

member. The Committee shall be concerned with all matters relating to appeals from the decision of the University Personnel Committee, the Ad Hoc University Committee for Law School Personnel, the "truly exceptional circumstances" policy of the 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 §2.3 in respect to 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 two 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 Chairperson, 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

1986, missing 1-4; 22; 27
43-50; 53-54

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 Academic Vice President; the Vice President for Business Affairs and Treasurer; the Vice President for Campus Ministry; the Secretary of the University; and such other vice presidents as, from time to time, may be appointed by the President.
- §5.2 The President, Executive Vice President, Academic Vice President, 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 for Academic Planning; the Dean of Admissions and Registrar, Queens; the Dean of Admissions and Registrar, Staten Island; the Dean of Summer Sessions; 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.
- §5.5 Any individual may serve concurrently in more than one of the aforesaid offices.

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 January 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 May 1 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 The President may designate an educational advisor to serve as a Special Assistant to him. In addition, 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.

\$6.15 University Committees

\$6.15.1 The administrative committees of the University shall be the Budget Control Committee, the Athletic Academic Review Committee, and the Committee on Athletics and the Prevention of Drug Abuse. The President shall appoint such additional University committees as he deems necessary to assist in the overall planning and administration of the University.

\$6.15.2 The chairpersons and members of the aforesaid committees shall be appointed by the President and shall serve in their respective posts until a successor is appointed by the President.

\$6.15.3 The Budget Control Committee is chaired by the Executive Vice President and is responsible for the control of the budget and shall review and make the final decision regarding all capital purchases/expenditures.

\$6.15.4 The Athletic Academic Review Committee is chaired by the Academic Vice President and shall be concerned with maintaining academic excellence among student-athletes at the University. The Committee on Athletics and the Prevention of Drug Abuse is chaired

by the Vice President and Director of Athletics and shall coordinate University-wide efforts to organize informational programs on drugs and alcohol for the purpose of preventing substance abuse among student-athletes and to make recommendations on, and supervise, the University's drug testing program for student-athletes.

Article 7 Vice Presidents

- §7.1 a. Each of the Vice Presidents of the University, except as otherwise provided in these Statutes, shall report and be directly responsible to the President.
- b. Upon delegation from the President, the Academic Vice President shall represent the University in educational and accreditation 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 Comptroller of the University. The Vice Presidents shall include, within their proposed budgets, the budgets of all of the academic or administrative units within their jurisdiction. After review by the Executive Vice President, the Vice President for Business Affairs and Treasurer shall include all budgets in the proposed annual budget of the University. Upon approval of the annual budget by the President and the Board of Trustees, the Budget Control Committee shall be responsible for the control of the budget of the University.
- 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

- §7.2.1 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 an Acting President or a successor President is appointed by a majority vote of the Board of Trustees in accordance with these Statutes.
- §7.2.2 The Executive Vice President shall have administrative responsibility over the Office of Institutional Research; the T.V. Center; the Placement Office; the Office of Personnel Services; the Office of Government Grants; the Health Office, Queens Campus; and Faculty Records.

§7.2.3 The Executive Vice President shall preside at meetings of the University Personnel Committee, the Ad Hoc University Committee for Law School Personnel, and the Graduate Council.

§7.2.4 The Executive Vice President, 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 chairpersons and membership on the departmental personnel and budget committees shall take place. The Executive Vice President shall likewise notify the faculty of the time for subsequent elections of faculty members to the college personnel committees, the University Personnel Committee, and the Ad Hoc Personnel Committee for Law School Personnel, and selected other committees and shall notify the faculty and, where appropriate, the students, of the time for elections to the faculty councils and the University Senate.

§7.2.5 The Executive Vice President shall serve as Chairperson of the Budget Control Committee.

§7.3 Academic Vice President

§7.3.1 The Academic Vice President shall be the principal academic adviser to the President and the chief academic officer for all of the academic units of the University.

§7.3.2 The Academic Vice President shall be responsible for the general supervision and coordination of the planning and evaluation of the academic affairs of the University. In furtherance of these responsibilities, the Academic Vice President shall propose plans and actions in academic matters, shall review plans for new academic programs, and shall assist in the development and implementation of new educational programs and policies.

§7.3.3 a. The Academic Vice President shall conduct a systematic and continuing program of evaluation of the academic and related areas of the University.

b. The Academic Vice President 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 Academic Vice President shall be an ex officio member of every academic committee of the University.

§7.3.4 The Academic Vice President shall be responsible for the administration and coordination of the Office of Admissions and Records, Queens Campus; the Office of Admissions and Records, Staten Island Campus, through the Vice President for Staten Island; Academic Planning; Student Recruitment and Financial Aid, through the Vice President for Student Recruitment and Financial Aid; the Univer-

sity Libraries; Summer Sessions; Higher Education Opportunity Program; Special Programs; Continuing Education; Asian Institute; Pontifical Institute; Communications Services; Reporting Services; and Administrators' Records.

§7.3.5 The Academic Vice President shall recommend to the President, after appropriate consultation, the appointment of directors and chairpersons of departments or divisions [hereinafter referred to as "departments"] and shall be responsible, through appropriate procedures, for the supervision of such directors and chairpersons.

§7.3.6 The Academic Vice President shall be responsible, through appropriate procedures, for academic appointments, reappointments and assignments. The Academic Vice President shall appoint such faculty committees as are not elected.

§7.3.7 With the approval of the President, the Academic Vice President 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 Academic Vice President.

§7.4 School or College Vice Presidents

§7.4.1 There shall be four School or College Vice Presidents of the University who shall be responsible to the Academic Vice President.

a. The Vice President for Liberal Arts and Sciences and Education and Human Services shall administer the budget of St. John's College, the Graduate School of Arts and Sciences and the School of Education and Human Services;

b. The Vice President and Special Assistant to the President for Business and Career-Oriented Programs shall administer the budget of the College of Business Administration, the Graduate School of Business Administration, and St. Vincent's College;

c. The Vice President for Health Professions shall administer the budget of the College of Pharmacy and Allied Health Professions, all other health related programs in any of the academic units of the University, all University clinical services, and the Animal Care Center;

d. The Vice President for Staten Island, shall administer the budget of Notre Dame College, the Office of Admissions and Registrar, Staten Island Campus, and the Chaplains of the Staten Island Campus.

§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 moneys 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 direction, coordination, and preparation of the budget. 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 President and the Board of Trustees, the Vice President for Business Affairs and Treasurer, in consultation with the Budget Control Committee, shall be responsible for the administration of all items thereof.

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 said Vice President and approved by the President as University purchasing agent or agents.
- b. The Vice President for Business Affairs and Treasurer shall administer and coordinate the Business Office, Plant Operations, Security, Mail Room, Bookstore, Reproduction and Printing, and Calendar Clearance.
- c. 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.
- d. 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 Chairperson and Trustee of the Pension Committee and Chairperson 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 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.
- §7.5.10 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 Campus Ministry

§7.6.1 The Vice President for Campus Ministry shall be a priest of the Congregation of the Mission, Eastern Province of the United States, and shall be the principal adviser to the President regarding campus ministry.

§7.6.2 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.

§7.6.3 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 light of today's spiritual needs and problems.

§7.6.4 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, the Vice President for Business Affairs and Treasurer or by the Secretary of the University; and inform the members of the faculty and administration of actions of the Board of Trustees.

§8.2 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 Aca-

demie Vice President. 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 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.
- §9.1.4 a. The Dean may, after following appropriate procedures, make recommendations to the appropriate Departmental Chairpersons 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 issued annually by the Executive Vice President, the Dean shall report to the Academic Vice President, 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 Chairpersons.
- 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 the Colleges of Liberal Arts and Sciences, the Dean of St. John's College shall preside or, in the absence of such Dean, the Dean of the Graduate School. In the case of the Colleges of Business Administration, the Vice President for Business and Career-Oriented Programs shall preside or, in the absence of the Vice President, the Assistant Vice President and Dean of the Graduate School of Business Administration shall preside or, in the absence of both, the Dean of the College of Business Administration shall preside.

§9.1.7 After appropriate consultation with the Academic Vice President, the Dean may serve as spokesperson 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 chairpersons. 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 March 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 School or College Vice President, who shall proceed in accordance with §7.1.c of these Statutes.

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. The business departments shall submit copies of their budget proposals to the Deans of the Colleges of Business Administration. Both of said Deans will collaborate on the preparation of a single budget for business, including administrative sections for each academic unit. The Deans shall transmit the unified budget to the Vice President for Business and Career-Oriented Programs, who shall proceed in accordance with §7.1.c of these Statutes.

c. Under the supervision of the appropriate School or College 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 University calendar. 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 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 Academic Vice President. Such person shall act under the supervision, direction and delegation of the Dean.

§9.2 Dean for Academic Planning

There shall be a Dean for Academic Planning, appointed by the President on recommendation of the Academic Vice President, 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 Planning by the Academic Vice President.

§9.3 Deans 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 Academic Vice President and the Dean of Admissions and Registrar, Staten Island, who shall be responsible to the Academic Vice President through the Vice President for Staten Island.

§9.3.2 a. The Deans 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 Deans 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, registration, veterans' affairs, Selective Service and Social Security certifications, and the certification of students' eligibility for graduation.

- c. The Deans 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 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 Academic Vice President an annual report on the operation of their units, projected needs and recommendations. The annual report of the Dean of Admissions and Registrar, Staten Island, shall be submitted to the Academic Vice President through the Vice President for Staten Island.

§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 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 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 Chairperson summer institutes, workshops and special programs; adding, dividing and cancelling classes after consultation with the appropriate Departmental Chairpersons 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 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 Chairperson.

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

Article 10 Director of University Libraries

§10.1.1 The Director of University Libraries shall be responsible to the President through the Academic Vice President.

§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 overall 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 Academic Vice President on or before March 15 of each year. Under the supervision of the Academic Vice President, 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 Academic Vice President 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 shall be designated Assistant Director of Libraries. Such person shall be appointed by the President after consultation with the Director of University Libraries and the Academic Vice President and shall act under the supervision, direction and delegation of the Director of University Libraries.

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, after consultation with the Chairperson of the Department and/or the Dean or Deans of the schools or colleges concerned or the Director of University Libraries, 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. Tenured delegates from schools or colleges, departments and the professional library staff, shall be elected for three year terms. Non-tenured delegates shall be elected for a one year term. 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. 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.
- c. It is the intention of these Statutes that the terms of approximately one-third of the elected delegates shall expire annually.

§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 Academic Vice President 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 Life, Queens, and the Administrative Vice President and Director of Student Affairs, Staten Island, or their designees, who need not be members 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, such other administrator as 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 and Human Services, 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 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, the Departmental Chairperson of each liberal arts instructional department, and the director of each liberal arts instructional division.
- b. Elected members shall be two delegates from each instructional department and each instructional division 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 Chairperson 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 a. 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.

- b. Questions concerning graduate study may originate at the departmental or school or college levels, but must be referred to the Council for its decision in all cases. When matters originate in the Council itself, the appropriate Faculty Council shall be advised of its deliberations to allow consultation on questions of common interest before final action is taken by the Graduate Council.

- c. The 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 Executive Vice President, the Academic Vice President, the Dean of each graduate school of the University and chairpersons of departments or divisions that offer graduate programs. 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 the Executive Vice President.

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

- f. Review all grant proposals before they are submitted to the proper authorities by departmental faculty and, where appropriate, by students.
- g. Meet periodically with the faculty members of the department to conduct the regular business of the department.
- h. Attend meetings of Chairpersons called by the Dean and/or the Academic Vice President at least once a month and at other reasonable times; maintain office hours at least four days a week.
- i. Represent the department at scholarly and professional meetings when such attendance is deemed by the Dean to be necessary or desirable and when a travel allowance is authorized therefor.
- j. Supervise and participate in the registration of graduate and undergraduate students during all registration periods (including, to the extent requested by the dean, the two week period prior to the beginning of a semester), and those of summer sessions. Past practices with regard to registration by Chairpersons for the summer session shall continue.

\$17.3.1 Qualifications for Chairperson - a nominee for the office of Chairperson:

- a. Must be an Associate or Full Professor in departments having a graduate program and may be an Assistant Professor with ten years of full-time faculty service at the University in departments having only undergraduate programs.
- b. Must be tenured.
- c. Must have a terminal degree or its equivalent as defined in the University Statutes in departments having a graduate program.

\$17.3.2 Normally, an individual may not serve as Chairperson more than 2 consecutive terms.

\$17.3.3 The President, in his discretion, may waive any of the above requirements.

\$17.4 Selection of Chairperson

\$17.4.1 At least four weeks prior to the time designated in \$7.2.4 of these Statutes for the election of nominees for Chairpersons whose terms are expiring, the names of all persons in the department fulfilling the qualifications for Chairperson as set forth in paragraph 17.3.1 shall be submitted to the department by the Academic Vice President. Prior to the department's election of nominees for Chairperson, the Academic Vice President may meet with the Dean and collectively with all of the members of the department who are qualified to serve as Chairperson and discuss the particular needs of the department which, in the opinion of the Academic Vice President, shall be taken into consideration in considering the nominees of the department. An eligible faculty member may have his or her name removed from the ballot by

written request delivered to the Academic Vice President at least 10 but not more than 20 school days prior to the election.

§17.4.2 a. At the time designated in §7.2.4 of these Statutes for the election of nominees for Chairperson 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 Chairperson of the department, or in the absence of the then present Chairperson, by an appropriate school or college Dean, for the purpose of nominating candidates for the position of Departmental Chairperson.

b. One election of nominees for Departmental Chairperson shall be conducted by the department using the existing form of ballot. Such ballot shall list all members of the department eligible to serve as Chairperson who possess the qualifications set forth in §17.3.1 above. The name of any faculty member who has made a written request to the Academic Vice President requesting removal of his or her name from the ballot in accordance with the preceding subsection shall be stricken from the ballot. Final voting on nominees shall, in every instance, be by secret ballot.

c. Each department shall by this procedure nominate no more than three candidates for the position of Departmental Chairperson.

§17.4.3 a. Immediately after the election of the nominees by the department, the then Chairperson of the department shall submit to the Academic Vice President the ballots and the tally. The Academic Vice President and the Dean shall then interview each of the nominees. In the event any of the nominees indicate they are unwilling to serve as Chairperson of the department, such individuals shall not be considered in determining the number of nominees submitted by the department pursuant to this §17.4.

b. The Academic 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 Chairperson. 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 Academic Vice President for approval, the Academic Vice President shall have the privilege of recommending in place of the single nominee a person of the Academic Vice President's own choosing who meets the qualifications for Departmental Chairperson set forth in §17.3.1 above.

§17.4.4 Except in those instances where the Academic Vice President has the privilege of recommending in place of a single nominee a person of the Academic Vice President's own choosing in accordance with §17.4.3 b., should the Academic Vice President not approve any person nominated by a department for the office of Chairperson, he/she shall confer with the members of the department qualified to participate in nominations, and thereafter shall report to the President any subsequent action by the department with respect thereto, together with his or her own recommendation of a Chairperson. A recommendation by the President to the Board of Trustees for the appointment of a Departmental Chairperson other than one nominated by the department should

occur only after careful consideration by the President of the qualifications of all those nominated by the department. The President should base his recommendation on the capacity of the individual selected to act effectively as the departmental administrator and spokesperson, and as a participant in the formation, development, and interpretation of University-wide interest and policy.

§17.4.5 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 1 thereafter. Vacancies shall be filled in the same manner and shall be for the unexpired term.

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 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 Chairperson of the department affected with the contemplated changes suffi-

ciently 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 Chairperson as chairperson 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 Chairperson shall be elected by all faculty members in the department who are eligible to vote under Article 12 of these Statutes. 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 Chairperson. Elected members shall be chosen at the time of selection of the Chairperson.
- 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 §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 and Human Services; 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 §19.1 above shall consist of no fewer than three nor more than five tenured faculty members, including the Departmental Chairperson as chairperson 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 All full-time faculty members who are eligible to vote under Article 12 of these Statutes, subject to the provisions of §19.2 above, shall be eligible for election to the Departmental Personnel and Budget Committee. Committee members other than the Chairperson shall be elected by all faculty members in the department who are eligible to vote under Article 12 of these Statutes. Membership on the Departmental Personnel and Budget Committee shall be for a three year term. With the exception of the Chairperson, 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, re-appointments, promotions, and the granting of tenure. The committee shall review and express its opinion on department budget requests as prepared by the Chairperson 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.

PERSONNEL COMMITTEES

Article 20 General

In addition to the Departmental Personnel and Budget Committees, the Personnel and Budget Committee for the School of Law, the Faculty Personnel Committee of the Board of Trustees, and the Board of Trustees, there shall be School or College Personnel Committees, the Library Personnel Committee, the Institute of Asian Studies Personnel Committee, the University Personnel Committee, and the ~~Ad Hoc~~ University Personnel Committee for Law School Personnel.

Article 21 School or College Personnel Committees

- §21.1 There shall be in each school or college of the University, including the University Libraries and the Institute of Asian Studies, a Personnel committee including in each instance the Dean or, where appropriate, the Director as chairperson 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, shall be elected by all full-time faculty members in the school or college or of the University Libraries or Institute of Asian Studies, who are eligible to vote under Article 12 of these Statutes. Vacancies, whether temporary or permanent, shall be filled in the same manner.
- §21.2 All recommendations for reappointments, for promotions in faculty rank, and for the conferral of tenure on faculty members shall be considered by the appropriate School or College Personnel Committee and the results of each such recommendation shall be reported to the Academic Vice President.

Article 22 University Personnel Committee

- §22.1 Final review of individual credentials supporting recommendations for faculty reappointments, promotion and tenure, other than the School of Law, and of general University fiscal ability to implement such recommendations shall be provided by the University Personnel Committee.
- §22.2 The Executive Vice President shall be the Chairperson of the University Personnel Committee. Other members shall be the Academic Vice President, the Vice President for Business Affairs and Treasurer of the University; the Vice President and Special Assistant to the President for Business and Career-Oriented Programs; the Administrative Vice President and Director of Student Affairs, Staten Island; the Dean of St. John's College; the Dean of the Graduate School of Business Administration; 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 Human Services; the Dean of the Undergraduate College at Staten Island; and the Director of University Libraries. The President may designate such other administrators as he, in his sole

discretion, may determine may serve in the place and stead of any of the administrators which have been designated above, who are or become unable to serve. In addition, there shall be ten elected tenured faculty members with the rank of Professor or Associate Professor, of whom three shall be elected by and from St. John's College faculty, two shall be elected by and from the College of Business Administration, and one member by and from each of the other schools and colleges, not including the School of Law; and one member from the University Libraries, not including the School of Law Library. No more than one elected faculty member shall be from any one department.

\$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 recommendations, 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 reappointment of instructors and assistant professors shall be transmitted by the University Personnel Committee to the President, whose decision shall be final. Recommendations for promotion to any rank, for the conferral of tenure and for the reappointment of associate professors and professors, 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 Executive Vice President shall cast a vote only to break a tie.
- b. The Dean of the school or college involved must be disqualified from voting since normally the Dean casts a vote on the school or college level.
- c. The principle of voting parity shall be preserved under any changed circumstances.
- d. The Chairperson 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.
- e. 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 \$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 Executive Vice President shall be Chairperson 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 Executive Vice President from the professional schools other than the School of Law 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."

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

Article 23 Recommendations

§23.1 Recommendations for original full-time appointments to the instructional staff of the University shall be made by the President, by the Academic Vice President, by the Deans of schools or colleges, by the Director of University Libraries, or by the Chairperson of the department in which vacancies to be filled exist. All such recommendations, accompanied by written information covering the qualifications of the candidates involved, shall be transmitted to the Departmental Personnel and Budget Committee for discussion and advice. The initial decision on such recommendations shall be made by the Departmental Personnel and Budget Committee. In accordance with present practices and understandings, actions of the Departmental Committee, together with any minority report, may be forwarded by the Departmental Chairperson to the Chairperson of the appropriate School or College Personnel Committee. Actions of either the Departmental Personnel and Budget Committee and/or the School or College Personnel Committee shall be forwarded to the appropriate Dean. If the recommendation is approved by the Dean, the Dean shall forward it to the Academic Vice President for review and final action. Except where the President deems it appropriate to infuse new life into a department, no full-time faculty member shall be appointed without the approval of the appropriate Departmental Personnel and Budget Committee.

§23.2 Recommendations for full-time 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 Academic Vice President, by the Dean of schools or colleges, by the Director of University Libraries, or by the Chairperson 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 Departmental Chairperson to the Departmental Personnel and Budget Committee for discussion and advice. Actions of the Departmental Committee shall be recorded and the results of its deliberation, together with any minority report, shall be forwarded by the Departmental Chairperson 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 chairperson 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 §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 Executive Vice President 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 Executive Vice President shall likewise specify the dates referred to in §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 Chairperson 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 Chairperson 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 Chairperson 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 Chairperson 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 Chairperson 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 1, 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 Chairperson 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, the appropriate school or college Dean and the Chairperson 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

§25.1 The conferral of tenure shall be made in accordance with the procedures set forth in §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 Executive Vice President 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 Executive Vice President shall likewise specify the dates referred to in §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 Chairperson of each department shall report to the Dean of the appropriate school or college and 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 chairperson 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 Chairperson 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 Chairperson 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 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 Chairperson 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 1, 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 Chairperson 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 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, the appropriate school or college Dean, and the Chairperson 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.

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 §26.3 to §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, except that: (a) for an appointment as an Instructor in accounting, the candidate must possess CPA certification and a master's degree appropriate to the business discipline and at least two years of college teaching or the equivalent; and (b) for appointment as an Instructor in business law or related areas of criminal justice, the

§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 §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 §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.

PROCEDURES FOR THE REMOVAL, DISCIPLINE, OR SUSPENSION
OF FACULTY MEMBERS AND OF DEPARTMENTAL CHAIRPERSONS

Article 31 Grounds for Removal, Discipline, 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 a. It is recognized that there may be instances of matters set forth in §31.1 b. and §31.1 c., above, where the circumstances are such that removal may not be warranted. Accordingly, where, in the opinion of the appropriate committee, the penalty of removal is not justified for such conduct, the appropriate committee can impose any one of the following penalties:

- (i) ineligibility for overtime teaching for a period up to but not to exceed one year;
- (ii) ineligibility for summer session and mini-session teaching for a period up to but not to exceed one year; and
- (iii) loss of any increment for a period up to but not to exceed one year; provided however, that at the end of the period for which there is a loss of an increment, the faculty member shall thereafter be placed at the same position on the salary schedule that he or she would have been placed upon had no interim loss of an increment been determined by the appropriate committee.

b. Such penalty shall bear a reasonable relationship to the seriousness of the conduct.

§31.3 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, the Executive Vice President, the Academic Vice President, an academic Dean, a member or committee of the Board of Trustees or the Board of Trustees itself. Such charges shall be confidentially pre-

§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 or other discipline 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 34A Grounds and Procedures for Removal or Suspension of Faculty Members of the School of Law

§34A.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.

§34A.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.

§34A.3 a. Charges against a member of the faculty of the School of Law who has tenure or whose term appointment has not expired may be made, in writing, by the President, the Executive Vice President, the Academic Vice President, the Dean of the School of Law, a member or committee of the Board of Trustees or 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 President shall have served upon the faculty member a copy of the charges and the matter shall be referred to the Committee on Investigation and Service of Charges Against a Faculty Member of the School of Law.

- b. The Committee on Investigation and Advice of Charges Against a Faculty Member of the School of Law shall be composed of three tenured faculty members, who shall be elected to three-year terms by and from faculty members of the School of Law who are eligible to vote under Article 12 of these Statutes.

- c. In the event that a member of this Committee is involved, directly or indirectly, in the making of charges against the faculty member, or is privy to information that will reduce or impair his objectivity, or is the party against whom the charges are made, said member shall not serve on the committee during its consideration of that particular case. A quorum of said committee shall be two members.
 - d. The procedures specified in Sections 32.2 d and 32.3 of these Statutes shall be followed by the Committee on Hearing and Deciding Charges Against a Faculty Member of the School of Law.
- §34A.4 a. The Committee on Hearing and Deciding Charges Against a Faculty Member of the School of Law shall be composed of five members. Four of said members shall be the faculty members of the School of Law Personnel and Budget Committee. The remaining faculty member shall be a tenured faculty member who is to be elected to a three-year term by and from faculty members of the School of Law who are eligible to vote under Article 12 of these Statutes.
- b. The Committee on Hearing and Deciding Charges Against a Faculty Member of the School of Law shall follow the procedures set forth in Article 34.

Article 35 Action by the Board of Trustees

The President shall transmit to the Board of Trustees the full report of the appropriate 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 appropriate Hearing Committee or the 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 and Procedures for Removal of Departmental Chairpersons

- §37.1 a. A Chairperson may be subject to recall during the academic year after one semester in office if written charges are

signed (i) by at least thirty per cent (30%) of the members of the department eligible to vote pursuant to Article 12 of these Statutes, or (ii) by the Dean. Where charges are brought by the department, in departments of six or fewer faculty members, at least two (2) 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 Chairperson may not be invoked more than once in any semester.

Charges may be brought against a Departmental Chairperson on the following grounds:

- (1) Incompetent or inefficient service as a Departmental Chairperson.
 - (2) Demonstrated neglect or unwillingness to perform the duties of Departmental Chairperson in accordance with the established policies and procedures of the University and those responsibilities set forth herein.
 - (3) Conduct inconsistent with accepted professional standards normally associated with the position of Departmental Chairperson.
- 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 Academic Vice President.
- c. The Dean or the Academic Vice President, as the case may be, shall, within ten school days, discuss the matter with the Chairperson 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.
- d. In the event that the Dean or the Academic Vice President, as the case may be, shall consider that there is insufficient evidence to support the charges, the Dean or the Academic Vice President, as the case may be, shall transmit the charges to the Committee on Investigation and Advice of Charges Against a Faculty Member, referred to in §32.2, for its determination of the sufficiency of the charges. If, after investigation and consultation with the Chairperson involved and such members of the department as the Committee may deem appropriate, the charges are considered by the committee to be insufficient, no further proceedings for the removal of the Chairperson shall be taken, pursuant to the submitted charges.
- e. In the event that the Dean, the Academic Vice President, or Committee as the case may be, considers the charges to be sufficient and if a mutually satisfactory adjustment does not result from the conferences set forth in subsection (c) hereof, the Dean or the Academic Vice President, as the case may be, shall within ten (10) school days after the conferences

referred to in subsection (c) hereof or the determination of sustaining the sufficiency of the charges by the Committee, 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 the written charges and shall be addressed to the home of the faculty members eligible to vote, not later than five (5) school days prior to the meeting. The voting at the meeting shall be by secret ballot but in no event shall the Chairperson involved be entitled to vote on the matter.

- f. In the event the department, by a majority vote, recalls the Chairperson, 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 Chairperson from the nominees for successor Chairperson 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 Chairperson to complete the unexpired term of office.

§37.2 Nothing contained in this article shall be deemed to affect the faculty status of any Departmental Chairperson whose appointment has been so terminated nor shall such termination be subject to the grievance-arbitration procedures herein. However, any claim of arbitrary, unreasonable or discriminatory actions in regard to the procedures for removal of a Chairperson shall be subject to the grievance-arbitration procedures herein. Furthermore the provisions of Articles 31 through 36 of the Statutes shall continue to apply.