

STEERING COMMITTEE REPORT

1. Senate Matters: Composition and Membership

The Steering Committee would like to begin by congratulating President Call and Vice-President Steele, as well as Vice-President Sherri Newcomb, and Associate Dean Michele Cuomo, on their new/interim appointments as administrative leaders of this college. The Steering Committee looks forward to working with each of them in the interests of our faculty and student body.

The Steering Committee would also like to welcome Dr. Sasan Karimi, who joins the Academic Senate in a new capacity as chair of the Department of Chemistry.

With regard to whether we should welcome new senators to our body who were designated as alternates last spring, however, the number of faculty members on sabbatical leave this semester—several of whom were quite active in governance prior to the period of their leave—has created a challenge for the Academic Senate around the question of whether or not faculty who are on leave should be required to resign from the Academic Senate, or whether their leave should be considered what might be accounted an “excused absence.”

On the one hand, Section 6.1.g of the by-laws of the Academic Senate is very clear about the restrictions on faculty who are currently on leave:

Persons on leave shall retain the right to vote for representatives to the Academic Senate but shall not serve in the Academic Senate during the period of their leave.

Similarly, Article VII.1.a indicates:

All persons eligible to vote as defined in Article VI of these bylaws and in addition all full-time faculty serving in their initial two (2) years shall be eligible to serve on Academic Senate Committees, except that persons on leave of any type shall be ineligible to serve on Senate committees during the period of their leaves.

These voting restrictions are nevertheless problematic, given the burden that the current interpretation of the Perez Decision on Open Law Meetings advanced by CUNY’s Vice-Chancellor of Legal Affairs Frederick Schaffer has placed upon governance bodies to operate with a quorum, defining “quorum” as follows:

Quorum:

The Open Meetings Law contains no definition of quorum, but Section 41 of the General Construction Law provides that a quorum consists of a majority of the whole number of persons who are charged with any public duty to be performed or exercised by them jointly or as a board or similar body and that the phrase “whole number” means the total number of the members that the board, commission, body or other group of persons would have if there were no vacancies and no one was disqualified from acting. That law goes on to provide that not less than a majority of such persons may perform or exercise such power, authority or duty. Thus, a majority of all the members of a public body must be present to constitute a quorum, and a majority vote of all members is required to take action on a matter within its authority. This provision trumps any contrary rule contained in the governance plan of any College or in Robert’s Rules of Order. The stringency of the majority requirement for a quorum and for action may be mitigated by providing for alternate members who are authorized to vote or take other action in the absence of a regular member, but who do not count as part of the “whole number” of the body for the purpose of determining whether a quorum is present or a majority have approved an action.

(For the full text of Vice-Chancellor Schaffer’s interpretation of Perez v. CUNY, see http://www1.cuny.edu/mu/vc_la/2006/01/02/requirements-of-the-open-meetings-law/; For the decision itself, see http://www.courts.state.ny.us/reporter/3dseries/2005/2005_08765.htm).

As members of the Senate may recall, the Steering Committee already expressed an intention to charge the Committee on By-laws with the task of reviewing these documents, to determine whether an absolute majority was required in order for a vote to be considered to have passed the Senate. However, these stringent requirements with regard to quorum also impose a burden on our governance body with regard to Senators on leave.

We are deeply and profoundly reluctant to support any action that might proceed to the disadvantage of dedicated senator whose demonstrated commitment to governance proceeds alongside an equal commitment to scholarship. Likewise, we have no wish to single out a senator who might find themselves obliged to miss a few senate meetings due to some personal emergency. The Steering Committee emphatically does not wish to take an action that might be accounted a reproach to any of these senators. And yet, we are equally concerned that the continued absence of a senator on leave might well jeopardize our the Academic Senate’s ability to maintain an appropriate quorum in the context of the currently accepted interpretation of the Perez decision.

We would therefore like to take this opportunity to gain some sense of the body, and to propose that our Academic Senate meeting include some discussion of the options listed below during the period dedicated to the presentation of the Steering Committee report:

- Should our by-laws be amended to require the resignation of senators on leave?
- Could such resignation only be required of senators who anticipate an absence of three consecutive months or more?

- Should our by-laws be amended to allow for the substitution of alternates for senators on leave **strictly during the terms of their leave** so that resignation could be avoided?
- Could resignation be required but returning senators be allowed to stand for re-election for the year of anticipated return?
- Finally—a suggestion advanced by our Parliamentarian, in consultation with fellow members of the Faculty Executive Committee: Could our by-laws be amended to **eliminate** the provision that senators on leave are restricted from voting? This last move, while it might jeopardize quorum, would allow faculty who are, for example, on sabbatical leave but still in residence in the tri-state area to have the option of appearing for senate meetings. The Steering Committee would meanwhile trust that senators who planned to spend their sabbatical leave in a location far from the college would consider resigning from the senate in order to allow for the appointment of a new senator from the Committee on Committee's list of alternates.

The Steering Committee would be grateful, not only for the comments of senators who expect to be present at our meeting of September 21, 2010, but for any e-mailed comments members of the Queensborough Community (including faculty on sabbatical!) might wish to forward on this point.

2. Committee Matters: Composition and Membership

As members of the Senate will read in the attached report from the Committee on Committees, various resignations and re-assigned campus responsibilities made it necessary to replace a few committee members over the summer. Dr. Sasan Karimi's appointment as Chair of the Department of Chemistry, for example, has compelled his replacement on the Committee on Vendor Services; the Committee on Committees has invited Professor Angela Poulakidas to serve in his stead. Dr. Julia Carroll has been compelled to decline her elected role as chair of the Committee on Cultural and Archival Resources; the Committee has elected Professor Isabella Lizzul to serve in her stead. Dr. Aranzazu Borrachero has also joined the Committee on Curriculum.

The Steering Committee wishes to formally tender its thanks to President Call and Vice-President Steele for the time and effort they took to devise a re-assigned/released time formula that will allow the Steering Committee to allot re-assigned time to members of our Library and Counseling Faculties, as well as any Higher Education Officers, who serve as chairs of committees where such time provisions are needed to meet committee responsibilities. Up to now, the design of such arrangements only accommodated teaching faculty: but the Steering Committee wishes to formally recognize and support fine contributions from across our faculty and college. We are very grateful to President Call and Vice-President Steele for their trouble.

The Steering Committee has contacted the officers of Student government, together with Gisela Rivera and Raymond Volel, to secure the names of student representatives who can serve on all committees of the Academic Senate where student representation is called for by the By-laws of the Academic Senate.

By the time the Academic Senate meets, on the 21 September, the Steering Committee will also have met with the chairs of all Committees of the Academic Senate, and distributed their charges for the 2010-2011 Academic year. This meeting will take place a day after the dissemination of this agenda, on **Wednesday, September 15, 2010, from 1-2.30 PM in Medical Arts 33.**

The Steering Committee also wishes to take this opportunity to indicate that the current situation, of several members of faculty who are active in governance having taken a sabbatical leave, while other active faculty are currently serving as mentors to colleagues in connection with e-learning and/or the Academies, has foregrounded the importance of wide faculty participation in governance matters, especially committee service. The Steering Committee wishes to issue an appeal to both senior and junior members of faculty to strongly consider making a contribution to governance. Our greatest resource, at Queensborough Community College, is the collective wisdom, creativity, and insight of the outstanding faculty who teach here. We hope they will be willing to serve on Committees of the Academic Senate where they are needed.

3. Committee Matters: Activities

The Steering Committee would like to take this opportunity to thank all the chairs of our various committees and sub-committees, who labored assiduously to add their reports to this September's Senate agenda. To these extensive reports, the Steering Committee would like to add a few brief notices concerning matters that came to our attention over the annual leave period, in addition to the By-laws matter to which we have invited comment in the opening section of our report:

- We have already mentioned one aspect of the questions the Steering Committee may be asking the Committee on Bylaws to consider, regarding Senators on leave. In addition to this, we will also be asking the Committee on Bylaws to consider whether there is an approach to the problem of electronic e-mail exchange that might represent a refinement of the measure that failed to obtain majority approval from the Academic Senate last April.
- The Committee on Environment, Quality of Life, and Disability Issues has been diligent in reviewing the CUNY Tobacco Policy, which was drafted over the summer. It has also been involved in monitoring the response to the partial smoking ban, which I know is of great importance to several of our faculty and

staff. This situation is ongoing; the Steering Committee welcomes comment on this matter from members of our college community.

- At the request of President Call and Vice-President Steele, the Steering Committee is also asking the Curriculum Committee to consider a proposal that the current allowance of nine credits that are extended to students who wish to obtain “e-permits” to take a course on another campus be raised. Because we can imagine that there are a variety of campus faculty and staff—particularly our department chairs—who might wish to weigh in on this proposal, the Steering Committee would like to invite e-mailed comments on this matter to accompany any discussion we might have on this topic in a meeting of the Academic Senate.
- The Steering Committee will be working closely with the new Committee on Assessment and Institutional Effectiveness to see how this committee can best support our departments, faculty, and staff in the implementation of assessment initiatives consistent with Middle States Standards.
- The Steering Committee will also be working closely with the Distance Education Committee; the Computer Resources Committee; and the WID/WAC Committee to see how the implementation of high-impact instructional activities such as WI Courses, E-portfolios, and distance learning can assist our students from their entry into our freshman academies through their completion of an AA Degree.

4. University and College Wide Matters with Direct Bearing on the Senate

- Over the summer, the University Faculty Senate worked closely with the Professional Staff Congress to implement a new set of specifications for the PSC-CUNY Research Award Program. The amount of collaboration and hard work involved in this effort cannot be exaggerated—not only did the leadership of the Professional Staff Congress negotiate tirelessly with CUNY Administration to preserve this important resource for faculty research, but they did so while soliciting full input from the UFS, even to the point of corresponding by e-mail with the outgoing UFS Chair while he was in China! The new specifications for the PSC-CUNY awards are available at: <http://www.psc-cuny.org/PDF/PSC-CUNY%20grants%20joint%20announcement.pdf>
- Over the summer, a Task force on a new CUNY Sexual Assault Policy completed the process of crafting a revised policy to assist students who have been the victims of sexual assault or stalking. The Steering Committee will be inviting members of the Committee on Environment, Quality of Life, and Disability Issues, together with the members of the Committee on Student Activities, to comment on this policy (available at

http://www.lehman.edu/academics/documents/Sexual_Assault_PolicyBOTAugust2010.pdf and make any recommendations they may wish to concerning its implementation at Queensborough.