

University Faculty Senate

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May 11, 2009

TO: CUNY Chancellor Matthew Goldstein & Cabinet  
CUNY Board of Trustees  
CUNY UFS Senators  
CUNY College Presidents  
CUNY Provosts  
CUNY Council of Faculty Governance Leaders

FR: Manfred Philipp, Chair

For your information, the UFS plenary, with 71 members attending, took the following actions last Tuesday night:

Unanimously passed three resolutions (please see following pages):

*Resolution Opposing Term Limits for Department Chairs*  
*Resolution in Support of Part-Time Study Opportunities*  
*Resolution on Filtering and Blocking of Websites*

Elected five members of its Executive Committee:

Five at-large members of the Executive Committee were elected: **Stefan Baumrin** (Philosophy, Graduate School & University Center), **Sandi E. Cooper** (History, College of Staten Island), **Anne Friedman** (Developmental Skills, Borough of Manhattan Community College), **Terrence Martell** (Weissman Center for International Business, Baruch College), and **Philip Pecorino** (Social Sciences, Queensborough Community College). The 4 officers are continuing their 2-year terms: Chair Manfred Philipp (Chemistry, Lehman), Vice Chair Lenore Beaky (English, LaGuardia Community College), Secretary Martha Bell (SEEK, Brooklyn), and Treasurer Karen Kaplowitz (English, John Jay College of Criminal Justice).

**Resolution Opposing Term Limits for Department Chairs**

Whereas, the CUNY Board of Trustees will be asked to vote in June on a Bylaws change that would impose a two-term limit on elected department chairs (text from OGC below, undated), and

Whereas, the Council of Faculty Governance Leaders voted unanimously on May 1 to reject the proposal for the reasons cited below:

- 1) Faculty members' right to elect a chair of their departments to represent them is an important power. Any Board action to limit or truncate this power can only be viewed as an attack on faculty governance and faculty voice.
- 2) Mechanisms already exist to remove chairs at any time who are not performing adequately, especially presidential action.
- 3) The Bylaws already require that elections take place by secret ballot every 3 years, which ensures that all eligible faculty have an opportunity to be elected if the faculty of the department deems it in the best interest of the department and the college.
- 4) The job of chair is complex: acquiring the expertise to do it well takes time, making continuity valuable.
- 5) The proposed maximum 6-year term for chairs is not consistent with the current 7-year tenure clock. An important function of chairs is to mentor younger faculty from their hiring to their getting tenure. Shortening the term of chairs would significantly disrupt this process.
- 6) Lack of proper consultation: the proposal surfaced two weeks ago, just before the end of the semester and after the point at which many college senates have already had their final meeting of the year.

Therefore, Be It Resolved, that the University Faculty Senate joins the Council of Faculty Governance Leaders in urging the Board of Trustees to reject this proposal.

Proponent: Executive Committee

*Present for the Council of Faculty Governance Leaders vote were UFS Chair Manfred Philipp, and Professors Jason Young (Hunter College), Martha Bell (Brooklyn College), Hector Lopez (Hostos CC), Stefan Baumrin (Graduate School), Rosalind Carey (Lehman College), Donald Hume (Kingsborough CC), Lenore Beaky (LaGuardia CC), Leslie Jacobson (Brooklyn College), Roberta Klibaner (College of Staten Island), Elizabeth Lowe (Queens College), Karen Kaplowitz (John Jay College), Emily Tai (Queensborough CC), Phil Belcastro (BMCC), Ruth Bass (Bronx CC), and Peter Parides (NYCCT).*

THE CITY UNIVERSITY OF NEW YORK - PROPOSED AMENDMENT TO ARTICLE IX OF THE BYLAWS:

RESOLVED, That the Bylaws of the Board of Trustees be amended as follows

**(additions indicated by underscoring):**

Section 9.1 Department Organization

[No revisions to subsection a]

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. **Department chairpersons may serve for no more than two consecutive terms, unless a waiver of this limitation is Granted by the president because of unusual circumstances and in the best interests of the department and the college. Service as a department chairperson for more than one-half of a three-year term will be considered service for a full term for purposes of determining eligibility for additional service.** 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. Department chairpersons who are not tenured professors, associate professors or assistant professors on January 1, 1976 may fill out their unexpired terms as chairpersons, subject to the provisions of sections 9.1.(c) and 9.6.(a) of these bylaws.

[No revisions to subsections c, d, e, f, g]

RESOLVED, That the above-mentioned amendment take effect at the end of the term of department chairpersons starting in the 2009-10 academic year.

**EXPLANATION:** The proposed amendment revises Article IX of the Bylaws to limit the service of department chairpersons to two consecutive terms. Limiting a department chairperson's service to two (three-year) terms will give more faculty the opportunity to serve as chairpersons, performing an important service to the department and to the college. As different faculty members have diverse viewpoints and leadership styles, the department will benefit by having new department chairpersons who will bring fresh ideas and approaches to managing their departments. The college president may waive this term limit because of unusual circumstances and in the best interests of the department and the college (e.g., a very small department where there is literally no one else who could serve as chairperson). In order to avoid disturbing the elections that have just taken place or having special elections for department chairpersons who have served longer than this term limit allows, this amendment will take effect at the end of their terms starting in the 2009-10 academic year.

University Faculty Senate

Proposed: May 5, 2009

Adopted: Unanimously

### **Resolution in Support of Part-Time Study Opportunities**

Whereas, prohibitions against part-time study deprive many students of the possibility of acquiring the benefits of higher education and hence the opportunity to compete fully in the marketplace or to realize their potential,

Therefore, Be it Resolved, that the UFS affirms the value of a higher education even for those who only attend part time, and

Be it Further Resolved, that the UFS holds that CUNY prohibiting the enrollment of part time students in CUNY Degree programs stands against the historic mission of The City University of New York and against the specific provisions of its charter,

Be it Finally Resolved, that the UFS is opposed to any CUNY prohibition preventing part-time students from enrolling and matriculating into any degree program of The City University.

Proponent: Executive Committee

University Faculty Senate

Proposed: May 5, 2009

Adopted: Unanimously

### **Resolution on Filtering and Blocking of Websites**

Whereas, the BOT has a Computer Use Policy that prohibits the filtering and blocking of website access due to content, and

Whereas, there are violations of that provision of the policy now occurring at several units,

Therefore Be it Resolved, that the UFS insists that Officers of the University enforce that provision of the policy and insure that faculty and students have access to the information networks of the world.

Proponent: Executive Committee