's degree. The candidate must evidence satisfactory qualities of personality and character, ability to teach successfully and counsel students effectively, interest in scholarship or creative achievement, and willingness to cooperate with others in the achievement of the objectives of the College of Business Administration and St. John's University. Since service in the rank of Instructor is normally limited to four years and since the terminal doctoral degree or its equivalent is a condition for tenure, appointment to the rank of Instructor is usually made to those doctoral candidates who have completed their course requirements and show satisfactory evidence of at least beginning work on the dissertation. Appointment as an Instructor in the

Department of Accounting and Taxation will be based on CPA certification and a master's degree appropriate to the business discipline. Appointment as an Instructor in the Department of Law will be based on the LLB or JD degree.

§ 26.5 Instructor - Professional Library Staff

For appointment as an Instructor on the professional library staff the candidate must possess a fifth-year degree in Library Science or a master's degree in an academic or professional field.

§ 26.6 Clinical Instructor - College of Pharmacy and Allied Health Professions

For appointment as a Clinical Instructor in the College of Pharmacy and Allied Health Professions the candidate must possess the professional degree, be licensed to engage in professional practice, and have at least one year of college teaching or professional practice. The candidate must evidence satisfactory qualities of professionalism, personality and character, ability to serve as preceptor and teacher, and willingness to cooperate with others in the achievement of the objectives of the College of Pharmacy and Allied Health Professions and St. John's University. Service in the rank of Clinical Instructor is normally limited to four years.

§ 26.7 Assistant Professor

- a. For promotion or appointment as an Assistant Professor the candidate must meet the requirements for appointment as an Instructor and in addition must: (1) possess the earned doctoral or professional degree or equivalent normally required for teaching in the field; (2) give evidence of marked effectiveness as a teacher both in the classroom and in the guidance of students; (3) demonstrate capacity for professional growth; and (4) give promise of those qualities of professional distinction associated with faculty members who hold this or a similar title in the leading universities in the United States.

- b. The foregoing provisions of this Section shall not apply to candidates for appointment or promotion as an Assistant Professor in St. Vincent's College, the College of Business Administration, the professional library staff and to Assistant Clinical Professors in the College of Pharmacy and Allied Health Professions, which conditions and qualifications are set forth in Section 26.8 to Section 26.11, respectively.

§ 26.8 Assistant Professor - St. Vincent's College

For promotion or appointment as an Assistant Professor in St. Vincent's College the candidate must meet the requirements for appointment as an Instructor in St. Vincent's College and in addition must: (a) have at least four years of college teaching or the equivalent; (b) give evidence of marked effectiveness as a teacher both in the classroom and in the guidance of students; and (c) demonstrate capacity for professional growth.

§ 26.9 Assistant Professor - College of Business Administration

For promotion or appointment as an Assistant Professor in the College of Business Administration the candidate must meet the requirements for appointment as an Instructor in the College of Business Administration and in addition must: (a) possess the terminal degree or its equivalent as specified in Section 26.4 for faculty members in the Department of Accounting and Taxation and the Department of Law; (b) give evidence of marked effectiveness as a teacher both in the classroom and in the guidance of students; and (c) demonstrate capacity for professional growth by professional consultant activities, initial efforts toward research which may or may not necessarily lead to publications and/or activity in professional societies or meetings as an active contributory participant or speaker. For promotion, the candidate must also have demonstrated adequate service in the way of committee assignment or similar activity to the

department, the College of Business Administration and/or the University.

§ 26.10 Assistant Professor — Professional Library Staff

For promotion or appointment as an Assistant Professor on the Professional library staff the candidate must meet the requirements for appointment as an Instructor on the professional library staff and in addition must: (a) give evidence of competency in library assignments; and (b) have at least four years of full-time college teaching and/or professional library experience.

§ 26.11 Assistant Clinical Professor — College of Pharmacy and Allied Health Professions

For promotion or appointment as an Assistant Clinical Professor in the College of Pharmacy and Allied Health Professions the candidate must meet the requirements for appointment as a Clinical Instructor in the College of Pharmacy and Allied Health Professions and in addition must: (a) possess the master's degree or the equivalent normally required for teaching in the field; (b) give evidence of marked effectiveness as a teacher in the classroom and in the professional setting; (c) demonstrate capacity for professional growth; and (4) give promise of those qualities of professional distinction associated with faculty members who hold this or a similar title in the leading universities in the United States.

§ 26.12 Associate Professor

- a. For promotion or appointment as an Associate Professor the candidate must possess the qualifications for an Assistant Professor and in addition a record of significant achievement in the field or profession or as an administrator. Evidence of scholarship, research or creative activity may be manifested through scholarly publications in professionally recognized media as well as through such

subsidiary evidence as direction of or significant participation in research projects and in the scholarly activities of learned societies. There shall furthermore be evidence that the candidate's alertness and intellectual energy are respected outside the immediate academic community.

- b. The foregoing provisions of this Section shall not apply to candidates for appointment or promotion to Associate Professor in St. Vincent's College, the College of Business Administration, the professional library staff and to Associate Clinical Professors in the College of Pharmacy and Allied Health Professions, which conditions and qualifications are set forth in Section 26.13 to Section 26.16, respectively.

§26.13 Associate Professor - St. Vincent's College

For promotion or appointment as an Associate Professor in St. Vincent's College the candidate must possess the qualifications for an Assistant Professor in St. Vincent's College and in addition must: (a) possess the master's degree in the field of specialization and, in addition, present evidence of the successful completion of thirty graduate credits beyond the master's degree, leading to the terminal degree in the field of specialization or in the teaching of the field of specialization; (b) complete seven years of full-time college teaching; and (c) evidence professional achievement in the field of specialization through at least two or more of such means as: professional appearances in the arts and/or humanities; noteworthy professional activities; active participation in community work of a valuable, educational nature.

§26.14 Associate Professor - College of Business Administration

For promotion or appointment as an Associate Professor in the College of Business Administration, the candidate must possess the qualifications for an Assistant Professor in the College of Business Administration and in addition must

satisfy two or more of the following: (a) the candidate must have performed as a contributory supporter in a professional society or societies as evidenced by the delivery of several lectures and/or papers; (b) present evidence of research resulting in publication in professional journals; (c) present evidence of professional growth and recognition such as professional consultation, practice or society activity. For promotion, the candidate must also have demonstrated adequate service in the way of committee assignment or similar activity to the department, the College of Business Administration and/or the University.

§26.15 Associate Professor - Professional Library Staff

For promotion or appointment as an Associate Professor on the professional library staff the candidate must: (a) possess a fifth-year master's degree in Library Science supported by a second master's or earned doctoral degree which may be in another field; (b) complete seven years of full-time professional library experience; (c) give evidence of sustained competency in library assignments; increased professional achievement; a capacity to deal with increasingly complicated problems of librarianship; and (e) have made a significant general contribution to the University through service on committees of the University and in other ways.

§26.16 Associate Clinical Professor - College of Pharmacy and Allied Allied Health Professions

For promotion or appointment as an Associate Clinical Professor in the College of Pharmacy and Allied Health Professions the candidate must meet the requirements for appointment as an Assistant Clinical Professor in the College of Pharmacy and Allied Health Professions and in addition a record of significant achievement in the field or profession or as an administrator. Evidence of scholarship, research, or creative professional activity may be manifested through publications in professionally recognized media as well as

through such subsidiary evidence as direction of or significant participation in professional projects and in the activities of professional societies. There shall furthermore be evidence that the candidate's alertness and intellectual energy are respected outside the immediate academic or professional community.

§26.17 Professor

- a. For promotion or appointment as a Professor the candidate must possess the qualifications of an Associate Professor and in addition a record of distinguished intellectual, educational or artistic achievement. There shall be evidence of continued growth and of general recognition among scholars and educators outside the University.
- b. The foregoing provisions of this Section shall not apply to candidates for appointment or promotion in St. Vincent's College, the College of Business Administration, the professional library staff and to Clinical Professors in the College of Pharmacy and Allied Health Professions, which conditions and qualifications are set forth in Section 26.18 to Section 26.21, respectively.

§26.18 Professor - St. Vincent's College

For promotion or appointment as a Professor in St. Vincent's College the candidate must possess the terminal degree in the field of specialization or in the teaching of the field of specialization and in addition must: (a) have at least ten years of college teaching; (b) give evidence of marked effectiveness as an outstanding teacher both in the classroom and in the guidance of students; and (c) show promise of those qualities of professional distinction normally associated with the professorial rank.

§26.19 Professor - College of Business Administration

For promotion or appointment as a Professor in the College of Business Administration the candidate must possess the qualifications of an Associate Professor and in addition a record of distinguished achievement both within the business profession and professional academic community. There shall be evidence of continued growth and of general recognition among scholars and educators outside the University who are associated with professional education for business.

§26.20 Professor - Professional Library Staff

For promotion or appointment as a Professor on the professional library staff the candidate must: (a) possess an earned doctoral degree or a fifth-year degree in Library Science supported by two master's degrees in some other fields; (b) have not less than ten years of full-time college teaching and/or professional library experience; and (c) have a capacity to deal with the most complicated problems of librarianship.

§26.21 Clinical Professor - College of Pharmacy and Allied Health Professions

For promotion or appointment as a Clinical Professor in the College of Pharmacy and Allied Health Professions the candidate must meet the requirements for appointment as an Associate Clinical Professor in the College of Pharmacy and Allied Health Professions and in addition a record of distinguished intellectual, educational or professional achievement. There shall be evidence of continued growth and of general recognition among professionals and educators outside the University.

Article 27, Probationary Periods and Non-Reappointment

§27.1 a. All initial appointments in faculty ranks are probationary, with the exception of persons first appointed with tenure to the rank of Professor. During the probationary period a faculty member may be notified of non-reappointment without specification of cause.

b. Notice of non-reappointment after the conclusion of the probationary period but prior to the conferral of tenure shall be accompanied by a statement to the faculty member whose appointment is not being renewed of the reasons for such non-reappointment.

§27.2 The probationary period for persons in the ranks of Professor and Associate Professor shall terminate with the second reappointment.

§27.3 The probationary period for persons in the ranks of Assistant Assistant Professor and Instructor shall terminate with the third reappointment.

§27.4 In every case of non-reappointment, whether or not the faculty member involved is in probationary status, notice of non-reappointment shall be given in writing in accordance with the following schedule:

a. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

b. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

- c. Not later than the June 30 of the year preceding the expiration of an appointment after two or more years in the institution.

§27.5 a. A person appointed to a faculty rank for a portion of an academic year shall not have such service counted toward the probationary period referred to above, nor shall such service be counted when determining the time at which a mandatory tenure decision must be made.

- b. A faculty member who is on a leave of absence for any semester during any probationary period shall not have that academic year counted toward the probationary period referred to above nor toward the probationary period for tenure.

§27.6 Should any of the University agencies which participate in approving appointments and reappointments under the provisions of Part VIII of these Statutes refuse approval of a recommended initial appointment or of a recommended reappointment of a faculty member on probationary status in any rank, that refusal shall terminate the recommendation without appeal.

PART TEN

DEFINITIONS AND ELIGIBILITY FOR
THE CONFERRAL OF TENURE

ARTICLE 28, Definition, Rights and Obligations

§28.1 Tenure shall mean the right of a person to hold a position during good behavior and efficient and competent service, and not to be removed except for cause in the manner hereinafter provided or for a reduction of faculty after following appropriate procedures.

§28.2 The right to grant tenure resides in the University alone and shall be exercised by the Board of Trustees upon the recommendation of faculty and administrative authorities in accordance with the provisions of this Article and of Articles 19, 20, 21, 22, 23, 25, and 30 of these Statutes.

§28.3 All University procedures governing the conferral or revocation of tenure shall conform to the *Statement of Principles on Academic Freedom and Tenure* adopted in 1940 by the Association of American Colleges and in accordance with the endorsement of the Board of Trustees on January 15, 1968. It shall be specifically understood that the reference in this Statement to "Freedom . . . of Extramural Activities" shall not be interpreted as limiting the right of the University reasonably to restrict extramural classroom teaching or other compensated employment by full-time members of the St. John's University faculty.

Article 29, Eligibility for Tenure

§29.1 a. Tenure may be granted to any full-time faculty member or professional librarian of the University who fulfills the criteria for promotion to the rank of Associate Professor

and who has completed three years of full-time faculty service at the University, provided that said three year period and any time requirement for the rank of Associate Professor shall be waived where an earlier tenure decision is mandatory.

- b. The probationary period for tenure shall not exceed seven years of full-time college teaching in the rank of Instructor or above; provided, however, that upon initial appointment at this University to the rank of Instructor or above, of a person who has served three or more years as a full-time member of the faculty of another accredited university in the rank of Instructor or above, it may be agreed to in writing that such appointment is for a probationary period of not more than four years, even though the total probationary period is thereby extended beyond the normal maximum of seven years. Notice shall be given by June 30 of the year prior to the expiration of the probationary period if the faculty member is not to be continued in service after the expiration of that period.
- c. Tenure may be granted to the professional library staff in accordance with the provisions set forth in paragraphs (a) and (b) of this Section, except that the phrase "full-time college library work" shall in all cases be substituted for the phrase, "full-time college teaching."

§ 29.2 Tenure is not attached to:

- a. Administrative positions. Individuals serving as administrators may be granted tenure as members of the faculty.
- b. Visiting or adjunct professorial positions.
- c. Part-time teaching positions.
- d. Part-time professional librarian appointments.

Article 30, Status of Priests and Religious

§30.1 Faculty service by members of the Congregation of the Mission in other Vincentian educational institutions above the secondary school level or in other accredited institutions of similar grade shall be deemed to be the equivalent of faculty service at St. John's University.

§30.2 For the purposes of holding office in University faculty agencies, members of the Congregation of the Mission who have served seven or more years in faculty ranks in educational institutions referred to in Section 30.1 shall be deemed to possess the qualifications conferred by tenure.

§ 30.3 Members of the Congregation of the Mission assigned to faculty posts at St. John's University, subject to the provisions of Sections 30.1 and 30.2 above, possess the same rights and duties as other faculty members of like rank and status.

§ 30.4 Priests and religious other than members of the Congregation of the Mission shall possess the same rights and duties as other faculty members of like rank and status except that in lieu of earning tenure they shall be deemed to earn the equivalency of tenure.

PART ELEVEN

PROCEDURES FOR THE REMOVAL OF FACULTY MEMBERS
AND OF DEPARTMENTAL CHAIRMEN

Article 31, Grounds for Removal or Suspension of Faculty Members

§31.1 Members of the faculty may be removed for one or more of the following reasons:

- a. Incompetent or inefficient service.
- b. Demonstrated neglect or unwillingness to perform the duties of an appointment in accordance with the established policies and procedures of the University.
- c. Conduct inconsistent with accepted professional and moral standards. This shall not be so interpreted as to constitute interference with academic freedom.
- d. Physical or mental incapacity.

§31.2 The President may suspend a member of the faculty pending the investigation of the charges against the faculty member. Such a suspension shall normally be with pay.

Article 32, Investigation and Service of Charges

§32.1 Charges against a member of the faculty who has tenure or whose term appointment has not expired may be made by the President, a Vice President, a Dean, a Departmental Chairman, a member or committee of the Board of Trustees or by the Board of Trustees itself. Such charges shall be confidentially presented to the President in the first instance. The President shall discuss the matter with the faculty member concerned in personal conference. If a mutually

satisfactory adjustment does not result from this conference, the matter shall be referred to a standing committee of the University Senate charged with rendering confidential advice in such situations. The committee shall consult with the President and with the faculty member involved and shall seek to affect a mutually satisfactory adjustment. If no adjustment is reached the committee and the President, or the President alone should there be disagreement between the committee and the President, shall formulate in writing the charge made against the faculty member and the principal points of such evidence as would support the charge.

§32.2 Immediately after the formulation of charges against a faculty member under the terms of Section 32.1 above, the President shall have served upon the faculty member a copy of such charges. At the time of service of charges the individual shall be notified of the right to a hearing by a faculty committee to determine whether the faculty member should be removed from the faculty position on the grounds stated. The time and place of such hearing shall be indicated, and the faculty member shall be informed, in detail or by reference to these Statutes, of the procedural rights that will be accorded to the faculty member. The faculty member shall state in writing whether a hearing is desired, and, if so, shall answer in writing, not less than one week before the date set for the hearing, the charges made against the faculty member. The person charged shall be accorded no less than ten nor more than twenty days from the date of service of the charges in which to file an answer to the charges.

Article 33, Hearing Committee

The Hearing Committee shall be an elected standing committee of the University Senate of no fewer than three nor more than five members not previously concerned with the case to be heard.

Article 34, Hearing Procedures

- §34.1 The Hearing Committee shall consider the formal charges, written supporting evidence and the faculty member's written reply to the charges. If the faculty member has not requested a hearing, the committee shall consider the case on the basis of obtainable information and shall confirm or dismiss the charges; otherwise the hearing shall proceed.
- §34.2 The President shall have the option of attendance during the hearing. He may designate an appropriate representative to assist in developing the case; but the committee shall determine the order of proof, shall normally conduct the questioning of witnesses, and, if necessary, shall secure the presentation of evidence important to the case.
- §34.3 The faculty member shall have the option of assistance by counsel, whose functions shall be similar to those of the representative chosen by the President. There shall be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony shall include that of teachers and other scholars either from the University or from other institutions. The faculty member shall have the aid of the committee, when needed, in securing the attendance of witnesses. The faculty member or the faculty member's counsel and the representative designated by the President shall have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member shall have the opportunity to be confronted by all witnesses adverse to the faculty member. Where unusual and urgent reasons move the Hearing Committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the witness's statements, shall nevertheless be disclosed to the faculty member. Subject to these safeguards, statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. Unless special circumstances warrant, formal rules of court procedure need not be followed.

§34.4 The committee shall reach its decision in conference, on the basis of the hearing. Before doing so, it shall give opportunity to the faculty member or the faculty member's counsel and to the representative designated by the President to argue orally before it. If written briefs are helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or the committee may await the availability of a transcript of the hearing if its decision is aided thereby. It shall make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision shall be withheld until consideration has been given to the case by the Board of Trustees. The President and the faculty member shall be notified of the decision in writing and shall be given a copy of the record of the hearing. Any release to the public shall be made through the President's office.

Article 35, Action by the Board of Trustees

The President shall transmit to the Board of Trustees the full report of the Hearing Committee stating its action. If the Board of Trustees chooses to review the case, its review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the Hearing Committee shall either be sustained or returned to the committee with the objections specified. In such case the committee shall reconsider, taking account of the stated objections and receiving new evidence if necessary. The Hearing Committee shall frame its decision and communicate it in the same manner as before. After study of the committee's reconsideration the Board of Trustees shall make a final decision confirming or dismissing the charges.

Article 36 Publicity

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by the faculty member, the Hearing Committee or administrative officers shall be avoided until the proceedings have been completed. Official announcement of a final decision shall be limited to a statement of the charges and of the action taken with respect to them by the Hearing Committee and the Board of Trustees.

Article 37, Grounds for Removal or Suspension of Departmental Chairmen

§37.1 Charges may be brought against a Departmental Chairman on the following grounds:

- a. Incompetent or inefficient service as a Departmental Chairman.
- b. Demonstrated neglect or unwillingness to perform the duties of Departmental Chairman in accordance with the established policies and procedures of the University and those responsibilities set forth herein.
- c. Conduct inconsistent with accepted professional standards normally associated with the position of Departmental Chairman.

§37.2 a. A Departmental Chairman may be subject to recall during the academic year after one semester in office if written charges are signed by at least thirty percent of the members of the department eligible to vote pursuant to Article 12 of these Statutes or by the Dean. Where charges are brought by the department, in departments of six or fewer faculty members, at least two signatures shall be necessary to bring the charges; the next highest integer

shall be used in reference to fractions. The foregoing provision for the recall of a Departmental Chairman may not be invoked more than once in any semester.

- b. In the event the charges are made by members of the department, the charges shall be presented to the Dean. In the event the charges are made by the Dean, the charges shall be presented to the appropriate Academic Vice President. In the event the charges are made by the Academic Vice President, Staten Island (*qua* Dean) the charges shall be presented to the Academic Vice President, Queens.
- c. The Dean or the Academic Vice President, as the case may be, shall, within ten school days, discuss the matter with the Chairman concerned in personal conference. Within ten school days thereafter the Dean or the Academic Vice President, as the case may be, shall discuss the matter with the petitioning faculty members or their designees, or the Dean, as the case may be. If a mutually satisfactory adjustment does not result from these conferences, the Dean or the Academic Vice President, as the case may be, shall, within ten school days, convene a special meeting of the department for the purpose of discussing and resolving the matter. Notice of this special meeting shall be accompanied by written charges and shall be addressed to the home of the faculty members eligible to vote, not later than five school days prior to the meeting. The voting at the meeting shall be by secret ballot but in no event shall the Chairman involved be entitled to vote on the matter.
- d. In the event the department, by a majority vote, recalls the Chairman, it shall, at the same time, send to the President its recommendation for a successor in accordance with the provisions of these Statutes. Immediately after the departmental meeting, the President shall designate an Acting Chairman from the nominees for successor Chairman submitted by the department. The President shall

concurrently submit to the Board of Trustees the department's recommendation for recall together with his recommendation, in accordance with these Statutes, for a successor Chairman to complete the unexpired term of office.

PART TWELVE

AMENDMENT AND AUTHORITY OF STATUTES

Article 38, Amendment of Statutes

§38.1 These Statutes may be amended or revoked in whole or in part by a two-thirds majority of the Board of Trustees upon notice in writing to the members of the Board outlining the subject matter of the proposed amendment.

§38.2 A proposed amendment may itself be amended by a two-thirds vote of the Board of Trustees at the same meeting at which the original amendment was to be considered.

Article 39, Authority of Statutes

These Statutes having been approved by a two-thirds vote of the Board of Trustees shall govern the actions of all officers, personnel, boards and committees of the University.