

UNION COUNTY COLLEGE

FACULTY

BY-LAWS

REVISED: November, 1995

UNION COUNTY COLLEGE FACULTY BY-LAWS*

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 1: POWER AND AUTHORITY

1:1 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.

1:2 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.

1:3 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.

*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.

ARTICLE 11: FACULTY RESPONSIBILITIES

11:1 Primary responsibility for educational and instructional matters, such as curriculum, course of instruction, research, and those aspects of student life which 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.

11:2 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.

11:3 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.

11:4 Through appropriate committees, the Faculty may advise the President and Board of Trustees on:

- (a). Framing and executing Long-Range Plans or Master Plans.
- (b). Determining the use of existing and prospective physical resources.
- (c). Determining long- and short- range priorities in the deployment of financial exigency
and steps to be taken in dealing with severe financial problems.
- (d). Selecting of the President and other principal academic officers.
- (e). Determining policies affecting the Faculty.

ARTICLE III: DEFINITION OF FACULTY MEMBERSHIP

III:I 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.

III:2 Adjunct Faculty. Part-time members of the instructional staff, not defined under III: I above, are considered members of the Adjunct Faculty.

111:3 Associate Faculty Members. Members of the instructional staff at associated institutions, particularly Muhlenberg Regional Medical Center School of Nursing and School of Radiography and Elizabeth General Medical Center School of Nursing and School of Radiography, 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.

III:4 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.

111:5 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: RIGHTS TO VOTE, HOLD OFFICE, AND SPEAK

IV:1 Full Voting Members of the Faculty are defined by Article III:1. Full Voting Members of the Faculty shall have the right individually to vote in all Faculty elections, to hold any office as provided these By-Laws, and to speak at any meeting of the Faculty or its committees as provided by these By-Laws.

IV:2 Adjunct Faculty as defined by 111:2 above shall choose, by its own procedures, four representatives who shall be considered Full Voting Members of the Faculty.

IV:3 The Associate Faculty Members as defined by 111:3 above shall choose, by their own procedures, three representatives--one to represent Muhlenberg Regional Medical Center School of Nursing, one to represent Elizabeth General Medical Center School of Nursing and one to jointly represent the schools of radiography--who shall be considered Full Voting Members of the Faculty.

IV:4 Ex Officio Members of the Faculty and Guests of the Faculty as defined by 111:4 and 5 above, shall have the right to voice without vote at all Faculty meetings. .

IV: 5 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).

IV:6 No proxy votes shall be permitted for any election or vote of the Faculty or its committees.

ARTICLE V: FULL-AND ADJUNCT FACULTY MEETINGS

V:1 At the beginning of each academic year, there shall be a meeting of all full-time and part-time members of the Faculty. The meeting and agenda shall be scheduled by the mutual agreement of the Chairperson of the Full-Time Faculty and the President of the College.

V:2 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 his designee, shall be invited to address the meeting.

V:3 No votes shall be taken at the meeting, but Departmental meetings may be held in conjunction with the meeting.

ARTICLE VI: REGULAR FACULTY MEETINGS

VI:1 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.

VI:2 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.

VI:3 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.

VI:4 The presence of one-fourth (1/4) the number of full voting members of the Faculty shall constitute a quorum.

VI:5 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.

VI:6 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.

VI:7 Unless 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.

VI:8 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.

VI:9 The Faculty may establish new, modify the responsibilities of existing, or abolish old standing committees of the Faculty as need arises in accordance with the

provisions for amending these By-Laws providing such is not inconsistent with the terms and provisions of the collective bargaining agreement.

VI:10:a All Faculty elections shall be held by secret ballot according to the following schedule:

i. The elections will 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 will 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 will be permitted. The results of the elections will be posted on all campuses not later than two days following the last day of voting.

ii. A run-off election, should any be necessary, will commence three (3) class days after the results of the initial election has been posted. Ballots shall be available at a specified location on all campuses. Polls will 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 will be permitted. The results of the elections will be posted on all campuses not later than two class days following the run-off.

iii. Should the run-off election result in any tie votes, a second run-off will be held

from

4:30 to 5:00 pm, just after the regular April Faculty meeting of the given academic year.

Absentee ballots will not be permitted for this run-off The results of these elections will

be announced after the election.

VI:10:b A majority vote(more than 50% of those voting)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 will be elected.

VI:10:c Individuals may run for only one position. Nominees must give their written consent to serve if elected.

VI:10d Where there is one office to be filled within any given category (e.g., At-Large):

- a. A majority is required to elect on the first ballot.
- b. If there is no majority on the first ballot, the run-off (second ballot) will be between

the

top two candidates for that office. A plurality is required to elect on this second ballot or any subsequent ballot.

or

VI:10:e Where there is more than one office to be filled within any given category:

- a. A majority is required to elect on the first ballot.
- b. 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 will 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.

VI:10:f Faculty Nominations Committee

- i. 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.

- ii No member of the Faculty Executive Committee may serve on the Nominations Committee.

iii. The Chairperson of the Nominations Committee shall be elected by the members of the Nominations Committee.

iv. The Nominations Committee shall solicit nominations from the faculty as soon as possible after their appointment.

v. The Nominations Committee shall publicize the offices to be filled; the conditions required for election, and the current membership of the committees.

- vi. The Nominations Committee shall receive written nominations for particular offices.

vii. Committee members shall consult with all persons for whom a written nomination has been received to ascertain his/her eligibility for the office(s) for which they have been nominated and to determine which position a person chooses, to run for, if nominated for more than one, and to receive written consent for the position for which a person agrees to appear on the ballot.

viii. Members of the Nominations Committee may appear on a ballot, and are eligible to be elected.

ix. 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. x. 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. xi. - The Committee will 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.

xii. 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.

xiii. Nominations shall be open to the floor at the March Faculty meeting. Such nominations shall only be accepted with oral consent of the proposed nominee at the meeting or with presentation of the previously obtained written consent of the proposed nominee.

xiv. Nominations shall be closed at the March Faculty meeting.

xv. For the purpose of the Faculty elections, the definition of tenure or non-tenure shall be the individual's status at the time of the election.

VI:10:g Faculty Elections Committee

i. 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.

ii. No member of the Faculty Executive Committee may serve on the Elections Committee.

iii. Members of the Elections Committee may not appear on a ballot unless it is a write-in ballot.

iv. Members of the Nominations Committee may not serve on the Elections Committee within the same academic year.

v. The Chairperson of the Elections Committee shall be elected by members of the Elections Committee.

vi. 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.

VI::10:h A Faculty member wishing to vote by absentee ballot must:

a. 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.

b. 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.

c. Absentee ballots which are not signed on the outer envelope must be voided without opening.

d. Ballots which are erroneously signed also on the ballot itself or on the inner envelope shall nonetheless be counted.

VI: 11 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 will be continued at another date set by the Executive Committee within two weeks or at the next regular meeting, whichever is sooner.

VI: 12 All standing committees of the Faculty, ad hoc committees, and faculty representatives to College or inter-institutional committees shall submit an Annual Report to the Faculty at the end of the academic year. This report 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 failure to issue this report at the beginning of the next academic year.

ARTICLE VII: OFFICERS OF THE FACULTY

VII: I The Officers of the Faculty shall be five (5), namely the:

- Chairperson
- Vice-Chairperson
- Recording Secretary
- Corresponding Secretary
- Treasurer of the Faculty.

VII:2 Each officer must be a full voting member of the Faculty as defined in Article IV above. The Chairperson and Vice-Chairperson must have professional rank and tenure.

VII:3 All officers shall serve for a term of two (2) years(from September I to August 31 of the second year) and may succeed themselves one additional term in the same office.

VII:4 The Duties of the Officers are as follows:

- a. Chairperson. The Chairperson shall preside at all meetings of the Faculty Executive Committee, be an ex officio member of all committees except as otherwise provided in the rules and regulations of the Faculty.
- b. Vice-Chairperson. In the absence of or at the request of the Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson,
- c. Recording Secretary. The Recording Secretary shall keep the minutes 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.
- d. 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 days prior to special Faculty meetings, distribute such Faculty resolutions as necessary,

(3)

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.

e. Treasurer. The Treasurer shall maintain the Faculty roster, collect Faculty dues as authorized by the Faculty, manage the Faculty Welfare Fund under the direction of the Chairperson and the Executive Committee, and serve ex officio on all Faculty groups concerned with raising or disbursing monies in the name of the Faculty, such as Faculty scholarship drives or Faculty parties.

f. Vacancies in office shall be filled by the Faculty Executive Committee, subject to approval of the Faculty at the next regular meeting.

ARTICLE VIII: FACULTY EXECUTIVE COMMITTEE

VIII: I The Faculty Executive Committee shall be composed of eleven (11) voting and two (2) non-voting members.

VIII: I: A The voting members of the Executive Committee shall be:

a. The five (5) Officers of the Faculty

b. Six (6) at-large representatives, no more than one (1) from any one department

VIII: I: B The non-voting members of the Executive Committee shall be:

One (1) representative each from the Schools of Nursing of Muhlenberg Regional Medical Center and the Elizabeth General Medical Center, respectively.

VIII: 2 Members of the Executive Committee shall be elected by the Faculty in accord with VI: 10 for a two (2) year term (September 1 to August 31 of the second year) No member may serve more than two consecutive terms for the same office.

VIII: 3 Seven (7) members shall constitute a quorum.

VIII: 4 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, and carry out the duties delegated to it by the Faculty or elsewhere in these By-Laws.

VIII: 5 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 Committees, ad hoc Committees, and Faculty representatives.

VIII: 6 The Faculty Executive Committee, through the Chairperson or its designee, shall communicate with the Board of Trustees, Board of Governors, President

of the College, the College administration, collective bargaining agents, and officials: outside the institution as need arises on behalf of the Union County College Faculty.

VIII:7 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 one academic year unless specifically appointed for a different duration of tenure.

VIII:8 On all Faculty Standing Committees where multiple year terms are specified these terms shall be staggered with approximately half of the members of the committees being appointed each year.

VIII:9 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.

VIII: 10 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: STANDING COMMITTEES OF THE FACULTY

IX: I 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 Committee & Counseling Committee (Article (XVI)
- Educational Planning Committee (Article XVII)
- Faculty Resource Committee (Article XVIII)
- Faculty Scholarship and Financial Aid 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 (XXIV)
- Faculty Ethics Review Committee (XXVII)

IX:2 Unless otherwise provided, the Chairpersons and members of standing committees shall be appointed by the Faculty Executive Committee.

IX:3 Unless otherwise provided, committee Chairpersons shall serve two-year terms; and no more than two consecutive terms.

IX:4 For purposes of these By-Laws, the term "ex officio" also implies "with voice but no vote."

ARTICLE X: FACULTY CURRICULUM COMMITTEE

X:1 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 term of appointment shall be two years, with a limitation of two consecutive terms. The, English, Fine Arts and Modern Languages Department, and the Business Department shall each have a second representative, coming from an academic area other than the first representative, All members shall be elected by their respective departments, no later than May 31 of the previous academic year.

X:2 The Faculty of Muhlenberg Medical Center School of Nursing and the Faculty of Elizabeth General Medical Center School of Nursing shall each be entitled to one voting representative.

X:3 Voting members of the Curriculum Committee shall serve two-year terms and may serve one additional term.

X:4 The Academic Administration may designate one person to serve as an ex officio member of the Curriculum Committee with voice but no vote.

X:5 The Curriculum Committee shall elect its own chairperson.

X:6 The 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) working days before the appropriate Faculty meeting. The minutes of the Committee shall be prominently posted for all Faculty members to review at all campuses.

X:7 In conjunction with the academic departments 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.

X:8 The Curriculum Committee shall exercise the duties and responsibilities of the Faculty assigned to the Committee.

ARTICLE XI: PEER EVALUATION COMMITTEE

XI: I The Peer Evaluation Committee shall consist of eleven (11) members: ten tenured Faculty members, elected by the Faculty. The Chairperson of the Faculty shall also serve as a member of the committee.

XI:2 Of the ten regular members elected by the Faculty, no more than two regular members shall be from the same department.

XI:3 Members shall be elected to serve two-year staggered terms and may be elected for no more than two consecutive terms.

XI:4 The Peer Evaluation Committee shall elect its own chairperson.

XI:5 The Peer Evaluation Committee shall evaluate Faculty members for reappointment, promotion and tenure. The committee shall function in accordance with past practices and existing or future contractual agreements.

ARTICLE XII: TENURED FACULTY REVIEW COMMITTEE

XII: 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. All members shall be elected by their respective departments no later than May 31 of the previous academic year. The term of appointment shall be two years. Members can serve no more than two consecutive terms.

XII:2 The Committee shall elect its own Chairperson

XII:3 The Tenured Faculty Review Committee shall operate according to Article XIII:D of the UCC Board of Trustees and UCC AAUP Contractual Agreement.

ARTICLE XIII: FACULTY APPEALS COMMITTEE

XIII:1 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,

XIII:2 Members of the committee shall serve staggered terms of up to three (3) years so that no more than two (2) members of the Committee terminate their membership on the Committee in one year. Members elected thereafter shall serve a term of three (3) years and may be elected for no more than two (2) consecutive terms.

XIII:3 No member of the Faculty Appeals Committee may simultaneously be a member of the Peer Evaluation Committee.

XIII:4 The Chairperson of the Faculty Appeals Committee, who shall be a tenured member of the Faculty, shall be elected by the members of the Committee.

XIII:5 The Faculty Appeals Committee shall continue to be bound by prior practices, present and future contractual agreements, and academic due process. It shall exercise the duties and responsibilities of the Faculty assigned to the Faculty Appeals Committee.

ARTICLE XIV: FACULTY DEPARTMENTAL COORDINATION COMMITTEE

XIV:1 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 Cooperative Nursing and Radiography Faculties.

XIV:2 The Chairperson of the Faculty Departmental Coordination Committee shall be elected by the Committee. The Chairperson shall have served at least one year on the Committee.

XIV:3 The Chairperson of the Faculty and Departmental Chairpersons shall serve for their term of office. Members-at-large shall be elected for a two-year staggered term, and may serve no more than two consecutive terms.

XIV:4 The Vice-President for Academic Affairs shall serve as a non-voting member.

XIV:5 The Committee shall concern itself with all issues of a departmental interest not otherwise delegated to a standing committee of the Faculty

XIV:6 The Faculty Departmental Coordination Committee shall also undertake tasks assigned to it by the Faculty Executive Committee.

ARTICLE XV: ACADEMIC EVALUATION COMMITTEE

XV:1 The Academic Evaluation Committee shall consist of at least one representative elected from each academic department, no later than May 31 of the previous academic year, 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. The term of office for faculty members shall be two years with a limitation of two consecutive terms.

XV:1a Departments which have over twenty-five (25) full-time Faculty members shall have one additional representative from each additional twenty-five (25) full-time members or a fraction thereof

XV:1b 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.

XV:2 The duties of the Academic Evaluation Committee shall be:

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

ARTICLE XVI: FACULTY ADMISSIONS & COUNSELING COMMITTEE

XVI:1. The Faculty Admissions and Counseling Committee shall consist of a maximum of sixteen (16) faculty members who shall be appointed for two years with a limitation of two consecutive terms and one faculty member from each of the two Schools of Nursing.

XVI:1a. The following shall serve as ex-officio members with voice but no vote, nor shall they 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 two Directors of Counseling from the Muhlenberg Regional Medical Center and Elizabeth General Medical Center Cooperative Programs.

The Director of Admissions or designee from each of the two Hospital Nursing and Radiography Programs.

Two (2) student representatives, or designees.

XVI:2. 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. E. O. F.

In addition, the Faculty Admissions and Counseling Committee will:

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 Committee by the Faculty
or Administration dealing with the above eight areas.

XVI:2a. The relevant administrative personnel shall advise the Committee of existing policies and provide relevant reports, statistics, and other information to keep the Committee up-to-date.

XVI:2b. The Committee shall have the authority to develop its own internal procedures.

XVI:2c. Policy recommendations shall be submitted by the Faculty at a Faculty meeting for their approval prior to submission to the President of the College.

ARTICLE XVII: EDUCATIONAL PLANNING COMMITTEE

XVII:1 The Education Planning Committee shall consist of ten (10) Faculty members, and a member-at-large elected by the cooperative nursing and radiography faculties. Five (5) members shall be appointed by the Faculty Executive Committee. Five (5) members shall be elected by the voting Faculty at a Faculty meeting. The election shall take place before the appointments and no more than two members from one department may serve at the same time.

XVII:1a Members of the Committee shall serve for three (3) year terms, being elected and appointed each year, as the previously elected and appointed members retire. Faculty members may serve two consecutive terms on the Committee.

XVII:2 The duties of the Committee shall be to:

- a. Engage in continual review of educational priorities, planning and programs for the College.
- b. Coordinate with the Office of Institutional Research on the collecting and dissemination of data.
- c. Report regularly to the Faculty on such review.
- d. Make recommendations on educational planning to the Faculty.

ARTICLE XVIII: FACULTY RESOURCE COMMITTEE

XVIII:1. The Faculty Resource Committee shall consist of at least twelve (12) members appointed by the Faculty Executive Committee. Members shall serve two year terms and no more than two consecutive terms.

XVIII:2. The committee shall review and provide recommendations concerning:

1. The physical structures and grounds of the College's campuses.
2. Faculty office, classroom, and laboratory utilization and allocation.
3. The adequacy of food services.
4. The adequacy of the book stores.
5. The College's annual budget
6. The College catalog, Faculty Handbook, Student handbook and other relevant publications.
7. Library and Media Center
 - a. Participate in establishing general policies and objectives in the operation of the Libraries and Media centers.
 - b. Assist the Director of Library Services in enlisting the full support of the Faculty for the Library and its facilities.
 - c. To make recommendations to the Director of Library Services and the Administration for improvement and greater usefulness of the Library and Media Center.

ARTICLE XXIX: FACULTY SCHOLARSHIP AND FINANCIAL AID COMMITTEE

XXIX:1 The Committee shall consist of at least seven (7) members who are to be appointed by the Faculty Executive Committee for two years with a limitation of two consecutive terms with due regard to the diversity of programs and one member-at-large elected by the cooperative nursing and radiography faculties. A representative from the Financial Aid Office and one from the Admissions Office shall serve as ex officio members. The Financial Aid Officer of each of the Schools of Nursing shall also serve ex officio.

XXIX:2 The Committee shall:

- a. Familiarize itself with the existing Federal, State, and College regulations governing financial aid, grants, work-study, and scholarships.
- b. Recommend policies and procedures to the Financial Aid Office in securing and allocating financial aid to students.
- c. Recommend eligibility requirements, academic standards, and application procedures for scholarships given at the discretion of the College
- d. Review and advise the Faculty on the management of scholarship funds created by the Faculty as living memorials.
- e. Advise the Faculty of financial aid issues and announce, in specific or general terms as the Committee may decide, the recipients of scholarships.
- f. Involve itself in the raising of additional scholarship funds and other financial aid, as feasible.
- g. Make recommendations to the Academic Vice-President concerning students eligible for scholarships and other student honors.
- h. Make recommendations to the Academic Vice-President concerning students eligible for financial aid and work-study aid.
- i. Review from time to time, upon notification from the Financial Aid Officer or the Academic Evaluation Committee, the academic work of each

financial aid recipient and advise the Academic Vice-President regarding continuance of scholarships and other aid.

j. Advise the Academic Vice-President and work with other members of the Administration, Faculty Committees, Academic Departments, and members of the Faculty in developing and reviewing qualifications, rules of conduct, criteria, etc., both of students holding College grants and students employed at the College.

k. Serve in a cooperative fashion with the Office of Financial Aid and the Office of Educational Opportunity Grants.

ARTICLE XX: FACULTY COMMITTEE ON STUDENT AFFAIRS

XX:1 The Faculty Committee on Student Affairs shall consist of ten (10) faculty members appointed by the Faculty Executive Committee for two year terms with a limitation of two consecutive terms with due regard to the diversity of the Faculty, and one member-at-large selected by the cooperative nursing and radiography faculties. The Dean of Student Services or his/her designee, the President of the Student Government Association or his/her designee, the Director of Campus Center, Commons/Athletics, and the Director of Student Activities shall serve as ex officio members, with voice but no vote.

XX:2 The Committee shall elect its own chairperson.

XX:3 The Committee shall concern itself with all nonacademic, 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:

- a. Student activities, including governance and organizations, social and cultural events, community service and disciplinary problems.
- b. Athletics, including the policies for all athletic programs, academic criteria for athletic eligibility, and the athletic budget.
- c. 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.

XX:4 The Committee may establish subcommittees to carry out its responsibilities.

ARTICLE XXI: FACULTY PROFESSIONAL DEVELOPMENT COMMITTEE

XXI:1 The 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 committee. Members shall serve two year terms with a limitation of two consecutive terms.

XXI:2 The committee shall be concerned with:

A. Professional Development

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 individual faculty to improve their skills or knowledge.
3. The committee shall disseminate to the faculty information concerning external workshops or conferences that are relevant to their professional lives.
4. The committee shall solicit from the faculty proposals for either internally presented or appropriate externally given workshops and conferences.

ARTICLE XXII: THE JUDICIAL COMMITTEE

XXII:1 The Judicial Committee shall consist of four (4) members from the Faculty appointed by the Faculty Executive Committee for two year terms with a limitation of two consecutive terms and four (4) students appointed by the Student Government Association. The Dean of Student Services shall be an ex officio member, with voice but no vote.

XXII:2 The Judicial Committee shall conduct hearings for students who wish to appeal decisions they have received concerning cases of academic dishonesty and infractions of college regulations.

ARTICLE XXIII: SABBATICAL COMMITTEE

XXIII:1 The Faculty 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, who shall be appointed by both Executive committees. All shall serve three year terms.

XXIII:2 The committee will 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 will be forwarded to the Vice-President for Academic Affairs for his action.

ARTICLE XXIV: ACADEMIC TECHNOLOGY COMMITTEE

XXIV:1 The Academic Technology Committee shall consist of at least seven (7) members appointed by the Faculty Executive Committee, and the Manager of Academic Technology Members shall serve two year terms with a limitation of two consecutive terms.

XXIV:2 The functions of the 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 needed 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 Manager of Academic Information Technologies to accomplish these tasks.

ARTICLE XXV: COLLEGE COUNCIL

XXV:1 The College Council shall consist of the President of the College, who shall preside, his Cabinet, and the Executive Committee of the Faculty.

XXV:2 The College Council is to serve as a means of communication and cooperation between the Faculty and the Administration.

XXV:3 The College Council shall meet at the request of the President of the College or the Chairperson of the Faculty.

ARTICLE XXVI: DEPARTMENTAL EVALUATION COMMITTEES

XXVI:1 In order to evaluate departmental faculty members for reappointment, tenure and promotion each department shall establish a Departmental Evaluation Committee.

XXVI:2 The committee shall consist of the department chairperson and at least three (3) departmental members (tenured, if possible) elected by the department during the Spring semester for the following academic year.

XXVI:3 In performing its function the committee shall be guided by the relevant articles in the agreement between the AAUP and the Board of Trustees of Union County College.

ARTICLE XXVIIFaculty Ethics Review Committee

The Ethics Review Committee shall consist of three (3) members elected by the faculty. At least two of the members must be tenured. Their term of office shall be two years. A member can serve no more than two consecutive terms.

The committee shall be responsible for receiving complaints concerning violations of the Faculty Code of Ethics published in the Faculty Handbook. The Ethics Review Committee is responsible for conducting the initial investigation of the complaint or allegation.

Procedures

Complaints or allegations of professional misconduct shall first be reported to the Ethics Review Committee for informal investigation and resolution, with appropriate advise given to all the parties concerned. If this initial and strictly confidential investigation points to a possible violation of the Faculty Code of Ethics, one which cannot be easily rectified on an informal basis, the Ethics Review Committee shall refer the matter formally to the Faculty Executive Committee. If the complainant is dissatisfied with the decision of the Ethics Review Committee, he or she may also refer the matter to the Faculty Executive Committee. The Faculty Executive Committee will not accept any complaints or allegations of professional misconduct that have not first been reviewed and discussed by the Ethics Review Committee and the other two (or more) parties concerned on an informal basis.

- a. Any faculty member of the college who believes that another faculty member has committed an ethical violation, as defined by the Code of Ethics, may bring a complaint to the Ethics Review Committee within sixty (60) days of the date the violation took place or within sixty (60) days of the date they became aware of the violation.
- b. The initial discussion between the complainant and the Ethics Review Committee shall be confidential with no written record except for logging the date and time of the complaint.
- c. If the complainant desires to proceed after the initial meeting, the complainant must submit a written statement to the Ethics Review Committee setting forth the specifics of the charges.
- d. The respondent shall be given the copy of the complainant's statement as soon after it is filed as possible, but not later than three (3) days after filing.
- e. All parties shall be notified by the Chair of the Ethics Review Committee of the obligation to maintain the charges and statements confidential while the investigation is in process to safeguard the privacy interests and reputation of all involved. Information may

be disseminated only to the extent that it is related to the preparation and Presentation of the charges or defenses.

f. The Ethics Review Committee shall initiate appropriate steps to effect an informal resolution of the charges acceptable to both parties. The complainant shall, not be required to meet or confront the respondent without the participation of an intermediary.

g. If the complainant is dissatisfied with any proposed informal resolution, he or she may continue the process.

h. The Ethics Review Committee may hold a fact-finding conference to determine whether to recommend that a complaint be pursued to the next step. The parties are entitled to have their representatives present and to be assisted by their representatives at the fact-finding conference and at every other stage of the investigation. The fact-finding conference shall not be recorded or transcribed in any way.

i. If the Ethics Review Committee determines that the complaint has sufficient substance to proceed further, the matter shall be submitted to the Faculty Executive Committee.

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 in I 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 which 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) 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 which 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 which 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 recommendations are determined.

9. The President of the College may accept the decision and recommendation, reject them, or modify them, He or she shall inform the Faculty Executive Committee, the respondent, and the complainant(s), in writing within fifteen (I 5) 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

11. The Faculty Executive Committee shall act only in an advisory capacity.

12. 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,

13. 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.

14. 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.

15. 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.

16. No member of the Faculty Executive Committee shall participate in a hearing if he or she is in any way a party in 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.

ARTICLE XXVIII: AMENDMENTS TO THE BY-LAWS

XXVII:1 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 minutes of the meeting which was distributed to all voting members,

XXVII:2 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.