

Guidelines for Establishing and Revising Departmental By-laws

9 May 2012

Introduction:

- Hunter College is governed by the most recently approved versions of the *By-laws of the CUNY Board of Trustees* (“BoT”) and *The Charter for a Governance of Hunter College* (“Charter”). The *Charter* stipulates that all college departments must establish departmental by-laws and must ensure that their by-laws are approved by the Hunter College Senate.
- The purpose of departmental by-laws is to specify the way departmental meetings are to function, the procedures through which officers of departments are selected, and the make-up and responsibilities of various departmental committees. Well-written by-laws help ensure transparent and effective departmental governance.
- Accordingly, the Hunter College Senate’s Committee on Departmental Governance offers these Guidelines for Establishing and Revising Departmental By-laws. Specifically, the Guidelines explain what by-laws *must* include, according to the governing documents at this time, and what they *may* include or often include.
- In addition, the Guidelines offer information that we hope will allow departments to determine how they want to structure departmental governance. Please note that these guidelines are drafted for use by Departments and not by Schools or Programs, which may have separate issues and be subject to different rules.
- Departmental by-laws should serve the needs of the department’s particular faculty and students, provided those by-laws are consonant with the College’s and University’s governing documents. These needs may vary among departments based on the size and culture of the department and other factors.
- Because of the changing faculty membership of departments, and the varying nature of disciplines, the Committee on Departmental Governance recommends that departments review and, if necessary, revise their by-laws regularly—at least once every seven years—and make their by-laws easily accessible by members of their department. The office of the Hunter College Senate will also retain and make available copies of all current departmental by-laws.

Article I—Organization

A. Voting Membership

1. Departmental by-laws should specify who is considered a member of the department and what rights and responsibilities they have.

A) While everyone associated with a department—full-time faculty, secretarial staff, HEOs, college laboratory technicians, college office assistants, adjuncts, and others—is in a very real sense a member of the department, these different categories have different rights and responsibilities. Some of these rights and responsibilities are explained in BoT, Articles VIII and IX, while others may be decided by departments and specified in departmental by-laws. Depending on the tasks and needs of a department, these may vary. Typically, the following definitions are included in departmental by-laws:

- 1) Members of the department who hold the titles of Professor, Associate Professor or Assistant Professor (both tenured and tenure-track) have “Faculty Rank” (BoT, VIII.1).
- 2) Members of the department in the titles of Instructor or Lecturer (full-time) who have been reappointed on an annual basis for a third or later year have “Faculty Status” (BoT, VIII.2).
- 3) Members holding Faculty Rank and Faculty Status typically vote on educational policy and other departmental matters (see section on Department Meetings, below). Members of the department who are visiting professors, adjunct faculty, students or have other titles may also vote on educational policy and other departmental matters, provided their rights are articulated in departmental by-laws. More restrictive rules apply for voting in the triennial elections for Chair and members of the Personnel and Budget committee. (See section on Elections, below.)

B. Officers

1. Departmental by-laws should identify the officers of the department, how each is selected, and the scope of their responsibilities.

A) Every department must have a Chair. The responsibilities of the Chair’s position are discussed in BoT Article IX, section 3. They include assigning courses, presiding at department meetings, presiding at Personnel & Budget Committee meetings, and generally supervising and administering the department. Other rules governing the Chair’s position including eligibility to serve, election mechanics, term, and removal are provided in Article IX of the BoT.

- B) Many departments have additional officers such as a Deputy Chair and a Secretary who may be either elected by the faculty or appointed by the Chair. If a department chooses to have such additional officers, the method of selection as well as the term of office for each officer should be stated in the department's by-laws, as should the process by which the officer may be replaced (if, say, the officer is on leave) or removed during the term of service.

C. College Governance Representatives

1. Departmental by-laws should identify how members of the faculty, and students, are elected and serve as representatives to college governance bodies.

- A) Faculty and student participation on the Hunter College Senate is defined by Articles III and IV of the *Charter*. Article IV, section 2 of the *Charter* details the way in which faculty and student members are to be elected by their respective constituencies.
- B) Faculty and student participation on the School/Divisional Curriculum Committee is defined in Article VIII of the *Charter*.
- C) Faculty participation on the Faculty Delegate Assembly (FDA) is specified by the requirements of the FDA.

Article II—Department Meetings

A. Departmental by-laws should indicate how meetings are called, who may attend meetings, and who may vote during meetings, as well as the basic rules of order to govern such meetings.

- 1. **Calling Meetings.** Departmental by-laws should specify the minimum frequency of departmental meetings, the procedures for calling additional meetings, and the manner through which members shall be notified of meetings.
 - A) Many departments schedule meetings once per month.
 - B) By-laws should also provide a mechanism by which additional meetings can be called. It is standard practice that by-laws state that additional meetings may be called at the discretion of the Chair. In addition, it is also typical to have provisions in by-laws that do not involve the Chair for calling additional meetings, for example, at the request of any four members of the Departmental Policy committee, or at the request of 20% of the voting membership of the department.

- C) By-laws should also indicate the minimum advance notice that must be provided for a meeting. Many departments require that written notification of departmental meetings be sent to all members of the department no less than one week prior to the meeting date. Typically, a statement of the agenda of the meeting accompanies such notification.
- D) Departments may wish to specify in their by-laws whether email or other form of electronic notification and circulation of the agenda is sufficient to constitute written notification.

2. **Attendance/Voting.** Departments should specify who shall be eligible to attend department meetings and on which matters they are eligible to vote.

A) Attendance

- 1) By-laws should make clear whether any groups that are not voting members may attend department meetings. For example, in departments that do not permit adjuncts, administrative personnel, or students to vote, by-laws should address whether any of those groups may attend meetings. Note that anybody may be invited to a specific meeting even if they do not have a right to attend meetings in general.

B) Voting

- 1) As noted in the section on Membership, above, departments may have different eligibility for voting at department meetings for routine business—which may include instructors, uncertificated lecturers, adjuncts, administrative personnel and students—and for triennial departmental elections for the Chair and Personnel and Budget Committee (see also section on Elections, below).
- 2) According to the BoT, only department members with Faculty Rank may vote for the Departmental Chair and for members of the Departmental Committee on Personnel and Budget (P&B) in the triennial departmental election (BoT, IX.1.b. & IX.1.e). In addition, in 1983, Hunter requested and received a waiver through which Lecturers may vote in the triennial departmental election for Chair and Personnel and Budget committee, provided they hold a Certificate of Continuing Employment (CCE). (For details, see section on Elections, below.)

3. Rules of Order for Department Meetings

A) Department By-laws should specify any rules that apply to Department meetings, including rules for quorum.

- 1) The most common standard for a quorum is majority of voting members; however, departments may choose a smaller or larger number. (A larger quorum can impede the Department's ability to conduct business if attendance is not reliable.)
- 2) It is also standard to provide that the department Chair will preside at meetings; an alternative procedure is often indicated for when the Chair is not available.
- 3) Many departments run their meetings in accord with *Robert's Rules of Order* and provide for the appointment of a parliamentarian.

Article III—Committees - The Department must establish the following committees: Personnel and Budget Committee, Policy Committee, and Committee on the Evaluation of Teaching. Each committee's membership, responsibilities, and frequency of meetings should be clearly described in the by-laws:

A. Personnel and Budget Committee

1. The membership and responsibilities of, and procedures pertaining to, Personnel and Budget Committees ("P and Bs") are articulated in the BoT in what, at the time of the writing of these guidelines, is Article IX. The information below repeats some of that information in abbreviated form.

A) Membership: Eligibility and election procedures for departmental P and Bs are governed by the BoT (IX.1), which states that the committee shall consist of the Chair and, where possible, of four other members who must have Faculty Rank. Four of the faculty members serving must also be tenured (IX.1). (For departments with fewer than five members, see IX.1.e.)

- 1) Members and Alternates are elected at the same meeting as the election of the department's Chair, in triennial elections (see Elections, below).
- 2) By-laws should detail any additional departmental membership requirements for serving on the P and B. For example, some departments have drafted their by-laws to ensure representation on the P and B of different programs within the department. Any such additional requirements need to be carefully drafted to ensure that they do not conflict with BoT requirements.

B) Responsibilities: The responsibilities of the P and B committee include reviewing and recommending the appointment, reappointment, reappointment with tenure (IX.7.b) and promotion (IX.8) of academic personnel.

1) Recruitment for Appointments: The primary responsibility for recruitment of faculty rests with the department Chair. Departmental P and B and search committees are accountable to the Chair for their recruitment efforts, and they should maintain written records of the recruitment process (BoT IX.6).

a) At Hunter, the Dean for Diversity and Compliance approves searches and circulates documents outlining procedures for searches. According to the latest available procedures, the Chair may appoint up to seven department members to serve as a search committee. These members may or may not also be members of the P and B.

b) Departments have different procedures to solicit faculty input (besides that of P and B and/or search committee members) regarding finalists for faculty positions. This faculty input is non-binding and the P and B officially decides among candidates, while the Chair recommends P and B-approved candidates to the administration.

C) Meetings: Departmental by-laws typically state the minimum number of meetings this committee shall have per semester.

1) A vote to recommend appointments, reappointments, promotion, and tenure may only be made with the affirmative vote of a majority of the committee members (not just a majority of those present).

2) A secretary should be appointed to take minutes for committee meetings. The P and B should keep minutes of its proceedings conforming insofar as is practicable to *Robert's Rules of Order*, and with respect to personnel actions in accordance with CUNY by-laws. (See IX.2.)

B. Departmental Policy Committee

1. According to the *Charter (XI. 2)*, departments must establish a **Policy committee or Policy committees** (undergraduate and graduate) and are encouraged to establish policy-making structures that suit their size and needs.

- A) **Membership:** The *Charter* states that such committees should be comprised of an equal number of faculty and student members. (Please note: the Departmental Governance committee is petitioning the *Charter* committee to reconsider this rule.) The time and method of selection of members of the policy committee (and its Chair) should be established in the by-laws.
- B) **Responsibilities:** The policy committee initiates and reviews recommendations for changes in departmental policy and reviews the adequacy of departmental governance, initiating proposals for amendments in the by-laws as required. In departments that do not have undergraduate and/or graduate curriculum committees, the policy committee reviews curriculum proposals.
- 1) In departments that do not have other committees dealing with these issues, the Policy Committee might also perform some or all of the following tasks: recommend departmental policies aside from those involving personnel and budget; monitor the changing nature of the academic discipline of its department; establish and publish election procedures; and develop strategies for determining the department's priorities and direction. Likewise, it may recommend policy regarding the conduct of the Department's advisement of its major and graduate degree program students; and it may head self-studies or, in consultation with the Chair, help plan an external review. The committee's responsibilities within any given department should be clearly articulated in that department's by-laws.
- C) **Meetings:** Departmental by-laws typically state the minimum number of meetings this committee shall have per semester. The *Charter* stipulates that department policy committee meetings are to be scheduled so as to ensure the ability of day and evening undergraduate and graduate students, and faculty to participate. A secretary should be appointed to take minutes from Policy committee meetings.

C. Departmental Committee on the Evaluation of Teaching

1. According to the *Charter*, XI.3, departments must establish a **Departmental Committee on the Evaluation of Teaching**. This committee considers college- and university-wide policies and procedures relating to the evaluation of teaching. Teaching evaluations are used in annual evaluations and in decisions regarding reappointment, promotion and tenure; mentoring faculty regarding classroom instruction; and comparing strengths and weaknesses within and between departments.

A) Membership: The *Charter* states that this committee should be almost entirely comprised of student majors. (Please note: the Departmental Governance committee is petitioning the Charter committee to reconsider the requirement for student membership.) In addition, one faculty member should serve on the committee, ideally acting as a liaison between the students and the faculty.

- 1) The faculty member and an alternate are either appointed by the Chair or elected by the faculty, as provided in the departmental by-laws.

B) Responsibilities: This committee is responsible for overseeing the administration of student evaluations, reporting the results to the Chair, and carrying out other functions envisaged by XI.3, of the *Charter*.

- 1) Student evaluations of faculty are to be conducted routinely in every course every semester.
- 2) The Committee on Evaluation and Teaching may also develop additional evaluation tools to assess instruction in laboratory courses, studios, and other nontraditional classroom settings, and in order to assess the use of new forms of instructional technology.

C. Optional Departmental Committees

1. In addition to the three required committees, a Department may establish such additional committees, standing as well as ad-hoc, as it deems necessary. For each standing committee, departmental by-laws should indicate the number of members and the means through which they are selected, as well as the committee's responsibilities. For ad hoc committees, the By-laws should indicate how the committee is to be created. Note that not all ad hoc committees need to be enumerated in the Department's by-laws.
2. Departmental by-laws should also either indicate general rules for department committee meetings (including quorum requirements, frequency of meetings, minimum notice of meetings, method through which committee chairs are chosen, and responsibilities for taking minutes) or a mechanism for how such rules are to be determined for each committee (aside from the three required committees, which are determined by the BoT and the *Charter*).
 - A) While Robert's Rules of Order may apply, many departments may prefer a less rigid rules structure for special/optional committees.

3. List of Sample Optional Committees—derived from committees in various Hunter College Departments’ existing by-laws:
 - A) Grade Appeals Committee (Please note that every department must have a committee for evaluating grade appeals, but that it does not have to be a standing committee.)
 - B) Undergraduate and/or Graduate Course of Study Committee (sometimes called Curriculum Committee) (Please note that Policy committees are required but curriculum committees are not. See section on Policy Committee, above.)
 - C) Committee on Extra-Departmental College Relations
 - D) Prizes, Honors, and Awards/Fellowships Committee
 - E) Committee on Research
 - F) Committee on Social Affairs
 - G) Committee on Student Relations & Guidance/Advisers Committee (sometimes called Committee on Educational, Vocational and Personal Guidance Committee)
 - H) Student Affairs Committee
 - I) Tutoring Committee
 - J) Committee on Equipment and Funds
 - K) Search Committee for Faculty Positions (see section on Personnel and Budget Committee, above)
 - L) Committee on Committees
 - M) Agenda Committee

Article IV--Elections

A. Triennial Elections for Department Chairperson and Personnel and Budget Committee

The electorate, electoral procedures, and eligibility to serve either as Chair or on the P and B Committee should be specified by the departmental by-laws. Many of the details are mandated by the BoT (in section IX.1). The sections below repeat some, but not all, of the requirements and procedures. Please note that departments may also choose to elect Deputy Chairs during this meeting, though BoT by-laws do not require that the same procedures be followed.

1. **Electorate:** All members of the instructional staff of the department who hold Faculty Rank may vote. (For definition of Faculty Rank, see section on Membership, above.) Lecturers at Hunter holding a Certificate of Continuing Employment (CCE) may also vote in the triennial elections.

2. **Electoral Procedures:** Departmental elections for the Personnel and Budget Committee and for Department Chair are governed by the BoT (IX.1), which stipulates that the elections for P and B and Chair must be held at the same time—i.e. during the same meeting (although under extraordinary circumstances the meeting may be suspended and reconvened as soon as reasonably possible). By-laws should indicate the order in which voting takes place, e.g. first Chair election and then P and B, and then P and B alternates.
 - A) The term of office for Chair and for P and B is three years and the elections are to be held triennially, in the first week of May of the year in which the current Chair's term of office expires. Elections must proceed via secret ballot. By-laws should stipulate which members of the faculty (e.g. members of the Policy Committee, Committee on Committees, or others) or departmental staff will count votes. Proxy or mail voting is prohibited; all voting must take place in person during the department meeting.
 - B) The Chair of the Department and the four other members of the Personnel and Budget Committee must be elected by a majority of those eligible to vote. By-laws should stipulate how nominations for these positions should take place, and should include the minimum number of nominations necessary to stand. The BoT by-laws do not require a nominated member of the department to be physically present to accept or reject the nomination; however, departments typically require each candidate to acknowledge his/her willingness to serve. By-laws should indicate the course in which events shall unfold in the case were majorities are not reached, i.e. if multiple ballots are required. The election of Department Chair is subject to the approval of the President and the Board.
 - C) Each department also elects two alternate members of the P and B. An alternate serves when a regular member is on leave from the committee for a specified period of a term or longer, or when in the determination of recommendations for reappointment, promotion or tenure the disqualification of regular members would reduce the membership to three or fewer. Department by-laws should also specify the procedures for the election of an Acting Chair should a vacancy occur prior to the conclusion of the three-year term. Please note that if the department has a Deputy Chair, the Deputy Chair does not automatically assume the position of Chair; there must be a formal election for Chair.
3. **Eligibility to Serve:** The department Chair must be tenured or approved for tenure at the time of election, unless the college obtains a waiver from the CUNY BoT. The other four members of the Personnel and Budget committee must hold Faculty Rank and at least three must be tenured. (For departments with fewer than five members, see BoT IX.1.e.)

Article V—Amendments

- A. **By-laws should detail the means in and through which proposed amendments to departmental by-laws should be submitted to and approved by the departmental faculty.** By-laws should state how notice shall be given and whether a majority or super-majority vote is required for an amendment to pass.
1. Often, departments require proposed amendments to be distributed a certain number of days in advance of the meeting at which the proposal is to be considered.
 2. Often, departments require approval for amendments from a majority of voting members in the Department.
 3. Please note that amendments to departmental by-laws must be approved by the Hunter College Senate.
- B. **Departmental by-laws should make clear that, as Departmental by-laws are superseded by the BoT and the *Charter*, in the event that the BoT or *Charter* is amended or provisions deleted or waived, the corresponding departmental by-laws shall be deemed to have been similarly amended, deleted, or waived.**

SAMPLE LANGUAGE FOR BY-LAWS

Developed by the Hunter Senate Committee on Departmental Governance, the following document is intended only to suggest *possible* language in departmental by-laws and should not be considered a model or a template for by-laws. Departments differ in size, needs and traditions, all of which determine the form and substance of their by-laws. Departments wishing to establish or revise departmental by-laws are urged to carefully read the Guidelines that precede this sample language for important information concerning the choices they have. In order to illustrate some of the choices available to departments, the text below provides optional language included in brackets. For example, under Department Meetings, the possible text reads, “There shall be at least one departmental meeting per [month] [semester] [year].” Even the language *not* in brackets is intended solely for illustration purposes. Departments are free to use any language and structure, so long as it is consistent with the Guidelines (and with the College and University’s governing documents). The italicized text appearing below is explanatory and is not to be included in by-laws.

ARTICLE I – ORGANIZATION

A. VOTING MEMBERSHIP

1. For educational policy and routine business, voting members of the Department shall be:
 - a) All those holding Faculty Rank (i.e. hold the title of Assistant Professor, Associate Professor, Professor or Distinguished Professor)
 - b) All full time Lecturers with a Certificate of Continuous Employment (CCE)
 - c) [All full time, uncertificated Lecturers, Distinguished Lecturers, Visiting Professors,]
 - d) [Undergraduate or graduate students pursuing a major in the Department]

Only the first two categories above are eligible to vote in triennial elections for P and B. See Elections, below.

B. OFFICERS - The officers of the Department shall be:

1. A Chair who shall be elected for a three-year term.

For election of Chair during triennial elections, see elections, below.
2. [A Deputy Chair who shall be [elected by a majority of those eligible to vote for Chair]/[appointed by the Chair] and who shall assist the Chair in performing departmental responsibilities.]
3. A Secretary who shall be [elected by a majority of those eligible to vote in the department] [appointed by the Chair] and who shall have the responsibility of preparing and distributing the announcements and record of minutes of department meetings.

For information concerning removal of officers, see Guidelines and appropriate sections of BoT.

C. COLLEGE GOVERNANCE REPRESENTATIVES

For detailed information concerning faculty and student participation on the Senate, see Charter, articles III, and IV; for faculty and student participation on the School/Division Curriculum Committee, see Charter VIII; for faculty participation on the Faculty Delegate Assembly, see requirements issued by the FDA.

ARTICLE II - DEPARTMENT MEETINGS

A. CALLING DEPARTMENT MEETINGS

1. There shall be at least one department meeting per [month] [semester] [year].
2. Additional meetings may be called at the discretion of the Chair. In addition, the Chair must call a meeting of the Department within [ten] working days at the request of [twenty] percent of the voting members of the Department.
3. Written notice of departmental meetings shall be sent to all voting members of the Department no less than [five] working days in advance of the meeting date. An agenda of the meeting shall accompany such notification. [Notification may occur through e-mail.]

B. ATTENDANCE AT DEPARTMENT MEETINGS

1. [Meetings shall be open to Voting Members of the Department only]. [The Chair may choose to open some or all of a meeting to others as appropriate] [subject to consent of the Voting Members of the department].

C. RULES OF ORDER FOR DEPARTMENT MEETINGS

1. A quorum for Department meetings shall consist of the majority of the Voting Members of the Department.
2. The Chair shall preside at all meetings of the Department. In the absence of the Chair, [the Deputy Chair shall preside] [a presiding officer shall be elected by majority vote of all those present who are eligible to vote at Department meetings].
3. The Chair may appoint an individual who is eligible to vote at Department meetings to act as parliamentarian for such meetings. Except where it conflicts with these By-Laws, the latest edition of *Roberts Rules of Order* shall be followed at all meetings.

ARTICLE III: COMMITTEES

A. PERSONNEL AND BUDGET COMMITTEE

This Committee shall be governed by the provisions of the BoT (See esp. Section IX.1). In accordance with those provisions, the following rules shall apply:

1. Membership/Elections
The committee shall consist of the Department Chair and four other members who must have Faculty Rank (i.e. hold the title of Assistant Professor, Associate Professor, Professor or Distinguished Professor). Four of the faculty members serving must also be tenured.
2. Responsibilities
The responsibilities of the Personnel and Budget Committee include reviewing and recommending the appointment, reappointment, reappointment with tenure and promotion of academic personnel. [At the discretion of the Chair, this Committee may also serve as the search committee for new faculty positions in the Department.]
3. Meetings
The Committee shall meet as often as necessary to conduct its business [and at least once each semester]. Decisions regarding appointment, reappointment, reappointment with tenure and promotion of academic personnel shall require a majority vote of all members of the committee and shall be by secret ballot. The result of the balloting shall be duly recorded in the committee's minutes. The recommendations of the committee shall be submitted by the Chair to the president and appropriate college committee on personnel and budget in accordance with procedures set forth in the BoT.

B. DEPARTMENTAL POLICY COMMITTEE

1. Membership
Membership of the Committee shall consist of:
[Four] elected tenured or tenure-track faculty members to serve for terms of up to three years. The Department may choose to have terms overlap.

[Four] [undergraduate majors and/or graduate] students elected [from their respective ranks]. [If the students fail to elect members, undergraduate majors may be chosen by the Chair.]

The number of faculty and student members of this committee must be the same.

2. Responsibilities

The Policy committee shall initiate, review and make recommendations with respect to changes in departmental policy and review the adequacy of departmental governance, initiating proposals for amendments in these by-laws as required. [It shall also appraise the curriculum offered by the Department, reviewing and proposing recommended changes and recommend policy regarding the conduct of the Department's advisement of its major students.] The Policy Committee shall also be responsible for the supervision of all Departmental elections [and publish election procedures.] [The Committee shall also monitor the changing nature of the academic discipline of the Department, head self-studies, and help plan external reviews.]

3. Meetings

[At least two] meetings shall be held per semester and shall be scheduled in such fashion that no member shall be constrained by regular duties to miss more than half of these meetings.

C. COMMITTEE ON EVALUATION OF TEACHING

This Committee shall be governed by the provisions of the *Charter* (See esp. XI: 3.) In accordance with those provisions, the following rules shall apply:

1. Membership

[Two] students elected by the undergraduate majors from their ranks [and one student elected by the graduate students from their rank]. One member of the faculty and an alternate shall be [elected] [appointed by the Chair]

2. Responsibilities

This committee shall be responsible for [providing for distribution the college's evaluation materials], [and if desired] preparing a departmental questionnaire in consonance with guidance from the Senate Committee on the Evaluation of Teaching. It shall also report the results of such evaluations to the Department.

D. OPTIONAL DEPARTMENTAL COMMITTEES

The Department may establish such additional committees – either standing or ad-hoc -as it deems necessary. [A majority of voting members present at a department meeting shall approve membership of these committees] [OR] [The Chair shall have the authority to appoint the members of these committees]

E. RULES OF ORDER FOR DEPARTMENTAL COMMITTEES

Unless otherwise specified at the time the committee is created, [a majority of the entire committee] shall constitute a quorum. Except with respect to the Personnel and Budget Committee, the act of the majority of committee members present at a meeting at which a quorum is present shall constitute the act of the committee. [The term of membership shall be one year.]

Each Committee may adopt other rules for its own governance not inconsistent with these by-laws, the Charter and the BoT.

ARTICLE IV – TRIENNIAL ELECTIONS FOR CHAIR AND PERSONNEL AND BUDGET COMMITTEE

A. Elections for Department Chair and Personnel and Budget Committee are governed by the BoT (See Section IX.1). In accordance with those provisions, the following rules shall apply:

1. Electorate

Those eligible to vote shall be: All members of the instructional staff of the Department who hold Faculty Rank (Assistant Professors, Associate Professors, Professors and Distinguished Professors) and all Lecturers holding a Certificate of Continuing Employment (CCE).

2. Electoral

Procedures

Elections for members of the Personnel and Budget Committee and Chair shall be held at the same time [i.e. at the same meeting] in the first week of May of the year in which the current Chair's term of office expires. [Nomination and] election of candidates must be by secret ballot. Faculty must be present in person during the Department Meeting in order to vote. Proxy or mail voting is prohibited. Candidates must be elected by a majority of those eligible to vote.

3. Term

The term of office for both Chair and Personnel and Budget Committee members shall be three years.

4. Eligibility to Serve

Candidates for Chair must be tenured or approved for tenure at the time of election, unless the college obtains a waiver from the BoT. The other four members of the Personnel and Budget committee must hold Faculty Rank and at least three must be tenured.

5. Alternates

Two alternate members of the Personnel and Budget Committee shall also be elected. An alternate serves when a regular member is on leave from the committee for a specified period of [a semester or longer], or when in the determination of recommendations for reappointment, promotion or tenure the disqualification of regular members would reduce the membership to three or fewer.

6. Vacancy or Removal of Chair

In the event that the Chair is on leave or otherwise unable to serve for any portion of the three-year term for a period of a semester or longer, the Department shall hold a special election to elect an Acting Chair for such period. The election procedures and eligibility requirements shall be the same as for Chair. *Note that the Deputy Chair does not automatically become the Chair in the Chair's absence.* Officers other than the Chair may be removed [in the same manner in which they were selected] [by a two-thirds majority vote of those present OR eligible to vote] The Chair may be removed as provided in BoT IX.1.c.

7. Oversight of Elections

Elections shall be overseen by [the Departmental Policy Committee]

ARTICLE V – AMENDMENTS AND RELATION TO GOVERNING DOCUMENTS

- A. All proposed amendments to these By-laws shall be submitted in written form and distributed to all voting members of the Department at least [five working] days in advance of the meeting at which the proposal is to be considered.
- B. An amendment to the By-laws shall become effective when it has been approved by [a majority of] the voting members of the Department and by the Hunter College Senate.
- C. The BoT and the *Charter* shall supersede these By-laws where inconsistencies exist. To the extent a relevant BOT By-law or Charter provision is amended or waived, the corresponding section of the Departmental By-laws shall be deemed to have been amended or waived.