

Queensborough Community College
The City University of New York

MEMORANDUM

To: Emily Tai, Chair, Academic Senate Steering Committee

From: David M. Sarno, Chair, Bylaws Committee

Date: June 3, 2010

Re: Bylaws Committee, Annual Report 2009-2010

The Committee on Bylaws, 2009-2010

Members:

Caf Dowlah

Joseph Goldenberg

Janice Molloy

Chris Mooney (Secretary)

David Sarno (Chair)

Liaisons/Designees:

Liza Larios, President's Designee

Jonathan Cornick, Steering Committee Designee

Joanne Chang, Committee on Committees Designee

Our mission is to consider and make recommendations regarding the Bylaws of the Academic Senate, the Bylaws of the Board of Trustees and, upon request of the Executive Committee of the Faculty, the Bylaws of the Faculty.

Activity

The committee met on March 10, 2010, March 17, 2010, and May 12, 2010. Deliberations on one item were handled entirely via email from November 12-25, 2009. Our work this year addressed the following matters.

1. Name and charges of the Committee on the Gallery and Performing Arts

This committee submitted a proposal to change its names and charges. The rationale was based on the growth of the QCC Art Gallery, Queensborough Performing Arts Center, and Kupferberg Holocaust Resource Center & Archives and the changes in the committee's role in relation to these campus institutions. Following extensive deliberations via email, the committee agreed that the revised charges were acceptable, but the proposed name was too cumbersome and should be revised. There was also some discussion that the proposed name was too restrictive should

the committee be required to take on additional responsibilities. A new proposal was received and the Bylaws Committee unanimously approved the name change to the “Committee on Cultural and Archival Resources” along with significant revisions to its charges. Article VII, Section 20 of the Bylaws was revised to reflect these changes after the Academic Senate approved the Resolution.

2. Number of voting members on the Distance Education Committee

This committee submitted a proposal to increase the number of its voting members from five to seven. The rationale cited the growth of distance education measures at QCC and that an increase in the membership would allow it to fulfill its mandate. The Bylaws Committee unanimously approved this proposal. Article VII, Section 18 of the Bylaws was revised to reflect these changes after the Academic Senate approved the Resolution.

3. Steering Committee proposal to set guidelines on the use of email for committee business

Several Standing Committees were known to conduct committee business via email, but no guidelines were in place. The proposal that was submitted to the Bylaws Committee referred to the most recent edition of Robert’s Rules of Order which indicates that “efforts to conduct deliberative process by postal or electronic mail or facsimile must be expressly authored by...by-laws.” The intention of the proposal was to allow committees to operate electronically only when considered absolutely necessary, while emphasizing that in-person meetings are the optimal way to transact business. It also sought to prevent a gradual shift from holding in-person meetings to all-electronic correspondence. After a great deal of deliberation, especially over the term “absolutely necessary,” the Bylaws Committee unanimously approved a revised proposal. However, when presented to the Academic Senate, the Resolution did not receive enough votes to pass according to the CUNY Central Office’s interpretation of the Perez decision on Open Meetings. Unfortunately, the final outcome of this vote is still pending.

4. Steering Committee proposal to create a Committee on Assessment and Institutional Effectiveness

The primary goals of creating the Committee on Assessment and Institutional Effectiveness were to provide a means to implement recommendations by the Middle States Higher Education Commission and to insure that all assessments conducted within the college, and particularly, the assessment of student learning outcomes, would remain within the purview of shared governance. The proposal was presented to the Bylaws Committee by Dr. Tai who contributed to the ensuing deliberations. After some minor revisions, the Bylaws Committee unanimously approved this proposal. The Bylaws were amended with an addition to Article VII. The newly formed Committee on Assessment and Institutional Effectiveness was inserted as Section 11, between Section 10, “Committee on Admissions,” and the current Section 11, “Committee on Awards and Scholarships,” necessitating a renumbering of Sections 11-25 as Sections 12-26.

Recommendations

The proposals considered, as well as the mechanisms for addressing them, resulted in a great deal of useful discussion. As a result, the outgoing Bylaws Committee has the following recommendations for the new committee as well as the Steering Committee.

1. Bylaws Article VII, Section 2, Paragraphs 2 and 3 were cited in a discussion on who is allowed to participate in the deliberations of a standing committee. It was noted that Paragraph 2 has the heading of “Subcommittees,” but in sub-paragraphs a through d it refers to subcommittees, standing committees, and then simply to “committees.” This Section of the Bylaws (“Organization”) should be revised - perhaps in consultation with the Senate Parliamentarian - to clarify if it is meant to refer only to subcommittees or to all committees (standing, “sub,” and special) of the Academic Senate.
2. Although the Resolution on the use of email for committee business was not approved, should a revised proposal be submitted, we have the following recommendations for both the Steering Committee and the Bylaws Committee.
 - a. Discussions via email can become exceptionally difficult to follow, especially if multiple topics are under consideration. They are also likely to produce a great deal of paper when printing becomes necessary. Therefore the Steering Committee may consider requesting that the Committee on Computer Resources explore alternatives to email for compiling and recording committee business that is conducted electronically. For example, online discussion forums could be used to organize activities into ongoing threads by topic.
 - b. Due to concerns that allowing the use of email for committee business could result in a gradual shift to all meetings being held electronically, rather than in-person, the Steering Committee may consider reporting to the Academic Senate at the conclusion of each semester:
 - i. the number of committees who have conducted business via electronic means during that semester.
 - ii. compliance of those committees’ conduct of electronic meetings with the aforementioned guidelines.
 - iii. any concerns and/or recommendations regarding the effectiveness of these guidelines.
3. Based on the unresolved vote in the Academic Senate regarding the use of email for committee business, the Bylaws Committee may need to re-examine the Perez Decision and its interpretation by the CUNY Central Office.

Changes to the Bylaws Committee

The new committee for the 2010-2011 academic year will be as follows:

Bryn Mader
Danny Mangra
Linda Meltzer
Janice Molloy (Chair)
Tian Ren

Liaisons/ Designees:

Liza Larios, President's Designee
Caf Dowlah, Steering Committee Designee

Janice Molloy was elected Chair for 2010-2011. There is currently no Committee on Committees Designee, or student representative for the 2010-2011 academic year. Further, a Secretary has not yet been elected. This will be the first order of business when the committee convenes in the fall 2010 semester.

Final remarks

To the best of our knowledge, there are no pending items that require our attention.

All changes to the Bylaws that have been approved by the Academic Senate have been forwarded to the QCC Webmaster and posted on the QCC Governance website as of May 18, 2010.

Thanks are due to all members of the Bylaws Committee, both continuing and outgoing, for their contributions and their collegiality as we worked together on the issues brought before us. Welcome to Bryn Mader, Danny Mangra, Linda Meltzer, and Tian Ren, the new members of the Committee.

Respectfully submitted,
David M. Sarno