

**UNION COUNTY COLLEGE**  
**FACULTY BY-LAWS**

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## UNION COUNTY COLLEGE

### FACULTY BY-LAWS

Enacted by the faculty of Union County College in accord with Article XIX "Powers and Organization of the Faculty" of the agreement between the Board of Trustees of Union County College and the Union County College Chapter of the American Association of University Professors, hereafter referred to as the Agreement.

Revised: November 1995, April 2000, October 2001, November 2001, and January 2002

#### **PREFACE**

In order to promote an effective and balanced system of college governance, there shall be established a faculty organization known as the Union County College Faculty.

#### **ARTICLE I**

##### **I. POWER AND AUTHORITY**

- A. The power and authority of the Faculty of Union County College derives from the majority will of all full-time faculty members as assembled in regular or special meetings or otherwise delegated by these By-Laws.
- B. The Board of Trustees, Board of Governors, President, and other high administrative officers of Union County College, and its predecessor institutions, have traditionally recognized this authority based on principles of collegiality, academic freedom and tenure, and shared governance. These principles are a defining characteristic of institutions of higher education and they shall continue to be safeguarded by these By-Laws.
- C. The authority and power of the Faculty is further defined by existing collective bargaining contracts in those areas of collegiate governance where binding legal obligations are agreed to by the Union County College Board of Trustees and the Faculty collective bargaining agent. However amplified and protected by the processes of labor bargaining, the

rights and duties of the Faculty predate and are not limited to those found in collective bargaining agreements.

## **ARTICLE II**

### **II FACULTY RESPONSIBILITIES**

- A. Primary responsibility for educational and instructional matters, such as curriculum, course of instruction, research, and those aspects of student life that relate to the educational process is vested in the Faculty. The Faculty expects that on these matters the power of review or final decision lodged in the Board of Trustees or delegated by it to the President will be exercised adversely only in exceptional circumstances and for reasons communicated in writing to the Faculty.
- B. The establishment of requirements for degrees in course, the determination that such requirements have been met in any individual case, and the recommendations to the Board that degrees in course be conferred are responsibilities vested in the Faculty.
- C. The Faculty bears initial and substantial responsibility for recommendations on Faculty status and related matters, in particular for appointments, reappointments, promotions, and the granting of tenure. Determination in these matters shall involve first, Faculty action through the appropriate academic departments and faculty committees; second, review by the academic administration and President; and third, reference to the Board of Trustees.
- D. Through appropriate committees, the Faculty may advise the President and Board of Trustees on:
  - 1. Framing and executing long-range plans or Master Plans
  - 2. Determining the use of existing and prospective physical resources

3. Determining long- and short- range priorities in the deployment of financial exigency and steps to be taken in dealing with severe financial problems
4. Selecting of the President and other principal academic officers
5. Determining policies affecting the Faculty

### **ARTICLE III**

#### **III. DEFINITION OF FACULTY MEMBERSHIP**

- A. *Members of the Faculty* All full-time members of the instructional staff and all full-time members of the professional library staff of Union County College (UCC) are full voting members of the Faculty.
- B. *Adjunct Faculty* Part-time members of the instructional staff, not defined under III:A, are considered members of the Adjunct Faculty.
- C. *Associate Faculty Members* Members of the instructional staff at associated institutions, particularly the two affiliated degree programs (the Muhlenberg Schools of Nursing, Medical Imaging, and Therapeutic Sciences and the Trinitas School of Nursing), who have been granted rank by the Board of Trustees but are not on the regular full-time payroll of Union County College, are Associate Faculty Members.
- D. *Ex Officio Members of the Faculty* Members of the Board of Trustees, Members of the Board of Governors, the President of UCC, the Vice President of Academic Affairs, and other academic administrators as defined by the Faculty Executive Committee are Ex Officio Members of the Faculty.
- E. *Guests of the Faculty.* The Student Government Association may designate, by its own procedures, two Guests of the Faculty. Other guests may be recognized by the Faculty Executive Committee.

## **ARTICLE IV**

### **IV. RIGHTS TO VOTE, HOLD OFFICE, AND SPEAK**

- A. Full Voting Members of the Faculty are defined by Article III. Full Voting Members of the Faculty shall have the right individually to vote in all Faculty elections, to hold any office as provided by these By-Laws, and to speak at any meeting of the Faculty or its committees as provided by these By-Laws. The chairpersons of all Faculty standing committees must be Full Voting Members of the Faculty.
- B. Adjunct Faculty as defined by III shall choose, by its own procedures, four representatives who shall be considered Full Voting Members of the Faculty.
- C. The Associate Faculty Members as defined by III shall choose, by their own procedures, two representatives—one each to represent the two affiliated degree programs—who shall be considered Full Voting Members of the Faculty.
- D. Ex Officio Members of the Faculty and Guests of the Faculty as defined by III, shall have the right to voice without vote at all Faculty meetings.
- E. Absentee ballots shall be accepted only for Faculty elections, and only according to Faculty rules and regulations concerning Faculty elections. (Elections for departmental chairpersons are considered Faculty elections).
- F. No proxy votes shall be permitted for any election or vote of the Faculty or its committees.

## **ARTICLE V**

### **V. FULL AND ADJUNCT FACULTY MEETINGS**

- A. At the beginning of each academic year, there shall be a plenary meeting of all full-time and part-time members of the Faculty. The meeting shall be scheduled and the agenda determined by the mutual agreement of the Chairperson of the Full-Time Faculty and the President of the College.
- B. The meeting shall be chaired by the Chairperson of the Full-Time Faculty. The purpose of the meeting shall be for Faculty to get acquainted and to discuss the goals for the new academic year. The President of the College, or the President's designee, shall be invited to address the meeting.
- C. No votes shall be taken at the meeting, but Departmental meetings may be held in conjunction with the meeting.

## **ARTICLE VI**

### **VI. REGULAR FACULTY MEETINGS**

- A. At least five regular meetings of the Faculty shall be held in each academic year, at least two in the Fall semester and three in the Spring semester, at times and dates to be set by the Faculty Executive Committee and announced by it early in September to all voting members of the Faculty for the new academic year.
- B. Additional regular meetings of the Faculty may be scheduled by the Faculty Executive Committee as the need arises as long as these additional meetings are announced at a previously scheduled regular meeting of the Faculty.
- C. Special meetings of the Faculty must be called by the Chairperson of the Faculty at the request of the Faculty Executive Committee or upon the

written request of any ten (10) Faculty members or upon the request of the President of the College.

- D. The presence of one-fourth (1/4) the number of full voting members of the Faculty shall constitute a quorum.
- E. Voting shall be by show of hands unless ten (10) members of the voting Faculty request a secret written ballot, which shall then be taken.
- F. The right to vote, hold office, and speak at regular and special meetings of the Faculty is defined by Article IV of the By-Laws.
- G. Unless the Faculty By-Laws provide otherwise, *Robert's Rules of Order Revised*, shall be followed. A two-thirds (2/3) vote of Faculty members present and voting, given a quorum, may temporarily suspend a standing rule.
- H. Except as specifically delegated by these By-Laws or by subsequent action at a Faculty meeting, all resolutions, policy changes, recommendations, and actions of Faculty committees shall require the approval at a regular or special Faculty meeting. The Faculty may initiate actions at its meetings, issue requests to its standing and special committees, and request action from the administration.
- I. The Faculty may establish new, modify the responsibilities of existing, or abolish old standing committees of the Faculty as the need arises in accordance with the provisions for amending these By-Laws, providing such is not inconsistent with the terms and provisions of the Agreement.
- J. All Faculty elections shall be held by secret ballot, paper and/or online, according to the following schedule:
  - 1. The elections shall commence at least fifteen (15) class days before the regular April Faculty meeting of a given academic year. Ballots shall be available at a specified location on all campuses. Polls shall be open for four (4) consecutive class days, from 9:00 am of the first day to 4:00 pm of the last. Absentee ballots shall be permitted. The results of the elections shall be posted on all campuses not later than two days following the last day of voting.

2. A run-off election, should any be necessary, shall commence three (3) class days after the results of the initial election have been posted. Ballots shall be available at a specified location on all campuses. Polls shall be open for three (3) consecutive class days, from 9:00 am of the first day to 4:00 pm of the last day. Absentee ballots shall be permitted. The results of the elections shall be posted on all campuses not later than two class days following the run-off.
  3. Should the run-off election result in any tie votes, a second run-off shall be held during or just after the regular April Faculty meeting of the given academic year with ballots being collected until 5 p.m. Absentee ballots shall not be permitted for this run-off. The results of these elections shall be announced after the elections.
- K. A majority vote (more than 50% of those voting for a given position) shall be required for election to any elective position on the first and second ballots. On the third ballot, the candidate receiving the highest number of votes shall be elected.
- L. Individuals may run for only one position. Nominees must give their written consent to serve if elected.
- M. Where there is one office to be filled within any given category (e.g., at-large):
1. A majority is required to elect on the first ballot.
  2. If there is no majority on the first ballot, the run-off (second ballot) shall be between the top two candidates for that office. A plurality is required to elect on this second ballot or any subsequent ballot
- N. Where there is more than one office to be filled within any given category:
1. A majority is required to elect on the first ballot.
  2. If there is no majority on the first ballot, the candidates with the most votes shall be placed on the run-off (second) ballot, but their number shall be limited to twice the number of officers to be filled in that category. A plurality is required to elect on the second ballot or any subsequent ballot.

- O. Faculty Nominations Committee
1. A Faculty Nominations Committee shall consist of three faculty members selected annually by the Faculty Executive Committee, subject to the approval of the Faculty, at the January or February Faculty meeting.
  2. No member of the Faculty Executive Committee may serve on the Nominations Committee.
  3. The Chairperson of the Nominations Committee shall be elected by the members of the Nominations Committee.
  4. The Nominations Committee shall solicit nominations from the faculty as soon as possible after its appointment.
  5. The Nominations Committee shall publicize the offices to be filled, the conditions required for election, and the current membership of the committees.
  6. The Nominations Committee shall receive written nominations for particular offices.
  7. For the purpose of the Faculty elections only, a faculty member is considered tenured as long as he or she has received written notification of having received tenure by the time of the nomination.
  8. Committee members shall consult with all persons for whom a written nomination has been received to ascertain their eligibility for the offices for which they have been nominated and to determine which position a person chooses to run, if nominated for more than one, and to receive written consent for the position for which a person agrees to appear on the ballot.
  9. Members of the Nominations Committee may appear on a ballot, and are eligible to be elected.
  10. The Nominations Committee shall prepare a slate of nominees for available Faculty positions which shall be presented to the Faculty at a regular meeting in March.

11. The Committee shall announce a deadline for the receipt of nominations. The deadline shall be no earlier than ten (10) calendar days before the March Faculty meeting.
12. The Committee shall distribute to all Faculty members its report of the slate of nominees no later than the fifth calendar day before the March Faculty meeting, and the Chairperson of the Nominations Committee shall present the Committee's report at the March Faculty meeting.
13. All written nominations and written consent forms shall be held by the Chairperson of the Nominations Committee until the completion of all elections, and they shall be made available to all Faculty members at any time prior to the elections. All of these materials shall be transferred to the Recording Secretary of the Faculty immediately after the completion of all elections, and preserved for one year.
14. Nominations shall be open from the floor at the March Faculty meeting. Such nominations shall only be accepted with the oral consent of the proposed nominee at the meeting or with presentation of the previously obtained written consent of the proposed nominee.
15. Nominations shall be closed at the March Faculty meeting.

P. Faculty Elections Committee

1. A Faculty Elections Committee shall consist of five (5) members, selected annually by the Faculty Executive Committee, subject to the approval of the Faculty at the March Faculty meeting.
2. No member of the Faculty Executive Committee may serve on the Elections Committee.
3. Members of the Elections Committee may not appear on a ballot unless it is a write-in ballot.
4. Members of the Nominations Committee may not serve on the Elections Committee within the same academic year.
5. The Chairperson of the Elections Committee shall be elected by the members of the Elections Committee.

6. The Elections Committee shall exercise the following duties and responsibilities pertaining to the Faculty elections:
    - a. The Elections Committee shall prepare a sample ballot which it shall distribute to all Faculty members no later than five (5) calendar days after the regular March Faculty meeting. Notice of the locations for voting shall be distributed at the same time.
    - b. Ballots shall clearly indicate the requirements for office and/or committee composition, and shall also be organized in such a way as to facilitate clear identification of these requirements. Candidates shall be identified as to tenure and department whenever necessary. Ballots shall also clearly indicate the rules for valid voting.
    - c. The Elections Committee shall obtain, from the Treasurer of the Faculty, an official list of eligible members of the Faculty and shall arrange for its use as a voter registration list.
- Q. A Faculty member wishing to vote by absentee ballot must:
1. Secure a valid absentee ballot. A valid ballot is one prepared by the Elections Committee and designated by it as the official absentee ballot for the general election or the first run-off, respectively. Only votes cast on a valid ballot shall be counted.
  2. The ballot shall be folded and placed in a Union County College envelope. This envelope should then be placed into another Union County College envelope. This second envelope must be signed by the voter and also provide the Faculty member's department affiliation.
  3. Absentee ballots that are not signed on the outer envelope must be voided without opening.
  4. Ballots that are erroneously signed also on the ballot itself or on the inner envelope shall nonetheless be counted.
- R. Faculty meetings may not last longer than 5:00 pm unless a two-thirds (2/3) vote is taken to continue. If business cannot be completed in time, the Faculty meeting shall be continued at another date set by the Executive

Committee within two weeks or at the next regular meeting, whichever is sooner.

- S. All standing committees of the Faculty, ad hoc committees, and faculty representatives to College or inter-institutional committees shall submit Annual Reports to the Faculty at the end of the academic year (by June 30). These reports shall be presented at a Faculty meeting and be filed by the Corresponding Secretary in the permanent Faculty files. The Chairperson of the Faculty shall be required to announce and publicize failures to issue these reports at the beginning of the next academic year.

## **ARTICLE VII**

### **VII. OFFICERS OF THE FACULTY**

- A. Officers of the Faculty shall be six (6), namely the:
  - Chairperson
  - Vice-Chairperson
  - Recording Secretary
  - Corresponding Secretary
  - E-Secretary
  - Treasurer of the Faculty.
- B. Each officer must be a full voting member of the Faculty as defined in Article IV. The Chairperson and Vice-Chairperson must have professional rank and tenure.
- C. All officers shall serve for a term of two (2) years (from June 1 to May 31 of the second year) and may succeed themselves one additional term in the same office.
- D. The Duties of the Officers are as follows:
  - 1. Chairperson. The Chairperson shall preside at all meetings of the Faculty Executive Committee and is an ex officio member of all

committees, except as otherwise provided in the rules and regulations of the Faculty.

2. Vice-Chairperson. In the absence of or at the request of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson.
3. Recording Secretary. The Recording Secretary shall keep the minutes and attendance lists of all Faculty meetings and have them distributed to all voting Faculty members within ten (10) days of the meeting. The Recording Secretary shall also keep the minutes of the Faculty Executive Committee and distribute them as appropriate.
4. Corresponding Secretary. The Corresponding Secretary shall assure that all Faculty Committee files are up to date, receive minutes and resolutions from all Faculty Committees, distribute them as appropriate, and keep the current Faculty Committee files. The Corresponding Secretary shall distribute and collate the Faculty Committee Preference forms, announce dates of Faculty meetings, distribute committee assignments made by the Executive Committee, distribute the agenda for Faculty meetings at least five (5) days prior to each regular Faculty meeting and three (3) days prior to special Faculty meetings, distribute such Faculty resolutions as necessary, engage in such correspondence as delegated by the Chairperson of the Faculty or the Executive Committee, and serve as Recording Secretary in that person's absence.
5. E-Secretary. The E-Secretary shall perform the duties of the Corresponding Secretary when the receipt, transmission, or distribution of documents is by electronic means. The E-Secretary shall also be responsible for the management of all UCC Faculty Committee Web pages.
6. Treasurer. The Treasurer shall maintain the Faculty roster, collect Faculty dues as authorized by the Faculty, and manage the Faculty

Welfare Fund under the direction of the Chairperson and the Faculty Executive Committee.

7. Vacancies in office shall be filled by the Faculty Executive Committee.

## **ARTICLE VIII**

### **VIII. FACULTY EXECUTIVE COMMITTEE**

- A. The Faculty Executive Committee shall be composed of eleven (11) voting and two (2) non-voting members. The voting members of the Executive Committee shall be the six (6) Officers of the Faculty and the five (5) at-large representatives, with no more than one (1) from any one department. The non-voting members of the Faculty Executive Committee shall be one (1) representative each from the two affiliated degree programs.
- B. Members of the Executive Committee shall be elected by the Faculty in accordance with Article VI for a two (2) year term (June 1 to May 31 of the second year). No member may serve more than two consecutive terms in the same office.
- C. Six (6) voting members shall constitute a quorum.
- D. The Faculty Executive Committee shall coordinate the work of the Faculty, conduct the business of the Faculty between meetings, determine and distribute the agenda for Faculty meetings, provide guidance to the Officers of the Faculty, appoint the Nominating and Elections Committees of the Faculty, subject to Faculty approval, develop and update procedures for Faculty elections, subject to Faculty approval, have oversight of the Faculty Website and carry out the duties delegated to it by the Faculty or elsewhere in these By-Laws.
- E. The Faculty Executive Committee shall receive copies of all other Faculty Committee minutes. These minutes and other documents shall be kept by

the Corresponding Secretary. The Committee may request information and action from all other Faculty Standing Committees, ad hoc Committees, and Faculty representatives to College-wide committees.

- F. The Faculty Executive Committee, through its Chairperson or the Chairperson's designee, shall communicate with the Board of Trustees, Board of Governors, President of the College, College administration, collective bargaining agents, and officials outside the institution as the need arises on behalf of the Union County College Faculty.
- G. The Faculty Executive Committee, through its Chairperson, shall appoint Faculty members to all standing committees of the Faculty, unless otherwise provided in these By-Laws, ad hoc or special Faculty committees or task forces, and Faculty representatives to College-wide, Presidential, and inter-institutional committees or agencies. The term of the appointment of any faculty member appointed to any ad hoc or College-wide committee by the Faculty Executive Committee shall be for the remainder of the academic year unless specifically appointed for a different duration.
- H. The Faculty Executive Committee shall meet with the chairs of all standing committees at least once a year in order to review the charge and the proposed agenda of their respective committees.
- I. Faculty members to Presidential search committees and other search committees shall be nominated by the Faculty Executive Committee, subject to approval by the Faculty at its next regular meeting.

## **ARTICLE IX**

### **IX. STANDING COMMITTEES OF THE FACULTY**

- A. Besides the Faculty Executive Committee, the other standing committees of the Faculty are:
  - Faculty Curriculum Committee (Article X)

Peer Evaluation Committee (Article XI)  
Tenured Faculty Review Committee (Article XII)  
Faculty Appeals Committee (Article XIII)  
Faculty Departmental Coordination Committee (Article XIV)  
Academic Evaluation Committee (Article XV)  
Faculty Admissions and Counseling Committee (Article (XVI)  
Educational Planning Committee (Article XVII)  
Faculty Resource Committee (Article XVIII)  
Faculty Scholarship Committee (Article XIX)  
Faculty Committee on Student Affairs (Article XX)  
Faculty Professional Development Committee (Article XXI)  
Judicial Committee (Article XXII)  
Sabbatical Committee (Article XXIII)  
Academic Technology Committee (Article XXIV)  
Faculty Cultural and Educational Programs Advisory Committee  
(Article XXV)  
Faculty Ethics Review Committee (Article XXVI)

- B. Unless otherwise provided, members of all faculty standing committees shall serve two (2) year terms, with approximately half of the members being appointed/elected each year.
- C. Unless otherwise provided, members of all faculty standing committees shall serve no more than two (2) consecutive terms.
- D. Unless otherwise provided, members of all standing committees shall be appointed by the Faculty Executive Committee. Standing committees, except for the Faculty Executive Committee (See Article VII.), shall elect their own Chairpersons who must be full voting members of the Faculty.
- E. Any committee consisting of no more than five (5) members shall not have more than one member from any one department. Any committee consisting of six (6) to eleven (11) members shall have no more than two members from the same department.

- F. Committees shall elect chairs for the following academic year no later than the day of graduation. If a vacancy exists on a committee at the time of election of chair, the election shall take place as long as a majority of voting members is present. It shall be the responsibility of the current committee chair to arrange the meeting of the new committee members and to conduct the election of the new chair.
- G. Unless otherwise provided, committee Chairpersons shall serve a one-year term, and no more than two consecutive terms.
- H. Department elections for members of faculty standing committees shall occur no later than May 14 of the previous academic year.
- I. All faculty standing committees shall operate in accordance with their internal rules and regulations. These shall be reviewed and revised at the beginning of each academic year and posted on the Faculty Committee Web page.
- J. In performing their functions all faculty standing committees shall be guided by the relevant articles in the Agreement.
- K. In addition to all their other functions, Faculty Standing Committees may be assigned other duties and responsibilities by the Faculty or the Faculty Executive Committee.
- L. For purposes of these By-Laws, the term "ex officio" also means "with voice but no vote."

## **ARTICLE X**

### **X. FACULTY CURRICULUM COMMITTEE**

- A. The Faculty Curriculum Committee shall be composed of one representative from each academic department of the College and one member of the Library staff. The English, Fine Arts, Modern Languages Department and the Business Department shall each have a second

representative, coming from an academic area other than the first representative.

- B. The Faculty of the affiliated degree programs shall each be entitled to one voting representative.
- C. The Vice-President of Academic Affairs or the VPAA's designee may serve as an ex officio member of the Curriculum Committee.
- D. The Faculty Curriculum Committee shall have jurisdiction over all course changes, new course development, program and curriculum changes, and new programs and curricula. It shall report to the Faculty all course changes, additions, and deletions. All program or curriculum changes, additions, or deletions as well as new programs shall require approval at a Faculty meeting. Proposals for such changes shall be distributed to the Faculty at least five (5) class days before the appropriate Faculty meeting. The minutes of the Curriculum Committee shall be promptly posted on the Committee Web site for all Faculty members to review.
- E. In conjunction with the academic departments, the Curriculum Committee shall periodically review academic programs and courses offered at the college to determine whether they meet the State's general educational requirements and to examine their current applicability for transfer or career.

## **ARTICLE XI**

### **XI. PEER EVALUATION COMMITTEE**

- A. The Peer Evaluation Committee shall consist of eleven (11) members: ten tenured Faculty members, elected by the Faculty, and the Chairperson of the Faculty.
- B. The Peer Evaluation Committee shall evaluate Faculty members for reappointment, promotion and tenure. The Peer Evaluation Committee

shall function in accordance with its rules and regulations and existing or future contractual agreements.

## **ARTICLE XII**

### **XII. TENURED FACULTY REVIEW COMMITTEE**

- A. The Tenured Faculty Review Committee shall be composed of one tenured representative from each of the academic departments of the College, and one member from the Library staff.
- B. The Tenured Faculty Review Committee shall operate according to Article XIII of the Agreement.

## **ARTICLE XIII**

### **XIII. FACULTY APPEALS COMMITTEE**

- A. The Faculty Appeals Committee shall consist of five (5) Faculty members, at least three (3) of whom shall be tenured and at least one (1) of whom shall be non-tenured.
- B. Members of the Faculty Appeals Committee shall serve staggered terms of three (3) years.
- C. No member of the Faculty Appeals Committee shall simultaneously be a member of the Peer Evaluation Committee.
- D. The Chairperson of the Faculty Appeals Committee shall be a tenured member of the Faculty.
- E. The Faculty Appeals Committee shall operate in accordance with its rules and regulations and with the appropriate sections of the Agreement.

## **ARTICLE XIV**

### **XIV. FACULTY DEPARTMENTAL COORDINATION COMMITTEE**

- A. The Faculty Departmental Coordination Committee shall be composed of the Chairperson of the Faculty, the elected Chairpersons of the academic departments of the College, and three (3) members-at-large, who shall be elected by the entire Faculty. In addition, there shall be one voting representative and one non-voting representative elected by the two affiliated cooperative degree programs.
- B. The Chairperson of the Faculty Departmental Coordination Committee shall have served at least one year on the Committee.
- C. The Vice-President for Academic Affairs shall serve as an ex officio member.
- D. The Faculty Department Coordination Committee shall concern itself with all issues of a departmental interest not otherwise delegated to a standing committee of the Faculty.

## **ARTICLE XV**

### **XV. ACADEMIC EVALUATION COMMITTEE**

- A. The Academic Evaluation Committee shall consist of at least one representative elected from each academic department, the Dean of Student Services, the Director of Counseling, the Director of the Educational Opportunity Fund Program, and one representative from each of the affiliated cooperative degree programs.
- B. Departments that have over twenty-five (25) full-time Faculty members shall have one additional representative. Where a department is represented by more than one member, where feasible, the additional members shall represent students from different campuses and/or disciplines and/or programs.
- C. The duties of the Academic Evaluation Committee shall be:

1. Establish standards for judging the academic status of students.
2. Establish standards for determining which students are to be placed on the President's List, Dean's List, graduation list, and probation.
3. Establish standards for determining which students are to be dismissed from the College for any academic reason whatsoever.
4. Deal with academic problems brought to the attention of the Academic Evaluation Committee by the Administration or the Faculty.
5. Consider academic appeals made by students.

## **ARTICLE XVI**

### **XVI. FACULTY ADMISSION AND COUNSELING COMMITTEE**

- A. The Faculty Admissions and Counseling Committee shall consist of a maximum of sixteen (16) faculty members and one faculty member from each of the two affiliated cooperative degree programs.
- B. The following shall serve as ex-officio members and shall not be Chairperson of the Committee:
  - The Director of Admissions, or designee
  - The Director of Placement Testing, or designee
  - The Director of Counseling, or designee
  - The Director of Enrollment Services, or designee
  - The Directors of Counseling from the two affiliated cooperative degree programs
  - The Director of Admissions or designee from each of the two affiliated cooperative degree programs
  - Two (2) student representatives
- C. It shall be the function of the Faculty Admissions and Counseling Committee to periodically review existing policies, and make recommendations on revisions and development of new College policies and practices dealing with:

1. Recruitment
  2. Admission to the College
  3. Placement testing
  4. Initial placement into courses and programs
  5. Post-admissions, pre-registration advisement
  6. Registration
  7. Counseling, which includes student assistance counseling, counseling for students with disabilities, athletic advisement, career assessment, and transfer advisement
  8. EOF
- D. In addition, the Faculty Admissions and Counseling Committee shall:
1. Recommend to the Vice-President for Academic Affairs of the College any improvements in the above eight areas.
  2. Acquaint the Faculty with the policies, procedures, and problems related to the above eight areas so that they may be better equipped to help their students.
  3. Undertake other responsibilities as may be delegated to the Faculty Admissions and Counseling Committee by the Faculty or Administration dealing with the above eight areas.
- E. The relevant administrative personnel shall advise the Faculty Admissions and Counseling Committee of existing policies and provide relevant reports, statistics, and other information to keep the committee up-to-date.
- F. Policy recommendations shall be submitted to the Faculty at a Faculty meeting for their approval prior to submission to the President of the College.

## **ARTICLE XVII**

### **XVII. EDUCATIONAL PLANNING COMMITTEE**

- A. The Education Planning Committee shall consist of ten (10) Faculty members, and a member-at-large elected by the affiliated cooperative degree programs. Five (5) members shall be appointed by the Faculty Executive Committee and five (5) members shall be elected by the Faculty at a Faculty meeting. The election shall take place before the appointments.
- B. Members of the Education Planning Committee shall serve for a three (3) year term, being elected and appointed each year, as the previously elected and appointed members retire.
- C. The duties of the Education Planning Committee shall be to:
  - 1. Engage in continual review of educational priorities, planning and programs for the College
  - 2. Coordinate with the Office of Institutional Research on the collection and dissemination of data
  - 3. Report regularly to the Faculty on such review
  - 4. Make recommendations on educational planning to the Faculty

## **ARTICLE XVIII**

### **XVIII. FACULTY RESOURCE COMMITTEE**

- A. The Faculty Resource Committee shall consist of at least twelve (12) members appointed by the Faculty Executive Committee.
- B. The Faculty Resource Committee shall review and provide recommendations concerning:
  - 1. The physical structures and grounds of the College's campuses
  - 2. The utilization and allocation of faculty offices, classrooms, and laboratories

3. The adequacy of food services
  4. The adequacy of the bookstores
  5. The College's annual budget
  6. The *College Catalog*, *Faculty Handbook*, *Student Handbook* and other relevant publications
  7. The Libraries and Media Centers
- C. The Committee shall:
1. Participate in establishing general policies and objectives in the operation of the Libraries and Media Centers.
  2. Assist the Director of Library Services in enlisting the full support of the Faculty for the Libraries and their facilities.
  3. Make recommendations to the Director of Library Services and Administration for improvement and greater usefulness of the Library and Media Centers.

## **ARTICLE XIX**

### **XIX. FACULTY SCHOLARSHIP COMMITTEE**

- A. The Faculty Scholarship Committee shall consist of at least seven (7) members who are to be appointed by the Faculty Executive Committee for two-year terms, with a limitation of two consecutive terms, and one member-at-large elected by the two affiliated degree programs. Appointments shall be made with due regard to the diversity of programs. A representative from the Financial Aid Office shall serve as a non-voting member.
- B. The primary function of the Faculty Scholarship Committee shall be to oversee the process of awarding of scholarships to UCC students. To accomplish this, the committee shall:

1. Be aware at all times of the provisions of all scholarships available to UCC students through the UCC Foundation, including the annual amounts for each.
2. Recommend policies and procedures to the Financial Aid Office in securing and allocating scholarships to students.
3. Recommend eligibility requirements, academic standards, and application procedures for scholarships given at the discretion of the college.
4. Annually review the management of scholarship funds and provide the Faculty with a written report at the November meeting.
5. Advise the Faculty of financial aid issues as they arise and provide written reports on the awarding of scholarships each semester.
6. Involve itself in the raising of additional scholarship funds and other financial aid, as feasible.
7. Make recommendations to the Vice President of Academic Affairs concerning students eligible for scholarships and other student honors, except for those awarded by academic departments.
8. Review each semester the work of the Financial Aid office in evaluating the academic work of each scholarship recipient.
9. Periodically review all publications regarding scholarships and financial aid and make recommendations for changes to the appropriate administrative departments.

## **ARTICLE XX**

### **XX. FACULTY COMMITTEE ON STUDENT AFFAIRS**

- A. The Faculty Committee on Student Affairs shall consist of at least ten (10) faculty members appointed by the Faculty Executive Committee with due regard to the diversity of the Faculty, and one member-at-large selected by the affiliated cooperative degree programs. The Dean of Student Services

or the Dean's designee, the President of the Student Government Association or the President's designee, the Director of Campus Center, Commons/Athletics, and the Director of Student Activities shall serve as ex officio members.

- B. The Faculty Committee on Student Affairs shall concern itself with all non-academic, college-related aspects of student life on campus. It shall conduct periodic reviews of existing policies and practices, and make recommendations for revisions and for development of new College policies and practices dealing with:
  - 1. Student activities, including governance and organizations, social and cultural events, community service and disciplinary problems
  - 2. Athletics, including the policies for all athletic programs, academic criteria for athletic eligibility, and the athletic budget
  - 3. Faculty-student relations, including information bearing on student life, proposals concerning faculty-student relations, student orientation and the *Student Handbook*, and the handling of student grievances

## **ARTICLE XXI**

### **XXI. FACULTY PROFESSIONAL DEVELOPMENT COMMITTEE**

- A. The Faculty Professional Development Committee shall consist of at least seven (7) members appointed by the Faculty Executive Committee. A member of the administration shall be an ex officio member of the Faculty Professional Development Committee.
- B. The Faculty Professional Development Committee shall be concerned with professional development. It shall:
  - 1. Encourage instructional development by the faculty in order to ensure excellence in the teaching-learning environment
  - 2. Create and administer a comprehensive series of faculty development workshops designed to allow faculty to improve their skills and increase their knowledge

3. Disseminate to the faculty information concerning external conferences, seminars, and workshops that are relevant to their professions
4. Solicit from the faculty proposals for either internally or externally presented conferences, seminars, and workshops

## **ARTICLE XXII**

### **XXII. THE JUDICIAL COMMITTEE**

- A. The Judicial Committee shall consist of four (4) members from the Faculty appointed by the Faculty Executive Committee and four (4) students appointed by the Student Government Association. The Dean of Student Services shall be an ex officio member.
- B. The Judicial Committee shall conduct hearings for students who wish to appeal decisions they have received concerning cases of student offenses and infractions of college regulations.

## **ARTICLE XXIII**

### **XXIII. SABBATICAL COMMITTEE**

- A. The Sabbatical Committee shall consist of five (5) faculty members. Two members shall be appointed by the Faculty Executive Committee and two members shall be appointed by the Executive Committee of the AAUP Chapter of Union County College. The fifth member shall be appointed by consensus of both Executive committees. All shall serve only one (1) three-year term, with each Executive committee replacing one member every year.
- B. The Sabbatical Committee shall be responsible for reviewing all applications for sabbatical leave (leave for professional development) and making recommendations to the College for granting such leaves.

The recommendations shall be forwarded to the Vice-President for Academic Affairs for action.

#### **ARTICLE XXIV**

##### **XXIV. ACADEMIC TECHNOLOGY COMMITTEE**

- A. The Academic Technology Committee shall consist of at least seven (7) members appointed by the Faculty Executive Committee, and the Director of Information Technologies or the Director's designee.
- B. The functions of the Academic Technology Committee shall be to:
  - 1. Assess Faculty knowledge and attitudes toward the usefulness of information technology in their courses, discipline or other professional activities.
  - 2. Assist in developing workshops and other activities to keep Faculty informed of advances in information technology.
  - 3. Solicit from Faculty their needs for information technology resources.
  - 4. Prepare and maintain a current academic technology plan for the integration of computing and other information technology into curricula.
  - 5. Work in cooperation with the Director of Information Technologies or the Director's designee to accomplish these tasks.

#### **ARTICLE XXV**

##### **XXV. FACULTY CULTURAL AND EDUCATIONAL PROGRAMS ADVISORY COMMITTEE (CEPAC)**

- A. The Faculty Cultural and Educational Programs Advisory Committee (CEPAC) shall consist of five (5) members of the Faculty appointed by the Faculty Executive Committee.

- B. Every attempt shall be made to ensure that three of the members are from the Cranford campus, one from Elizabeth, and one from Plainfield.
- C. Members of the Committee shall serve terms of three (3) years.
- D. The Director of Student Activities and the President of the Student Government Association, or their representatives, shall serve ex officio.
- E. The duties of CEPAC shall be to:
  - 1. Generate, review applications for, and select cultural and educational programs—including activities, seminars, events, and lectures for Union County College students—which are not funded by other funding sources
  - 2. Ensure that these programs are diverse in scope and are responsive to the changing student needs
  - 3. Ensure that each approved program has the necessary funds and the designated Faculty leadership to sufficiently publicize it and make it successful
  - 4. Ensure that each program is coordinated directly with the Director of Student Activities/Athletics for appropriate implementation
  - 5. Encourage Faculty to find ways to integrate these programs into their own classroom instruction

## **ARTICLE XXVI**

### **XXVI. FACULTY ETHICS REVIEW COMMITTEE**

The Faculty Ethics Review Committee (FERC) shall be responsible for receiving all allegations (i.e., complaints) concerning violations of the *Code of Professional Ethics for Faculty* (CPEF), published in the *UCC Faculty Handbook*. The FERC will conduct initial informal reviews of all allegations, will seek informal resolutions to the complaints, and will serve mainly in an advisory and screening capacity for the Faculty Executive Committee (FEC). The FERC shall also have an educational responsibility with regard to promulgating the accepted tenets and norms of professional conduct among the Union County College faculty body.

The FERC shall consist of five (5) members. The terms of office shall be three (3) years. Three FERC (3) members shall be elected by the Faculty, and two (2) members shall be appointed by the Faculty Executive Committee (FEC.) At least three (3) members of the FERC shall be tenured. A membership rotation schedule shall be established to insure that some members with prior FERC experience will always be on the Committee, to maintain continuity. (The FEC shall initially appoint the FERC Chairperson; thenceforth, the FERC will elect its own Chairperson.)

Any member of the Union County College community who believes that a full-time or part-time faculty member has committed a violation of professional ethics, as defined by the CPEF, may bring a complaint to the FERC within fifteen class days of the date the violation took place, or within fifteen class days of the date they first became aware of the alleged violation.

### **Procedures of the Faculty Ethics Review Committee**

Allegations of professional misconduct shall first be **confidentially** reported to the Chair of the FERC. The complainant's initial **confidential** contact with the Chair **shall not be in writing, or in electronic form**. When the initial contact is made between the complainant and the Chair of the FERC, the Chair shall log the date of the allegation, along with the specific section(s) of the CPEF, that may be involved. At this stage, there shall be no other written record; the names of the faculty members involved shall not be recorded.

The Chair shall convene the FERC within fourteen (14) days after the initial contact, to discuss the allegation. During this initial FERC meeting, the Chair will not mention the names of the faculty members involved, **to maintain confidentiality**. Only the nature of the allegation, the preliminary oral evidence presented by the complainant, and its relation to the CPEF will be discussed. Other than a record of the date of this initial meeting, the discussions shall not be recorded or transcribed in any way.

If the FERC determines that there may be a possible violation of one or more provisions of the CPEF, then the Chair will attempt to resolve the matter informally, first by contacting the faculty member against whom the allegation was made (respondent), and by having a follow-up discussion with the complainant. (The complainant shall not be required to meet or confront the respondent and shall remain anonymous. Both parties shall be notified by the Chair of the obligation to maintain strict confidentiality.) If after the follow-up discussion(s), an informal resolution is not achieved within seven (7) days, and the complainant still desires to proceed, he or she shall submit a written and signed statement to the FERC setting forth the specifics of the allegation and the nature of the supporting evidence. The respondent shall be given a copy of the complainant's statement as soon after it is filed as is possible, but not later than three (3) days after filing.

Within fourteen (14) days of the filing of a statement by the complainant, the FERC shall convene a fact-finding conference to determine whether the allegation has sufficient substance to be submitted to the FEC for formal review and consideration. Both the

complainant and the respondent shall be invited to attend the fact-finding meeting, and shall, separately, have an opportunity to express their own views. Both parties shall be entitled, if they so desire, to have a representative present and to be assisted by their representatives at this fact-finding conference (and at any other stage of the investigation.) The complainant shall not be required to meet or confront the respondent without the participation of an intermediary. Minutes of the fact-finding conference will be available for the FEC.

If the FERC determines that the complaint has sufficient merit to proceed further, the matter shall be submitted within three (3) class days to the FEC for formal review and consideration. If the FERC determines that the allegation does not have sufficient merit to proceed, and complainant is dissatisfied with that decision, the complainant may appeal the matter within three (3) class days to the FEC.

The FEC will not accept any allegations of professional misconduct that have not first been reviewed by the FERC in a fact-finding conference.

### **Procedures of the Faculty Executive Committee Concerning Allegations of Professional Misconduct**

1. Formal complaints or allegations brought to the attention of the Faculty Executive Committee must include a written statement submitted to the Chair of the Faculty Executive Committee, explaining in full detail the nature of the complaint or allegation, what provision of the Code of Ethics may have been violated, the evidence on which it is based, and a statement that an attempt was made to solve the problem on an informal basis, as described above.
2. The Faculty Executive Committee shall convene within ten (10) class days after receiving the written complaint, to discuss the nature of the allegations and to determine whether or not they warrant further consideration. If the Faculty Executive Committee finds by a majority vote that the complaint should not be further investigated, the complainant(s) and the accused shall be so notified, in writing, by the Chair of the committee, with sufficient reason given, within five (5) class days of the decision.
3. If the Faculty Executive Committee finds by a majority vote that the complaint should be further investigated, the Chair of the Faculty shall mail a notice to the person charged (respondent) and the complainant. The notice shall include a complete statement of the allegations, the provision of the Code of Ethics that appears to have been violated, the name(s) of the complainant(s), and the time and place of a hearing to be held regarding the charges and allegations. The hearing shall be held not sooner than fifteen (15) class days after the mailing of the notice, nor later than thirty (30) class days.

## **Formal Hearing**

4. The hearing committee shall consist of the Faculty Executive Committee, of which a quorum shall be six (6) voting members. The Chair of the Faculty shall preside. The respondent, the complainant(s), and the Faculty Executive Committee may each be counseled by a person of their choice, who may be an attorney. The Presidents of the College and the Union County College AAUP may each have a non-participating designee present during this closed formal hearing. If an accused faculty member refuses to attend the formal hearing, the hearing will be held nevertheless, and the Faculty Executive Committee will render its decision. The respondent may submit a written answer or response to the allegations at any time prior to the conclusion of the hearing.

5. The Faculty Executive Committee may call witnesses who may have knowledge of the matter under investigation, other than the complainant(s), to appear and give testimony at the closed formal hearing. The complainant(s) and the respondent shall be provided with a list of the names of all persons expected to be called to give testimony at the hearing, said list to be provided no less than five (5) class days prior to the start of the hearing. Any person meeting with the committee shall have the right to be represented by one person acting as counsel. This individual will act in an advisory capacity only. This advisor may be a colleague, an attorney, or any person chosen by the parties coming before the Committee. The advisor may not: interrogate witnesses, cross-examine witnesses, or make opening and closing arguments. The advisor may inform their client of questions to ask; suggest responses to questions asked of their client; provide resources to their client, suggest strategies to their client; and prepare statements that their client may read.

6. The Faculty Executive Committee shall not be bound during the hearing by the formal rules of evidence applicable to judicial proceedings in the courts of New Jersey; however, only evidence that possesses probative value commonly accepted by reasonable persons in the conduct of their affairs shall be admissible. The nature of the hearings shall not be adversarial. Rather they will be administrative hearings and follow administrative procedures.

7. Proceedings of the formal hearing shall be private and confidential. The respondent shall have the opportunity to hear and examine all witnesses and to examine all evidence. The respondent shall also have the opportunity to present witnesses and evidence in his or her own behalf. At the conclusion of presentation of all evidence, the respondent shall have an opportunity to present a closing statement. The entire hearing shall be recorded and the recording shall be made available upon request to the complainant(s) and the respondent.

8. Within five (5) class days after the conclusion of the hearing, the Faculty Executive Committee shall meet and decide by majority vote whether or not the complaint has merit, and if so, what actions to recommend to the President of the College. The Chair of the Faculty Executive Committee shall report the decision and recommendation to the President of the College and the President of the AAUP, including a written statement of

the findings in support of the decision, within five (5) additional class days after the decision and recommendation are determined.

9. The President of the College may accept the decision and recommendation, reject them, or modify them. The President shall inform the Faculty Executive Committee, the respondent, and the complainant(s), in writing within fifteen (15) class days, as to the final disposition of the case and the reasons for the disposition.

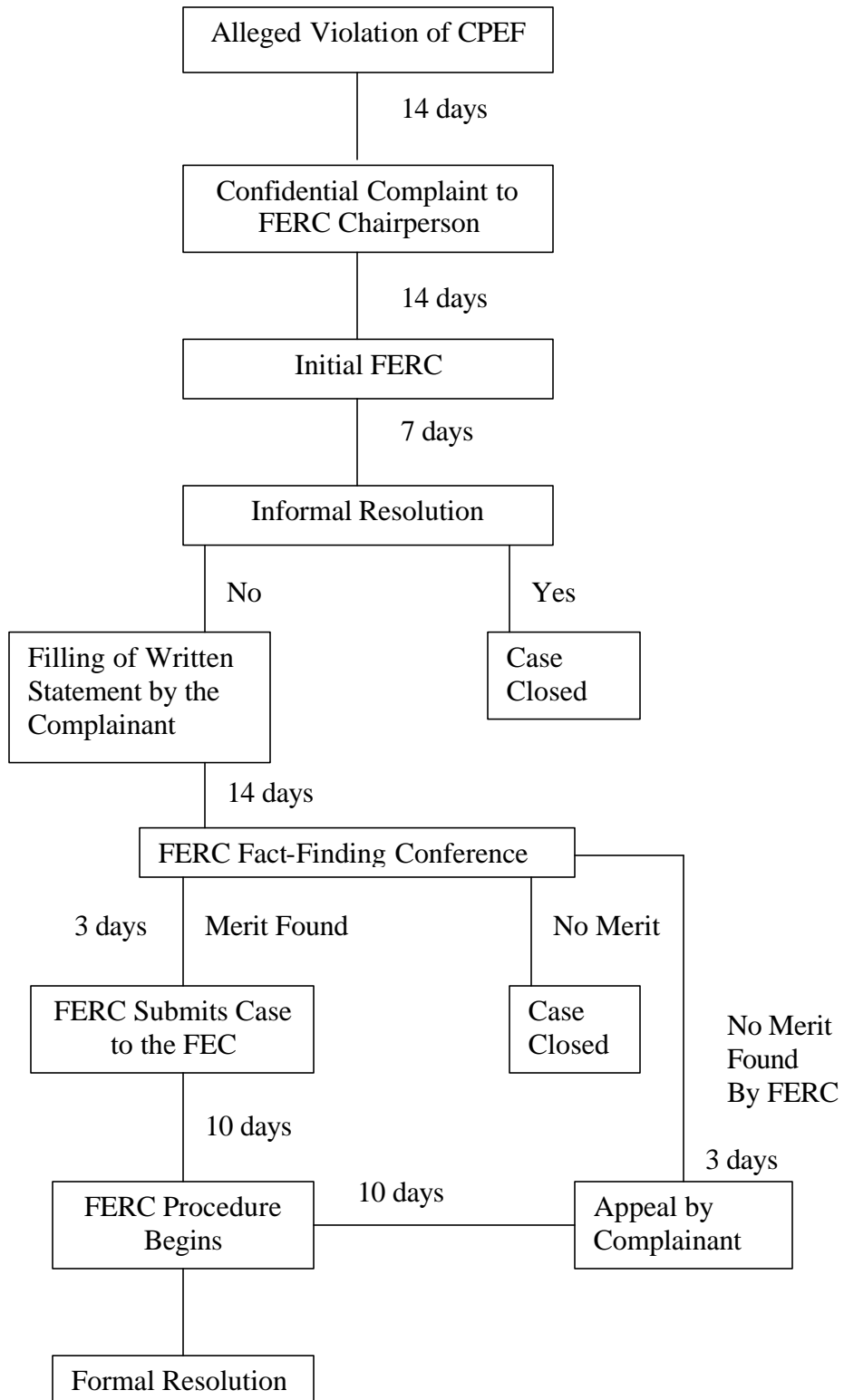
10. These procedures may be amended by a majority vote of the Faculty Executive Committee and the Faculty.

### **Extent of the Faculty Executive Committee Recommendations**

- A. The Faculty Executive Committee shall act only in an advisory capacity.
- B. The recommendation of the Faculty Executive Committee pursuant to Part 9 above may include either of the following: (a) dismissal of the complaint and complete exoneration of the respondent, (b) formal censure of the complainant(s) or (c) sanctions against the respondent,
- C. Sanctions may include one or more of the following: (a) reprimand; (b) formal censure, with a record placed in the College file of the respondent; (c) restitution or redress of the consequences of the professional misconduct; (d) temporary partial or total suspension from duties for a specific time, with or without the concomitant loss of salary/benefits; (e) non-reappointment or termination of employment at the College.
- D. Suspension, non-reappointment, and termination of employment are extreme measures, which may be undertaken for the protection of the College community only for the most demonstrably egregious instances of professional misconduct on the part of any faculty member.
- E. Nothing in these procedures shall negate, contravene, or supersede the application of New Jersey statutes and regulations regarding the rights of tenured faculty, or the rights granted faculty by virtue of the existing contractual agreement between the Union College Chapter of AAUP and the Board of Trustees of Union County College.
- F. No member of the Faculty Executive Committee shall participate in a hearing if he or she is in any way a party to the proceedings or a witness giving testimony, or if he or she for any reason would not be able to give impartial consideration to the evidence and issues before the Faculty Executive Committee in the proceedings.

# Overview of FERC Procedures

(Note: Days shown are maximum intervals)



## **ARTICLE XXVII**

### **XXVII. DEPARTMENTAL EVALUATION COMMITTEE**

- A. In order to evaluate Departmental Faculty members for reappointment, tenure, and promotion, each department shall establish a Departmental Evaluation Committee.
- B. The Departmental Evaluation Committee shall consist of the Department Chairperson and at least three (3) departmental members (tenured, if possible).
- C. In performing its function the Departmental Evaluation Committee shall be guided by the relevant articles in the Agreement.

## **ARTICLE XXVIII**

### **XXVIII. COLLEGE COUNCIL**

- A. The College Council shall consist of the President of the College, who shall preside, his Cabinet, and the Faculty Executive Committee.
- B. The College Council shall serve as a means of communication and cooperation between the Faculty and the Administration.
- C. The College Council shall meet at the request of the President of the College or the Chairperson of the Faculty.

## **ARTICLE XXIX**

### **XXIX. AMENDMENTS TO THE BY-LAWS**

- A. These By-Laws may be amended at any regular meeting of the Faculty by a two-thirds vote of the total voting Faculty members present, given a quorum, provided that written notice of the proposed amendment has been submitted at the previous regular meeting and included in the written or

posted minutes of the meeting which were distributed to all voting members.

- B. Anything in these By-Laws inconsistent with the provisions of State law or contractual obligations shall be null and void, but the remainder of these By-Laws shall continue in effect.