



## Governance and Policy Information for Departmental Appointments Committees

1. CUNY Board of Trustees Bylaws – Article IX (*excerpt*)
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## Article IX

# Organization and Duties of Faculty Departments

### **Section 9.1. Department Organization.**

- a. Each department, subject to the approval of the faculty or faculty council, where existent, and subject to the provisions of other sections of these bylaws, shall have control of the educational policies of the department through the vote of all of its members who have faculty rank or faculty status; and if it may also choose to permit a vote on departmental matters by persons in visiting professorial titles and other members who have been appointed on an annual salary basis for a first or second year of full-time service. The right to vote for the election of department chairpersons and the departmental committee on personnel and budget, referred to in some colleges as the departmental committee on appointments, shall be reserved to those with faculty rank.
- b. The executive officer of the department shall be the department chairperson who shall be a professor, associate professor or assistant professor elected by secret ballot for a term of three years, except as provided below, by a majority vote of all the members of the instructional staff of the department who have faculty rank. Proxy or mail voting shall not be permitted. The department chairperson must be tenured or have been approved by the board for tenure at the time of his/her election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the president and the board. The present system of staggered departmental elections shall be continued. The successors of department chairpersons shall be elected during the first full week in May at the expiration of the respective terms of office to take office as of July first of the year in which they are elected and at the three year intervals thereafter. Vacancies shall be filled by election for the unexpired term. Notwithstanding anything in the foregoing to the contrary, in the library department, the president of the college shall from time to time recommend a member of the department to the board for designation as chairperson.
- c. In any case where the president does not approve the election of a department chairperson, or at such other time as the interests of the college may require the removal of a chairperson and the appointment of a new one, he/she shall confer with the department and thereafter shall report to the board, through the chancellor any subsequent action by the department with respect thereto, together with his/her own recommendation for a chairperson. The recommendation by the president to the board, through the chancellor, for the designation of the department chairperson should take place only after careful consideration by the president of the qualifications of those selected by the respective departments. The president shall base his/her 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 college-wide interest and policy.

- d. Where there are fewer than three tenured professors, associate professors, and assistant professors in a department, the president may, except where the department has been in existence for less than seven years, after consultation with the departmental faculty, recommend the appointment of a chairperson to the board from among the members of the department holding professorial rank. Where the department chairperson is recommended by the president pursuant to this subdivision, subdivision "c" of this section, or subdivision "a" of section 9.5, the chairperson need not be tenured.
- e. Each department shall operate as follows, unless the governance plan provides otherwise: There shall be in each department a department committee on personnel and budget, referred to in some colleges as a department committee on appointments, consisting of the department chairperson and where possible, of four other members who must have faculty rank. The number of members of faculty rank shall not affect provision for student membership, if a college governance plan so provides. Four of the faculty members of the committee must be tenured, except if the department has fewer than four tenured faculty members. The department chairperson shall be the chairperson of the committee. The four faculty members shall be elected by a majority vote of those persons in the department having faculty rank. Election shall be held at the same time that the department chairperson is elected. A vacancy in the office of the chairperson prior to expiration of his/her term when such vacancy necessitates an election for a new chairperson shall not affect the term of the committee. A president may remove a member of the personnel and budget committee, for good cause, at the request of a majority of the members of such committee. Such request shall be in writing, and the member whose removal is sought shall have an opportunity to respond. If a member of the personnel and budget committee is removed by the President, an election shall be held to fill the vacancy.

In departments with fewer than four tenured faculty members, the president after consultation with the departmental faculty, shall appoint an ad hoc committee to make recommendations on appointments with tenure in lieu of a committee on appointments or a departmental committee on personnel and budget.

- f. There shall be a committee on personnel and budget for the Hunter College Elementary School and a committee on personnel and budget for the Hunter College High School. The committee in each school shall consist of the principal, as chairperson, a designee of the provost of hunter college, and three members of the instructional staff of the school, elected for a term of three years by members of the permanent instructional staff of the school. These committees shall have in each school, insofar as practicable, the same functions as are assigned by these bylaws to a departmental committee on personnel and budget in a college.
- g. Each department may name such other committees as it chooses and shall have the fullest measure of autonomy consistent with the maintenance of general educational policy.

### **Section 9.2. Procedures for Department Committees.**

Each department committee shall keep minutes of its proceedings conforming insofar as is practicable to the most recent edition of Robert's Rules of Order. It is the responsibility of the department chairperson, except as specified below, to circulate the minutes of each departmental committee to all members of the department.

The actions of the appropriate committee concerned with instructional staff appointments, reappointments, reappointments with tenure, and promotion shall be by secret ballot, and the result of the balloting shall be duly recorded in its minutes. All records of the proceedings with respect to a candidate shall be filed in the candidate's administration file, available only to the committees and individuals responsible for the review and recommendation of appointments, promotion, and tenure. It shall be the duty and responsibility of the department chairperson to communicate to the candidate the action of the committee, but no reason shall be assigned for the action taken. The affirmative recommendations of the committee shall be submitted by the department chairperson to the president and appropriate college committee on personnel and budget in accordance with procedures set forth in the bylaws of the board.

### **Section 9.3. Duties of Department Chairperson.**

- a. The department chairperson shall be the executive officer of his/her department and shall carry out the department's policies, as well as those of the faculty and the board which are related to it. He/she shall:
  1. Be responsible for departmental records.
  2. Assign courses to and arrange programs of instructional staff members of the department.
  3. Initiate policy and action concerning the recruitment of faculty and other departmental affairs subject to the powers delegated by these bylaws to the staff of the department in regard to educational policy, and to the appropriate departmental committees in the matter of promotions and appointments.
  4. Represent the department before the faculty council or faculty senate, the faculty, and the board.
  5. Preside at meetings of the department.
  6. Be responsible for the work of the department's committee on appointments or the department's committee on personnel and budget which he/she chairs.
  7. Prepare the tentative departmental budget, subject to the approval by the department's committee on appointments or the department's committee on personnel and budget.

8. Transmit the tentative departmental budget with his/her own recommendations to the president or the dean or provost as the president may designate.
  9. Arrange for careful observation and guidance of the department's instructional staff members.
  10. Make a full report to the president and to the college committee on faculty personnel and budget of the action taken by the department committee on personnel and budget or department committee on appointments when recommending an appointee for tenure on the following, as well as any other criteria set forth in university policies:
    - a. Teaching qualifications and classroom work.
    - b. Relationship of the appointee with his/her students and colleagues.
    - c. Appointee's professional and creative work.
  11. Hold an annual evaluation conference with every member of the department after observation and prepare a memorandum thereof.
  12. Generally supervise and administer the department.
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- b. Each library, where size makes it practicable, shall constitute an instructional department of the college. The chairperson thereof shall be designated by the president. Such chairperson, in addition to the duties of department chairperson as enumerated in paragraph "a" of this section, shall be charged with the administration of the library facilities of his/her college and shall perform such other duties as the president may assign. Such chairperson is hereby authorized to use the additional title of "chief librarian."
  - c. Where student personnel services are constituted an instructional department of the college, the dean of students shall be the department chairperson.

*Excerpt from the Brooklyn College Governance Plan*

**Article III, Section B**

The department appointments committee in accordance with Bylaw Sec. 9.1(e) shall consist of the chairperson and four members of faculty rank elected by the department members of faculty rank or faculty status for a term of three years. The chairperson of the department shall be the chairperson of the committee. The committee shall be responsible for all recommendations of appointments, reappointments, leaves and tenure. It shall take into consideration student evaluations of professional performance in all matters of reappointment and tenure.





### **25.3 Fellowship Awards**

(a) Eligibility: It is the intention of the parties that the funds for fellowship awards be limited to instructional staff members of the permanent instructional staff. Tenured members of the permanent instructional staff, including those holding the title Lecturer with certificates of continuous employment, who have completed six years of continuous paid full time service with the University exclusive of non sabbatical or fellowship leave, shall be eligible for a fellowship award. Individuals in professorial titles who are on leave from the title Lecturer with a certificate of continuous employment shall be eligible for a fellowship award. Service shall include service in a school or college maintained in whole or part with City funds immediately preceding service in a college or institution under the jurisdiction of the Board of Trustees, provided that credit for such prior service shall not exceed three (3) years.

(b) Applications:

1. Applications for a fellowship award may be made for the following purposes:

- (i) Research (including study and related travel)
- (ii) Improvement of teaching
- (iii) Creative work in literature or the arts

2. Such application shall also state that the applicant will continue to serve for at least one year after expiration of the term of his or her leave unless this provision is expressly waived by the Board of Trustees.

3. The application in the form of a plan shall be submitted to the appropriate departmental committee and, if approved, to the college committee on faculty personnel and budget. If the latter committee approves, it shall forward the application to the President with its endorsement. Such endorsement must state that the work of the department in which the applicant serves can be so arranged as to be carried forward effectively during the period of the leave, and that the work the applicant intends to do is consonant with the principles of the fellowship leave. The President shall transmit such application to the Board of Trustees, with his or her own recommendation.

4. The Board of Trustees will consider the advantage of the applicant as a scholar and teacher to be expected from such a fellowship award, and the consequent advantage through his or her service to the college. Special consideration shall be given to those applicants who have not had a sabbatical leave or fellowship in fourteen (14) or more years.

5. Application may be for one of three types of fellowship leaves:

- a full year leave at 80% of the bi-weekly salary rate
- a one-half year leave at 80% of the bi-weekly salary rate
- a one-half year leave at full pay

There is an expectation that there will be a minimum of one half-year leave at full-pay every other year at each college.

Fellowship leaves received by members of the instructional staff who serve in the libraries will be of the same duration as those of other instructional staff. Members of the instructional staff who serve in libraries will not accrue annual leave during the period of the fellowship leave.

Members of the unit who receive a full year fellowship leave at 80% of the bi-weekly salary rate may, at their option, upon written notice to the President no later than October 30 or March 30, whichever is applicable, terminate the fellowship leave after one half year.

Where fellowships are terminated upon request under Section 25.3 (b) 5, such termination relieves the University of any obligation to further claims for the second half of the leave, but does not reduce the time period or other qualifications required for consideration for a subsequent fellowship leave.

(c) The University agrees to request the appropriate retirement system to credit the period of the fellowship as service for retirement purposes. The period of the fellowship leave shall be credited for increment purposes.

(d) Nothing contained in this Article shall be construed to diminish or impair the rights of an employee appointed prior to July 1, 1965, of the benefits of the Bylaws of the Board as they existed on July 1, 1965 with respect to sabbatical leaves of absence.

## **25.5 Scholar Incentive Awards**

Scholar Incentive Awards of not less than one semester nor more than one year shall be established for full time personnel in the following titles: Professor, Associate Professor, Assistant Professor, Instructor, Lecturer, University Professor, Distinguished Professor and Medical Series. The only purpose of these Awards shall be to facilitate bona fide and documented scholarly research. Other projects or proposals (e.g. meeting of degree requirements, study, service outside the University) or reasons (e.g. professional, career, personal) shall not be considered for these Awards.

The application in the form of a plan shall be submitted to the appropriate departmental committee and, if approved, to the college committee on faculty personnel and budget. If the latter committee approves, it shall forward the application to the President with its endorsement. Such endorsement must state that the work of the department in which the applicant serves can be so arranged as to be carried forward effectively during the period of the leave, and that the work the applicant intends to do is consonant with the principles of the Scholar Incentive Award. Upon positive recommendation of the President, the application shall be forwarded to the Chancellor for review and recommendation.

The following principles for such Scholar Incentive Awards shall apply:

1. A candidate shall be a full time member of the instructional staff in one of the above titles.
2. A candidate shall have completed not less than one full year of continuous paid full time service with the University before becoming eligible for a Scholar Incentive Award. A candidate shall be eligible for a subsequent Scholar Incentive Award after six years of creditable service with the University since the completion of the last Scholar Incentive Award. A Scholar Incentive Award may not be held concurrently with a Fellowship Leave.
3. If a Scholar Incentive Award is immediately preceded by full time continuous service creditable for tenure or a Certificate of Continuous Employment or Fellowship Award and immediately followed by such full time continuous service, the period of creditable service immediately preceding the Scholar Incentive Award shall be counted in computing the years of service required for the granting of tenure, Certificate of Continuous Employment or Fellowship Award.
4. A candidate may be compensated by the University for up to 25% of annual salary rate. The total amount of money earnable with outside support and the University salary may not exceed 100% of the annual salary rate that the person would have received without the leave. The amount may be less than 25% if the amount of any outside fellowship and grant support received would result in earnings above 100% of salary.
5. The University shall develop guidelines to be utilized in approving applications for Scholar Incentive Awards.

## **Article V: Faculty and Staff**

### **5 Appointments and Promotions**

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#### 5.2 First Reappointment

Candidates for reappointment at the end of their initial term of appointment on a full-time line shall be evaluated on the basis of the following criteria ([BTM,1975,09-22,005, \\_\\_](#)):

- a) Teaching Effectiveness: There are a variety of ways, including classroom observation, to evaluate this criterion. The evaluation, however, should extend beyond the classroom, since the faculty member's obligation to the students goes beyond normal class hours. Personnel committees should consider student evaluations as a factor in assessing the teaching effectiveness of an instructor. ([BTM,1975,09-22,005, \\_\\_](#))
- b) Scholarly and Professional Growth: Candidates in tenure-bearing titles for the first reappointment are expected to demonstrate their potential for scholarly work and their achievement in some of the following ways ([BTM,1975,09-22,005, \\_\\_](#)):
  - (i) Evidence of research in progress leading toward scholarly publication
  - (ii) Publication in professional journals
  - (iii) Creative works, show and performance credits, etc. when such are appropriate to department
  - (iv) Development of improved instructional materials or methods
  - (v) Participation in activities of professional societies
- c) Service to the Institution: Since all full-time faculty members share broad responsibilities to the institution, work in departmental and college committees should be considered in overall evaluations. Although it is understood that not all junior faculty member will have an opportunity to serve on important committees, their evaluation should consider evidence of their informal contribution to such committee work and their participation in other regular administrative activities such as governance, registration, advisement, library and cultural activities. ([BTM,1975,09-22,005, \\_\\_](#))
- d) Service to the Public: A candidate, though not expected to do so for the first reappointment, may offer evidence of pertinent and significant community and public service in support of reappointment. ([BTM,1975,09-22,005, \\_\\_](#))

#### 5.3 Second and Subsequent Reappointments

In addition to criteria for the first reappointment candidates for the second or subsequent reappointment shall be evaluated on the basis of the following criteria ([BTM,1975,09-22,005, \\_\\_](#)):

- a) Teaching Effectiveness: Evaluation of this criterion shall include contractual teaching observations and peer judgments, assessment of the instructor's effort and success in developing new methods and materials suited to the needs of his or her students, assessment of student evaluations, and non-classroom efforts such as academic advisement. ([BTM,1975,09-22,005,\\_\\_\\_](#))
- b) Scholarly and Professional Growth: Candidates for their second and subsequent reappointments are expected to offer evidence of scholarly contributions to their disciplines. Evaluations of the quality of such work may be sought from outside the department. Achievements in the period following the last reappointment should be evaluated on the basis of publications of scholarly works in professional journals, or reports of scientific experimentation, scholarly books and monographs, evidence of works in progress, significant performance of show credits or creative work, and improved instructional materials and techniques that have been found effective in the classroom either in the University or elsewhere. ([BTM,1975,09-22,005,\\_\\_\\_](#))
- c) Service to the Institution: Effective service on departmental, college, and university committees. ([BTM,1975,09-22,005,\\_\\_\\_](#))
- d) Service to the Public: Institutions of higher education are expected to contribute their services to the welfare of the community. Although such activities are a matter of individual discretion and opportunity, evaluation of a faculty member for reappointment should recognize pertinent and significant professional activities on behalf of the public. The absence of this contribution should not act to the disadvantage of any candidate for reappointment. ([BTM,1975,09-22,005,\\_\\_\\_](#))

Judgments on reappointment should be progressively rigorous. In the second and subsequent reappointments, a candidate should be able to demonstrate that he or she has realized some of his or her scholarly potential. Similarly, standards of acceptable performance as a teacher should be graduated to reflect the greater expectations of more experienced faculty members. ([BTM,1975,09-22,005,\\_\\_\\_](#))

#### 5.4 Promotion

The Board of Trustees fully supports the concept that the criteria established for reappointment and tenure apply equally to decisions on promotion. It also affirms the caution that judgments on promotion shall be sufficiently flexible to allow for a judicious balance among excellence in teaching, scholarship, and other criteria. ([BTM,1975,09-22,005,\\_\\_\\_](#))

When considering decisions on either promotion or tenure, personnel committees should bear in mind that the two judgments represent two distinct acts. Just as it would be unwise to promote those whose qualities for tenure are questionable, so it would be equally ill-advised to grant tenure to those whose capacity for promotion to senior rank is judged to be limited. ([BTM,1975,09-22,005,\\_\\_\\_](#))

The criteria for promotion shall be as follows ([BTM,1975,09-22,005,\\_\\_\\_](#)):

- a) Assistant Professor: The candidate must possess the Ph.D. degree and submit evidence of qualification to meet, in due time, the standards required for the first reappointment. Those persons without the Ph.D. currently holding positions as Assistant Professors and instructors at the Community Colleges shall not be affected by this provision. ([BTM,1975,09-22,005, \\_\\_](#))
- b) Associate Professor: The candidate shall present evidence of scholarly achievement following the most recent promotion, in addition to evidence of continued effectiveness in teaching—the candidate should thus meet the qualifications required for tenure. ([BTM,1975,09-22,005, \\_\\_](#))
- c) Professor: The candidate must meet all the qualifications for an Associate Professor, in addition to having an established reputation for excellence in teaching and scholarship in his or her discipline. The judgment on promotion shall consider primarily evidence of achievement in teaching and scholarship following the most recent promotion. ([BTM,1975,09-22,005, \\_\\_](#))

## 6 Tenure

The decision to grant tenure shall take into account institutional factors such as the capacity of the department or the college to renew itself, the development of new fields of study, and projections of student enrollment. ([BTM,1975,09-22,005, \\_\\_](#))

The criteria upon which decisions to grant tenure are based shall be follows ([BTM,1975,09-22,005, \\_\\_](#)):

- a) Teaching Effectiveness: Tenure appointments shall be made only when there is clear evidence of the individual's ability and diligence as a teacher. ([BTM,1975,09-22,005, \\_\\_](#))
- b) Scholarship and Professional Growth: Evidence of new and creative work shall be sought in the candidate's published research or in his or her instructional materials and techniques when he or she incorporates new ideas or scholarly research. Works should be evaluated as well as listed, and work in progress should be assessed. When work is a product of joint effort, it is the responsibility of the department chairman to establish as clearly as possible the role of the candidate in the joint effort. ([BTM,1975,09-22,005, \\_\\_](#))

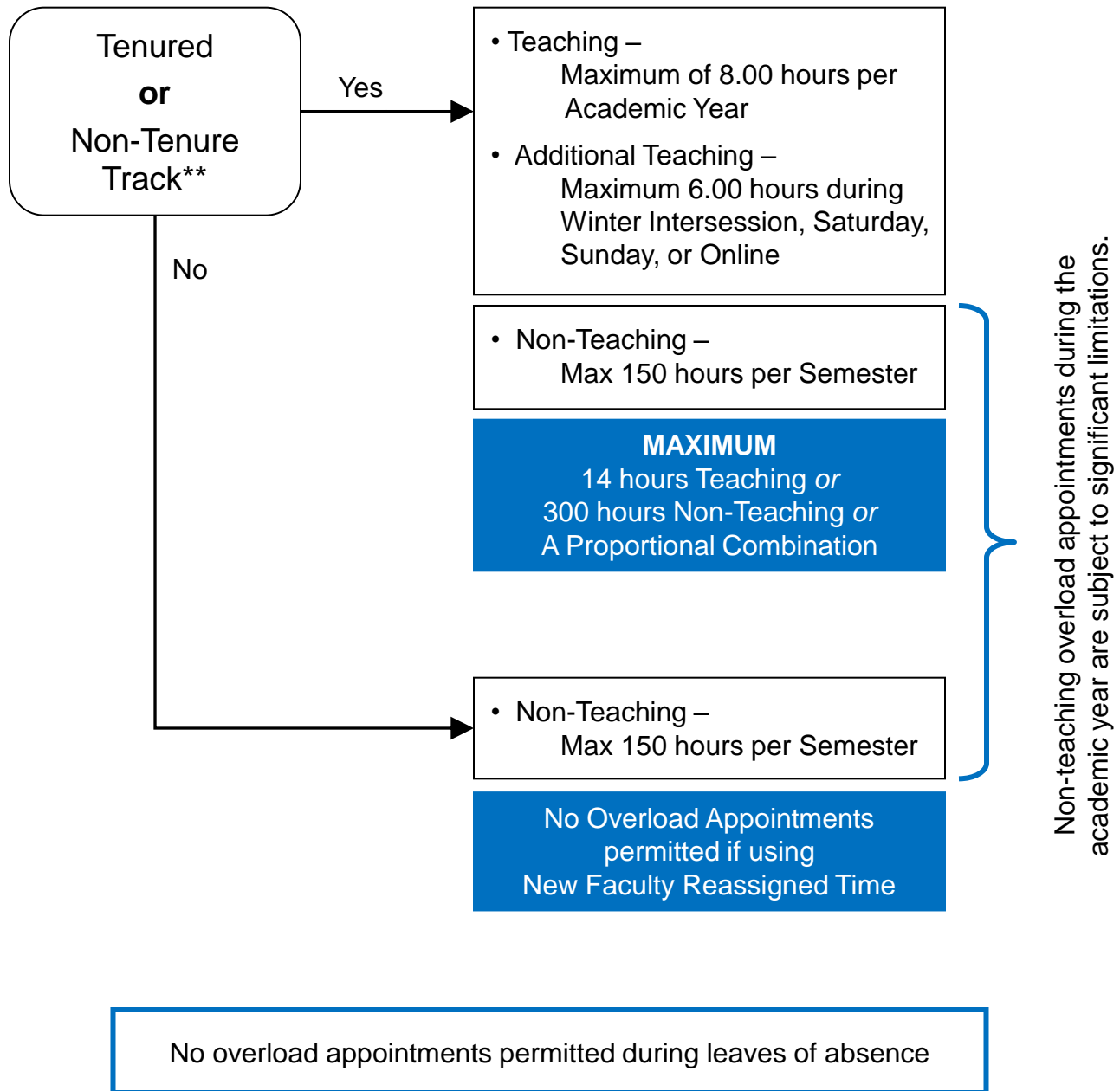
The following factors may be supplementary considerations in decisions on tenure. The weight accorded to each will vary from case to case. ([BTM,1975,09-22,005, \\_\\_](#))

- a) Service to the Institution: The faculty plays an important role in the formulation and implementation of University policy, and in the administration of the University Faculty members should therefore be judged on the degree and quality of their participation in college and University governance. Similarly, faculty contributions to student welfare, through service on committees or as an advisor to student organizations, should be recognized. ([BTM,1975,09-22,005, \\_\\_](#))
- b) Service to the Public: Service to the community, state and nation, both in the faculty member's special capacity as a scholar and in areas beyond this when the work is pertinent and significant, should be recognized. ([BTM,1975,09-22,005, \\_\\_](#))



# Multiple Position Policy for Brooklyn College Full-Time Faculty Eligibility for Additional Appointments

## Overload Appointments Within CUNY Academic Year



\*\* Non-Tenure Track full-time faculty includes lecturers, instructors and visiting or substitute professorial titles.

## Multiple Positions Outside CUNY

### Academic Year

- Faculty member must receive approval from Department Appointments Committee before employment or other external activities commence.
- Must not exceed more than an average of 1 day per week (7 hours), or its equivalent, during the academic year.
- No multiple positions permitted during a leave of absence (limited exception for Travia Leave)

## Summer Multiple Positions (CUNY)

### Annual Leave Period

- Faculty must report all compensated activities throughout the university, including teaching and non-teaching appointments, summer grant salary, and any other CUNY summer employment.
- Compensation for summer activities may not exceed three-ninths of the faculty member's annual salary (i.e., no more than one-ninth for any single month).
- The summer compensation limitation applies to all CUNY-related sources, including funds administered by the Research Foundation and college foundations.
- The above limits may be exceeded by a *college foundation* for well-documented research activities.
- During the summer annual leave period, there are generally no restrictions for employment outside of the university or its related entities.

## Reporting

**Academic Year** – All full-time faculty must submit a Multiple Position Report *every* Fall and Spring semester (even if they have no additional activities)

**Summer** – Full-time faculty must submit a Summer Multiple Position Report *only if* they are receiving compensation through CUNY for summer work.



This summary is based on CUNY Statement of Policy on Multiple Position (MGP §5.14, 6/30/2014)

The Brooklyn College "Guidelines on Multiple Positions," dated April 12, 1984, was rescinded by the Council on Administrative Policy (CAP) on April 7, 2011.



## **STATEMENT OF POLICY ON MULTIPLE POSITIONS**

### **1. PREAMBLE**

Each full-time faculty member is obligated to view his/her appointment to a college or university faculty position within The City University as his/her major professional commitment. This commitment obligates the faculty member in two ways: he/she is at once a member of the national and international world of learning and a member of The City University community. Though his/her first responsibility to The City University is that of teaching, he/she recognizes the important and essential obligation to be regularly accessible for conferences with his/her students, to participate in appropriate extracurricular undertakings, and to serve on various college and university committees and as a member of college and university councils and other assemblies.

The City University of New York is a major research university. A full-time faculty member is expected to create new knowledge in his/her discipline through scholarly research, writing, and creative works. He/she constantly makes all efforts to improve his/her professional standing through study and thought, and also through activities such as research, publication, attendance at professional conferences, and the giving of papers and lectures. Such professional involvements also enhance his/her abilities as a teacher and as a member of The City University community; such professional involvements support the value of his/her activities on campus and equip him/her to participate in significant educational innovations as well as furthering his/her professional stature.

### **2. MULTIPLE POSITIONS**

#### **a. OUTSIDE THE CITY UNIVERSITY**

Full-time appointment to a college or university faculty position is a full-time assignment. Faculty members have a responsibility to observe professional standards of behavior in becoming involved in activities supplemental thereto. No employment, consultative, or other work outside The City University may be engaged in by a faculty member unless he/she receives prior approval from the P & B of his/her department after full disclosure of his/her total academic commitment, the proposed outside employment, consultative, or other work, and other outside work theretofore approved. The P & B committee shall not approve any outside employment, consultative, or other work unless such employment or work relates to the professional interests, strengthens the professional competence, or enriches the professional performance, and does not interfere with the professional standing of the faculty member. No employment, consultative or other work, remunerative or otherwise, shall be approved by the P & B Committee or engaged in if the services of the faculty member to his/her college or the university or his/her ability to meet his/her commitments to his/her college or the University (including teaching, research, and service obligations) will be impaired thereby. If the departmental P & B approves such employment or work, the amount of time that the faculty member may expend thereon shall be determined by the departmental chairperson after

consultation with the faculty member, and subject to the review of the college president. In no event shall the total amount of time to be expended on such outside employment or work be or be approved for more than an average of one day a week, or its equivalent over the course of the academic year.

In connection with any outside employment, consulting arrangement or other work, each faculty member shall abide by, make known to the other party and incorporate in any written agreement, the following principles:

- i. The faculty member is serving in an individual capacity, and not as an agent, employee or representative of The City University and that the name of The City University or any of its constituent units may not be used in connection with the faculty member's services, other than to identify his/her employer, without the written permission of The City University.
- ii. The faculty member's primary employment responsibility is to The City University, and he/she is bound by its policies, including those related to consulting and other outside work.
- iii. In rendering services to the outside party, the faculty member may not make substantial use of The City University's resources, including but not limited to its facilities, equipment, employees, proprietary information, or clinical data bases, without written permission of The City University.
- iv. No relationship or agreement between the faculty member and another party may grant rights to intellectual property owned by The City University and/or the Research Foundation without their written authorization.
- v. The outside party may not (i) restrict or hinder the ability of the faculty member to conduct current or foreseeable research assignments as an employee of The City University, (ii) limit his/her ability to publish work generated at or on behalf of The City University or (iii) infringe on his/her academic freedom as a faculty member.

**b. WITHIN THE CITY UNIVERSITY – TEACHING**

- 1) Where the best interests of the college or the university make it desirable or necessary to draw upon full-time personnel in one unit or branch for service in another, requests for such service should originate with the principal academic or administrative officer of the requesting unit and have the approval of the principal academic or administrative officer of the other unit. It is the policy of the university and its colleges to achieve exchanges of services, wherever possible, by budgetary interchange or by the balancing of interchanged services, with no additional academic load or extra remuneration for the individuals concerned. Variations from this norm will be allowed only with the special permission of the Chancellor, or the appropriate President.

- 2) Within the framework noted in section 1, full-time non-tenure-track and tenured faculty will be eligible for consideration for an overload assignment when such assignment is determined to be in the best interest of the college and to serve a specific academic need. Permission to take on an overload teaching assignment will only be granted up to a maximum of eight classroom contact hours total over the fall and spring semesters.
- 3) In addition to the overload assignment permitted in paragraph 2, a full-time non-tenure-track or tenured faculty member will be eligible for consideration for additional overload assignments of no more than a total of six classroom contact hours during the academic year in courses offered during the Winter Session, in courses offered exclusively on Saturdays or Sundays, or in courses offered as part of on-line degree programs.
- 4) Overload teaching by full-time, non-tenured, tenure-track faculty is not permitted, but if a faculty member is not currently using the contractually-mandated research reassigned time, exceptions can be made on an individual basis with the special permission of the Chancellor, or the appropriate President.

c. WITHIN THE CITY UNIVERSITY – RESEARCH, CONSULTING, EMPLOYMENT

The City University regards scholarly activity and research as part of the normal activity and responsibility of the faculty. In fact such activities are part of the basis on which faculty members are evaluated, reappointed, or promoted. The public looks to the University as a source of new information, reinterpretations, and advancing intellectual activities. Also, the University is looked upon as a community of scholars. This carries the implication of joint scholarly effort and mutual support and availability amongst faculty and students. The faculty is given full-time annual paid employment to cover all the activities of teaching, research, consulting, curriculum development, counseling, committee work, etc.

When special funding in support of research is available, it is presumed to make possible, or easier, the scholarly activity that faculty and students wish to or are willing to pursue. Accordingly, it is the policy of the Board of Trustees that there may not be paid any extra compensation to full-time members of the faculty for work done during the academic work year. This limitation applies to research, consulting, or any other employment with The City University or any of its associated organizations, regardless of the source of funds. For the particular case of extra teaching, the policy is expressed in Section 2b above.

Under the special circumstances of an urgently needed short-term administrative and/or service assignment, a President or Vice Chancellor in the Central Office may authorize specific extra compensation for a faculty member whose services are required as an overload. This authorization must define both time and money limitations, and must state that it was not possible to relieve the faculty member of other duties to an equivalent extent. Such non-teaching overload assignments will be limited to 150 hours per semester at the nonteaching hourly rate, or

a total of 300 hours for the entire academic year. Further adjustments may be authorized by the Chancellor or the Chancellor's designee.

**d. WITHIN THE CITY UNIVERSITY – SUMMER ACTIVITIES**

Compensation for CUNY summer activities from the University and related entities, such as the Research Foundation and the college foundations, shall not exceed a total for all such activities of three-ninths of the faculty members' full-time CUNY salary. This includes, but is not limited to, teaching in a summer session in The City University of New York, performing administrative duties (such as service as a department chairperson), and conducting research paid for using funds originating from the CUNY Research Foundation. During the first three summers of a faculty member's employment at The City University, the President of a College or a Vice Chancellor, as appropriate, may authorize payment to a faculty member to conduct his/her research during the summer from tax-levy funds, subject to the same total three-ninths limitation for all summer activities noted above.

Notwithstanding the limitation in the preceding paragraph, a college foundation may pay faculty for research or additional work during the summer, in an amount that will cause the faculty member's total compensation from the University and related entities to exceed three-ninths of his/her annual salary, under the following conditions: (i) such payment is consistent with the rules and regulations applicable to the college foundation; (ii) the circumstances surrounding such payment have been rigorously documented and justified; and (iii) such payment has been approved by the Chancellor or the appropriate President.

The faculty member shall report to the college at which he/she has a full-time appointment all such summer activities in advance of participating in them to ensure that they do not exceed contractual rules or University practices.

**3. RESTRICTIONS ON MULTIPLE POSITIONS FOR FACULTY ON LEAVES FROM THE CITY UNIVERSITY OF NEW YORK**

When faculty members are granted leaves of absences, they are expected to devote their time and energy to the purposes for which the leave is granted. As a general rule, employment within or outside of the University during leaves of absence is prohibited, unless such involvement is integral to the purpose for which the leave is granted. Employment either within or outside of the University during a leave of absence requires the approval of the President, pursuant to guidelines to be promulgated by the Chancellor. Notwithstanding the forgoing, faculty on Travia Leave may be employed outside of the University with prior notice to the President, but only if they have given an irrevocable commitment to retire.

For the purposes of this policy, Fellowship Leaves and Scholar Incentive Awards will cover periods within the boundaries of the academic year, and do not include the period of the annual summer leave.

#### **4. MULTIPLE EXTRA INVOLVEMENT**

From the beginning of the fall semester until the day after spring commencement, the total extra involvement shall not exceed 300 hours of extra consultation or non-teaching adjunct work (see section 2.c), or 14 classroom contact hours of extra teaching (that is, the combined extra teaching permitted under Paragraphs 2.b.2 and 2.b.3), or a proportional combination of these two types of activities.

#### **5. MECHANISMS OF PAY**

During the academic year, all work done for CUNY must conform to the rates of pay indicated in the collective bargaining agreement.

During the summer, faculty are paid at the hourly rate to do teaching or non-teaching CUNY work in conformity with the collective bargaining agreement. Further, the pay given to faculty during the summer for service as a department chair must conform to the contractual formula negotiated for that purpose. In addition, during the summer faculty paid with funds originating from the CUNY Research Foundation must be paid at the CUNY rates of pay.

#### **6. ANNUAL REPORT**

At the regular June meeting, the Chancellor shall report to the Board the steps taken by the Presidents to implement these regulations and the extent of compliance with the limitations set. The reports shall contain details from the Presidents about all excesses over any of the guidelines herein stated, including the names of all persons involved and the specific reasons for the excesses. The University will continue to monitor overload assignments. Overload assignments shall be reported to the Board of Trustees as part of the annual report.



## PRE-TENURE YEAR REVIEW POLICY

There shall be a dean's review for each untenured tenure-track faculty member in his/her third year of service. Such review will be conducted as follows:

1. Toward the end of the spring semester, after the department chair's annual evaluation memorandum but before the spring commencement, the dean of the appropriate school, division, or other academic unit in which the faculty member serves (or if there is no such dean, the appropriate academic administrator designated by the President) shall review the professional record of the faculty member.
2. The professional record shall consist of all materials used by the chair in creating the third-year annual evaluation memorandum, plus the third-year evaluation and the contents of the faculty member's personnel file. No additional documentation shall be required. The record will not include any external reviews.
3. If the dean believes the total academic performance of the faculty member is not sufficiently set forth in the third-year annual evaluation memorandum, the dean shall prepare a draft memorandum to the department chair that specifies the strengths and weaknesses of the faculty member's total academic performance in light of the criteria for tenure consistent with established University policies. The dean shall share the draft with the department chair and discuss it, after which a copy of the draft memorandum shall be sent to the faculty member.
4. Thereafter, there shall be a meeting with the faculty member to discuss the draft memorandum. The college shall decide whether the meeting is with the dean or the department chair. If the faculty member requests it, the dean (if the meeting is with the chair) or the chair (if the meeting is with the dean) shall also be included at the meeting.
5. Within ten (10) days after the meeting set forth in paragraph 4, the dean shall issue a final memorandum to the department chair with a copy to the faculty member. The department chair shall have the faculty member initial the dean's memorandum solely to show receipt of the dean's memorandum and place it in the faculty member's personal personnel file. The faculty member shall retain all rights under Articles 19 and 20 of the PSC/CUNY collective bargaining agreement.
6. A college president may choose to conduct the dean's review for all affected faculty in the fall or spring of the faculty member's fourth year of service instead of the third year of service with notice to the faculty in which case all references to the third year in this procedure will refer to the year in which the evaluation is conducted.





# **PSC-CUNY Contract – Article 18**

## *2007-2010 Agreement*

18.1 The evaluation of the professional activities of all employees in a public institution of higher education is essential to the maintenance of academic and professional standards of excellence. The purpose of professional evaluations shall be to encourage the improvement of individual professional performance and to provide a basis for decisions on reappointment, tenure and promotions. An evaluation of professional activities shall be based on total professional performance. Written evaluation shall be on file for all employees.

18.2 (a) Evaluation of a member of the teaching faculty shall be based on total academic performance, with special attention to teaching effectiveness, including, but not limited to, such elements as:

1. Classroom instruction and related activities;
2. Administrative assignments;
3. Research;\*
4. Scholarly writing;
5. Departmental, college and university assignments;
6. Student guidance;
7. Course and curricula development;
8. Creative works in individual's discipline;
9. Public and professional activities in field of specialty.

(b) Teaching observation, as described below, is one factor in total evaluation of academic performance of the teaching staff.

1. At least once during each academic semester, non-tenured and non-certificated members of the teaching staff shall be observed for a full classroom period. One observation shall take place during any scheduled class during the first ten weeks of a semester. The employee shall be given no less than 24 hours of prior notice of observation.

Tenured and certificated members of the teaching staff may be observed once each semester.

2. (a) Each department P & B committee shall designate a panel, the size to be specified by the chairperson, of department observers (which shall include members of the P & B committee). The department chairperson shall schedule the members of this panel to conduct observations as necessary. Each observer shall submit, through the department chairperson, a written observation report to the department P & B committee within one week of the observation. These observation reports shall be considered by the committee in its total evaluation of the employee.

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\*It is understood that Lecturers and Teachers in the Hunter College Campus School shall not be required to have a research commitment.

(b) The department chairperson shall schedule the post-observation conference for the employee within two weeks after receipt of the written observation report. The post-observation conference shall include the employee and the observer. Either a member of the P & B committee or a member of the department with the rank of tenured Associate Professor or tenured Professor may be assigned by the chairperson to attend the post-observation conference at the request of the employee or the observer.

(c) Following the post-observation conference, the assigned P & B representative or the assigned senior faculty member shall prepare a record of the discussion in memorandum form for submission to the chairperson. If the post-observation conference includes only the observer and the employee, then the observer shall prepare the record of the discussion in memorandum form. The original conference memorandum shall be placed in the employee's personal file. The employee may have a copy of this document provided a signed receipt is tendered. The observation report shall be placed in the personal file.

(d) In the event that the observation or post-observation conference is not held within the time stipulated herein, the employee shall, within ten (10) working days thereafter, file a request for an observation and/or conference with the chairperson. A copy of the request shall be sent to the appropriate dean and the Office of the President. Failure of the employee to file the request within the stipulated time shall bar the employee from subsequent complaint regarding such non-compliance with Article 18.2(b), 2b) or c). Upon the receipt of the request, the college shall cause appropriate remedial action to be taken, including, if necessary, scheduling of an observation and/or observation conference by the dean or President or their designee.

(e) After ten (10) semesters of service teaching observation for adjunct personnel shall be held at the request of the chairperson or the adjunct.

Effective the Fall 2008 semester, where an adjunct's continuous appointments are immediately followed by an appointment to a Substitute full-time position on the instructional staff with no break in service, and the period of Substitute service is immediately followed by continuous appointment to an adjunct title with no break in service, the period of adjunct service immediately preceding the Substitute appointment will be added to the continuous adjunct service immediately following the Substitute service, as though there were no break in adjunct service, for the purpose of determining eligibility for teaching observation at the request of the chairperson or the adjunct.

### 18.3 Annual Evaluations:

(a) Members of the teaching faculty: At least once each year, each employee other than tenured full professors shall have an evaluation conference with the department chairperson or a member of the departmental P & B committee to be assigned by the chairperson. Tenured full professors may be evaluated. At the conference, the employee's total academic performance and professional progress for that year and cumulatively to date shall be reviewed. Following this conference, the chairperson or the assigned member of the P & B shall prepare a record of the discussion in memorandum form for inclusion in the employee's personal file. Within ten (10) working days after the conference, a copy of the memorandum shall be given to the employee. If the overall evaluation is unsatisfactory, the memorandum shall so state. The employee in such case shall have the right to endorse on the memorandum a request to appear in person before the department P&B.

(b) Members of the non-teaching staff, including Librarians, CLTs, Counselors, Student Personnel Services staff, Registrar series, HEO series and other non-teaching members of the Instructional Staff covered by this Agreement: Preferably once each semester, but at least once each year, each employee shall have an evaluation conference with the chairperson or supervisor to be designated by the appropriate dean or President. At the conference, the employee's total performance and professional progress shall be reviewed. Following this conference, the designated official shall prepare a record of the evaluation discussion in memorandum form for inclusion in the employee's personal file. A copy of the report shall be given to the employee within ten (10) working days following the conference.

(c) After four (4) semesters of service annual evaluation for adjunct personnel shall be held at the request of the chairperson or the adjunct, provided, however, that if such evaluations are conducted at the request of the adjunct, such evaluations may not be conducted more than once every four semesters.

(d) In the event that a date for yearly evaluation is not scheduled by March 1, the employee shall, within ten (10) working days thereafter, file a request for an observation and/or conference with the chairperson or supervisor. A copy of the request shall be sent to the appropriate dean and the Office of the President. Failure of the employee to file the request shall bar the employee from subsequent complaint regarding such non-compliance with the above-stated scheduling requirement. Upon receipt of the request, the dean or President shall cause appropriate remedial action to be taken to insure compliance with this provision.

18.4 In those institutions that operate on a basis other than semester (such as trimester or quarter system) the observation and evaluation provisions of this Article, where applicable, shall apply only to two of the three trimesters or two of the four quarters.

18.5 In the Hunter College Campus Schools, the respective Principals of the Elementary School and High School may, in addition to the teaching observation set forth in Article 18.2(b), conduct unscheduled observations of members of the instructional staff. If, following the observation, the principal wishes to prepare a record of the unscheduled observation, he/she shall within ten (10) days, excluding Saturdays, Sundays, and legal holidays, from the date of the observation, conduct a post-observation conference with the employee. Following the post-observation conference, the principal shall within ten (10) days, excluding Saturdays, Sundays or legal holidays, prepare a record of the discussion in memorandum form for inclusion in the employee's personal personnel file.



# **University Policies and Procedures**

## **Governing Departmental Appointments Committees**

From Personnel Advisory Memorandum on "Personnel and Budget Committee Proceedings and Departmental Elections," Office of the General Counsel, 11/1/04

### **Voting Requirements**

A majority of the whole number of voting members of the P&B committee must be present, and a majority of the whole number of voting members must vote affirmatively to pass a positive recommendation of a departmental or college P&B committee (Bylaw sections 9.7(b) and 8.12).

Votes of the P&B committees shall be by secret ballot (Bylaw sections 8.12 and 9.2).

In order to cast a vote, a faculty rank member must be physically present at the P&B committee meeting. There is no proxy or absentee voting permitted.

A P&B member who is on leave of absence or on sabbatical retains his/her voting rights in the department, unless the P&B member has otherwise agreed in advance of being granted the leave or sabbatical. As with all other faculty, he/she must be physically present to vote. A P&B member who has received notice of non-reappointment, submitted his/her resignation, or is on Travia (retirement) leave may not vote on the P&B

A P&B member should not vote on matters in which he/she has a personal or pecuniary interest, e.g., his/her own promotion or the promotion of a spouse or domestic partner. If questions arise about whether a member has a pecuniary interest, the department chairperson should consult with the college's Labor Designee.

### **Confidentiality of P&B Proceedings**

Within the University setting, discussions of candidates at P&B meetings are to be kept confidential. It is Board policy that it is professional misconduct for a member of a P&B committee to disclose the substance or even the nature of the discussion at a P&B meeting (Max-Kahn Memorandum). The vote counts are also confidential and should not be disclosed. In view of Board emphasis on the confidentiality of P&B proceedings for the purpose of obtaining the candid opinion of other professionals in the field on their colleagues, as well as the frank exchange of the views of the members of the committee, the deliberations of the committees should not be disclosed to non-members, including other members of the department and the candidate.