

STATE UNIVERSITY OF NEW YORK DOWNSTATE MEDICAL CENTER BROOKLYN
SCHOOL OF GRADUATE STUDIES

FACULTY BY-LAWS

PREAMBLE

In keeping with the Policies of the Board of Trustees of the State University of New York and in compliance with the directive set forth in the Faculty and Professional Staff By-Laws of the Downstate Medical Center, the members of the Faculty of the School of Graduate Studies of the Downstate Medical Center do hereby enact these By-Laws for the purpose of establishing the organization of the Faculty of the School of Graduate Studies and designating the policies and procedures necessary for the definition and execution of its duties and responsibilities.

ARTICLE I

DEFINITION OF TERMS

- Item 1. "University": State University of New York
- Item 2. "Board of Trustees": Board of Trustees of the State University of New York.
- Item 3. "Chancellor": The Chief Administrative Officer of the State University of New York.
- Item 4. "The Medical Center": The Downstate Medical Center (DMC).
- Item 5. "President": The Chief Administrative Officer of the DMC.
- Item 6. "The School": The School of Graduate Studies of the DMC.
- Item 7. "Dean": The Dean of the School of Graduate Studies of the DMC.
- Item 8. "Faculty": The Faculty of the School of Graduate Studies of the DMC, consisting of the President of the Medical Center, the Dean of the School of Graduate Studies, other administrative personnel who also hold academic appointments in the School, and all additional members of the academic staff of the School.
- Item 9. "Faculty Assembly": The Faculty Assembly of the School of Graduate Studies as described in Article III of these By-Laws.
- Item 10. "Committee of the Faculty": The Committee of the Faculty of the Faculty Assembly as described in Article IV, Section A of these By-Laws.

ARTICLE II

AUTHORITY AND RESPONSIBILITIES OF THE FACULTY

The Faculty is authorized to develop and implement programs and policies in accordance with the standards for Articles of Governance of the University Faculty Senate of State University of New York. The responsibilities of the Faculty include the following:

- Item 1. The development and conduct of educational, research, and service programs of the School.
- Item 2. The establishment and continuous review of academic standards.
- Item 3. Meaningful participation in formulation of Faculty personnel policies regarding appointments and promotions, and in selection of administrative officers and program directors.
- Item 4. Encouragement of student participation in the development of educational programs of the School.
- Item 5. Joint participation with the administration in the periodic assessment of Faculty, Professional Staff, and administrative activities in the areas of Faculty responsibility.

ARTICLE III

ORGANIZATION OF THE FACULTY

SECTION A. FACULTY ASSEMBLY OF THE SCHOOL OF GRADUATE STUDIES.

The organization shall be known as the Faculty Assembly of the School of Graduate Studies.

- Item 1. Membership. Membership in the Faculty Assembly shall consist of the Faculty of the School as defined in Article I, Item 8.
- Item 2. Voting Membership. The voting members of the Faculty Assembly shall be as follows:
- a) The Chancellor of the University; and
 - b) The President of the DMC; and
 - c) The Dean of the School of Graduate Studies; and
 - d) Members of the Faculty holding academic rank, with the exception of Assistant Instructors.
- Item 3. Student Participation. There shall be one non-voting student representative, who shall be the presiding officer of the student organization of the School, or his delegate.

SECTION B. OFFICERS OF FACULTY ASSEMBLY

- Item 1. The officers of the Faculty Assembly shall consist of a Presiding Officer, a Presiding Officer Elect and a Secretary. The Presiding Officer Elect and the Secretary shall be elected for a *two (2) year term* by a majority of those casting ballots. They shall serve for a period of *two (2) academic years* beginning September 1. At the expiration of the term of the Presiding Officer or whenever that office becomes vacant, the Presiding Officer Elect shall succeed the Presiding Officer. The Secretary may succeed him or herself for one term upon re-election. No officer shall be eligible to serve again until two years have elapsed.
- Item 2. The duties of the officers shall be as follows:
- a) The Presiding Officer shall preside at the meeting of the Faculty Assembly and the Committee of the Faculty and shall be an *ex officio* member of all Standing Committees and perform such duties as are appropriate to his office. The Presiding Officer shall appoint a Parliamentarian each year from the members of the Committee of the Faculty who shall also serve as Parliamentarian of the Committee of the Faculty.

The Presiding Officer shall include in his or her report to the Faculty Assembly a synopsis of the recommendations and resolutions of meetings of the Committee of the Faculty held since the previous Faculty Assembly meeting, as well as the reports of any Standing Subcommittees of the Committee of the Faculty which have been presented to the Committee of the Faculty.
 - b) The Presiding Officer Elect shall assist the Presiding Officer in performing his or her duties and shall preside in the event of his or her absence.
 - c) The Secretary of the Faculty Assembly shall also serve as secretary to the Committee of the Faculty and shall notify the Faculty Assembly of all meetings, keep the minutes and records of the Faculty Assembly and distribute copies of the minutes to each member after each meeting. The Secretary and the Librarian of the DMC shall each keep a permanent file of the minutes, a current copy of these By-Laws, and a roster of the voting membership for the use and inspection of the Faculty.

SECTION C. MEETINGS OF THE FACULTY ASSEMBLY

Item 1. Regular Meetings. Two regular meetings of the Faculty Assembly shall be held in each academic year, one during the Fall and one during the Spring.

Item 2. Special Meeting. Special meetings may be called by the Chancellor, the President, the Dean, the Presiding Officer of the Faculty Assembly, or at the written request of 8 or more members of the Committee of the Faculty. Furthermore special meetings must be called by the Presiding Officer upon written application of 15 members of the voting faculty. This shall be done within 10 days of receipt of such application. The business of such meetings shall be indicated on the notice of the meeting, and any actions taken shall be limited to those matters set forth in the application.

Item 3. Quorum. A Quorum at any meeting of the Faculty Assembly shall consist of a minimum of 20 voting members.

Item 4. Notice of Meetings. Except in the case of a special meeting, the secretary of the Faculty Assembly shall notify each voting member of the Faculty Assembly by mail at least one week in advance of a meeting.

Item 5. Order of Business. The order of business at the Faculty Assembly meetings, except for Special meetings, shall be as follows:

- a) Reading and approval of minutes of previous meetings.
- b) Report of the Chancellor of the University.
- c) Report of the President of the DMC.
- d) Report of the Dean.
- e) Report of the Presiding Officer.
- f) Report of elections when applicable.
- g) Reports of Special Committees.
- h) Report of the Secretary.
- i) Old business.
- j) New business. Items of new business may be presented at any meeting of the Faculty Assembly. Unlimited discussion is allowed, but discussion may be terminated by a majority vote. No substantive matters may be brought to an immediate vote. Such matters shall meet the requirements of Item 6 (b) of this section.

A matter shall be deemed substantive if it involves in its development or implementation the expenditure or commitment of human, physical, or fiscal resources. Any other matter may be voted upon without delay by voice vote, and considered passed if approved by a simple majority of those present and voting.

Item 6. A written secret ballot (or e-mail ballot) shall be used in any of the following circumstances:

- a) For elections.
- b) For substantive resolutions. Condition A. When a resolution has been discussed by and acted upon by the Committee of the Faculty, it may be brought to the floor of the Faculty Assembly for immediate action upon a motion passed by a majority of members present and voting. If this motion fails, it will be dealt with as in Condition B.

Condition B. A substantive resolution not previously acted upon by the Committee of the Faculty or failing Condition A, can be voted on only by a circulated secret ballot.

Item 7. Unless otherwise approved in these By-Laws, the latest edition of Robert's Rules of Order shall govern the conduct of business of the Faculty and Professional Staff Assembly.

Article IV

STANDING COMMITTEES OF THE FACULTY ASSEMBLY

There shall be two Standing Committees of the Faculty Assembly: The Committee of the Faculty and the Committee on Nominations, Elections, Ballots and By-Laws.

SECTION A. COMMITTEE OF THE FACULTY

- Item 1. Membership: The Committee shall consist of all the elected Downstate representatives from the executive committees of each program in the School of Graduate Studies (including the Program Directors). In addition, the Presiding Officer, Presiding Officer Elect, and Secretary of the Faculty shall be elected as specified in Article VI. The *ex officio* members, without vote, shall be the President of the DMC and the Dean of the School. The program executive committee members shall take office on the September 1 that follows their election. Mid-term replacements for resigning members shall take office immediately upon their appointment.
- Item 2. Officers of the Committee of the Faculty:
- a) Chairman. The Presiding Officer of the Faculty Assembly shall be Chairman. In his absence, the Presiding Officer Elect shall preside. In the event both Presiding and Presiding Officer Elect are absent, the Secretary shall preside at meetings and shall designate a committee member to act as Secretary.
 - b) Secretary. The secretary of the Faculty Assembly shall serve as Secretary to the Committee of the Faculty.
 - c) Parliamentarian. The Parliamentarian of the Faculty and Professional Staff Assembly shall serve as Parliamentarian of the Committee of the Faculty and Professional Staff.
- Item 3. Meetings:
- a) The meetings of the Committee of the Faculty shall be open to all voting members of the Faculty Assembly, unless a closed session is called by a vote of two-thirds of the members of the Committee of the Faculty present and voting.
 - b) The meeting of the Committee shall take place prior to each Faculty Assembly meeting and must meet as a separate group at least twice each academic year.
 - c) Special meetings may be called by the Chairman of the Committee at any time.
 - d) The Secretary of the Committee shall be responsible for the preparation and distribution of the minutes of the meetings of the Committee. Distribution shall be to all members of the Committee of the Faculty, to the Secretary of the Committee of the Faculty of the DMC and to the librarian.
 - e) The minutes shall include the time and place of the next scheduled meeting.
- Item 4. Functions:
- a) The Committee shall act as representative of the Faculty Assembly in all matters referred to it by its Presiding Officer, by the Faculty Assembly, by the Student Organization of the School or by the Administration of the School.
 - b) The Committee shall review the status of Faculty participation in Program and School-wide functions. The Committee shall determine whether such participation is consistent with the Policies of the Board of Trustees of the State University of New York, with the By-Laws of the Medical Center, and with the By-Laws of the School. Recommendations for revisions of Faculty participation shall be made when necessary.
 - c) The Committee shall be responsible for the preparation of an agenda for each Faculty Assembly meeting. The Secretary of the Committee shall be responsible for distribution by mail (or e-mail) of the agenda and the announcement of all Faculty Assembly meetings, at least one week in advance of the scheduled meeting.
 - d) The Committee shall discuss and deliberate upon those reports and resolutions that are submitted to it as described in Article V, (l) "General Rules", or by its committees. It shall study such reports and resolutions, particularly from the standpoint of their impact on the total operations of the school. The Committee, through the Presiding Officer, shall be prepared to present its recommendations at a meeting of the Faculty Assembly for discussion and action. A minority shall be entitled to submit a report at the time the Committee reports.

- e) The Committee shall ensure that the resolutions of the Faculty Assembly and Committee of the Faculty are communicated to the Dean of the School and to the Committee of the Faculty of the DMC for its consideration and action before referral to the President of the Medical Center.
- f) The Committee shall have authority to recommend the formation of *ad hoc* committees of the Faculty Assembly and to establish sub-committees of the Committee of the Faculty for business which in its judgment is not the responsibility of a regular Standing Sub-Committee of the Faculty.
- g) The Committee shall review the budget annually and shall make recommendations resulting from this review to the Dean. A report of this review and recommendations shall also be made to the Faculty Assembly.
- h) The Committee shall recommend to the Dean Faculty for membership on the Admissions Committee of the School. The School of Graduate Studies Student Admissions Committee shall act with the Student Admissions Committee of the College of Medicine to review and propose changes in admission policies and academic start dates as these pertain specifically to students enrolled in combined MD/PhD programs.
- i) The Committee shall be authorized to initiate recommendations and resolutions in the interest of the Faculty of the School of Graduate Studies.
- i) The Committee shall be responsible for keeping a permanent file of reports and the texts of adopted resolutions of all other Faculty and Professional Staff Assemblies of the Medical Center.
- j) When situations arise not covered by the grievance mechanism of the bargaining agent under the Taylor Law, the Committee of the Faculty shall hear and investigate the complaint of any Faculty member who has exhausted normal channels of appeal.
 - 1. Appeals shall be heard within two weeks of the formal application of the aggrieved party or parties. Within two weeks, the Committee of the Faculty shall recommend to the Dean of the Graduate School actions for redress.
 - 2. Nothing in the above procedures shall be construed to deny an individual of his further rights of appeal under the Statutes of the State of New York or the Statutes of The State University of New York.

Item 5. STANDING SUB-COMMITTEES OF THE COMMITTEE OF THE FACULTY

The Executive Committees of the individual Graduate Programs shall be standing subcommittees of the Committee of the Faculty. Program executive committees must review program curriculum, student progress, and other current program issues at least once each academic year, separate from Committee of the Faculty meetings.

The functions of the former Standing Sub-Committees of the Committee of the Faculty as listed below will become the purview of the Executive Committees of the individual Graduate Programs:

- 1. Educational Policy and Curriculum.
- 2. Faculty Personnel Policies.
- 3. Student Admissions, Academic Standards, Student Activities and Faculty-Student Relations.
- 4. Academic and Professional Qualifications

a) EDUCATIONAL POLICY AND CURRICULUM

Functions:

- a) The Executive Committees of the Graduate Programs shall study continually the educational policy of the Program and School and, where deemed advisable, make recommendations dealing with matters in this area for action by the Committee of the Faculty.
- b) The Executive Committees of the Programs shall propose and review curriculum changes in the School and make recommendations to the Committee of the Faculty.

b) FACULTY PERSONNEL POLICIES

Functions:

- a) The Executive Committees of the Graduate Programs shall review periodically all personnel policies pertaining to the Program Faculty.
- b) The individual Program Executive Committees shall develop, recommend, and assist in implementing policies dealing with appointments, work loads, faculty-administration relations, and associated matters in the Graduate Programs of the Graduate School and make its recommendations to the Committee of the Faculty.

c) STUDENT ADMISSIONS, ACADEMIC STANDARDS, STUDENT ACTIVITIES AND FACULTY-STUDENT RELATIONS.

Functions:

- a) The Program Executive Committees shall study continually the admission policy and academic standards of the School and, where deemed advisable, make recommendations dealing with matters in this area for action by the Committee of the Faculty.
- b) The Program Executive Committees shall initiate and review policies pertaining to evaluation of academic performance of students, examination procedures, awarding of honors, and shall make appropriate recommendations dealing with matters in this area for action by the Committee of the Faculty.
- c) The Program Executive Committee shall initiate and review, in cooperation with the Student Organization, Faculty participation in student activities and make appropriate recommendations to the Committee of the Faculty.
- d) The Program Executive Committee shall review periodically the status of Faculty-Student Relations, and initiate recommendations in this area.

d) ACADEMIC AND PROFESSIONAL QUALIFICATIONS

Functions:

- a) Each Program Executive Committee shall establish procedures of operations for review of credentials of individuals proposed for appointment to its program and develop criteria of qualifications. These procedures and criteria shall be submitted to the Committee of the Faculty who will, in consultation with the Dean, consider them and submit such criteria to the Faculty Assembly for its approval.
- b) Each Program Executive Committee shall review the credentials of individuals proposed for continuing secondary appointment and/or secondary appointment to its program and make recommendations to the Dean for action. The Dean may present a slate of candidates to the appropriate committee.
- c) Each Program Executive Committee shall periodically review the credentials of all individuals holding appointments on the graduate school faculty in its program and shall make recommendations to the Dean for action.

SECTION B. NOMINATIONS, ELECTIONS, BALLOTS AND BY-LAWS COMMITTEE

Membership:

The Nominations, Elections, Ballots and By-Laws Committee shall consist of five members who are to be elected from among candidates nominated from the floor of the Faculty Assembly at the annual fall meeting preceding the spring in which officers need to be elected. They shall serve for two years.

Functions:

- a) It shall be the responsibility of the Committee to recommend two or more candidates for the Office of Presiding Officer Elect, and Secretary of the Faculty Assembly. If an incumbent for secretary is nominated for re-election, the Committee, at its discretion, may choose not to recommend other candidates.
- b) Nominations of candidates other than those recommended by the Committee may be made from the floor of the Faculty Assembly at the time the Committee presents its recommendations.

- c) At the spring meeting of the Faculty Assembly, the Committee shall present its list of nominees for all pending vacancies. Within one month subsequent to the spring meeting of the Faculty Assembly, the Committee shall mail (or e-mail) to each voting member of the Faculty Assembly a ballot listing all nominees (including those nominated from the floor) for the various pending vacancies. From the date of mailing, two weeks shall be allowed for the return of the ballots to the Committee. Immediately, at the expiration of this period, the Committee shall tabulate the vote and report the results to the President of the Center, the Dean, the Secretary of the Faculty Assembly, and the Presiding Officer of the Faculty Assembly and to the School. The names of the newly elected officers and representatives to the DMC Faculty and Professional Staff Assembly Committees shall be announced by the Presiding Officer.
- d) The Nominations, Elections, Ballots and By-Laws Committee shall also:
 - 1. Supervise any special elections.
 - 2. Ensure that specified representation on the various Standing Committees is followed.
 - 3. Ensure that student representatives on various Committees are selected in the manner specified in these By-Laws.
 - 4. Maintain an up-to-date listing of membership of all Standing Committees of the Committee of the Faculty and make this available in the Library for inspection and use by the Faculty.
 - 5. Supervise the counting of all mail ballots for elected officers.
 - 6. Supervise the counting of all mail ballots on resolutions as described in Article III, Section C, Item 6 (b), as well as Article VII, Method of Voting on Amendments (a).
- e) The Committee shall review periodically the By-Laws of the Faculty of the School to determine whether such By-Laws are consistent with the Policies of the Board of Trustees of the State University of New York and By-Laws of the Faculty of the DMC, and make recommendations to the Committee of the Faculty.
- f) The Committee shall initiate and develop necessary amendments or revisions to the By-Laws of the School consistent with the Policies of the Board of Trustees of the State University of New York and the By-Laws of the Faculty of the DMC, and make recommendations to the Committee of the Faculty.

ARTICLE V

GENERAL RULES FOR ALL STANDING COMMITTEES

The following general rules shall apply for all Standing Committees unless otherwise stated in these By-Laws.

- a) Except for the Nominations, Elections, Ballots and Bylaws Committee, Committee members shall be elected or appointed for three year terms.
- b) If a member of a Standing Committee of the Faculty cannot serve his full term, the Chairman shall request the Committee of the Faculty to appoint a pro-temp member to serve on the Committee for the remainder of the unexpired term.
- c) The Dean and Presiding Officer of the Faculty Assembly shall be members without vote of each Standing Committee of the Faculty except as otherwise stated in these By-Laws.
- d) Each member of any Committee shall be entitled to one vote at meetings of the Committee.
- e) A quorum shall consist of a majority of members of the Committee.
- f) Unless otherwise specified in these By-Laws, each Committee shall annually elect a Chairperson and any such officers as the Committee shall deem necessary from among its members. The officers shall be eligible for reelection.
- g) A committee shall hold its initial meeting as soon as practicable after the beginning of the academic year in the month of September. The Chair of the Committee shall be responsible for calling this initial meeting.

- h) All Committees shall be responsive to inquiries, recommendations, or communications from the School community.
- i) When necessary, the Chairperson of a Standing Committee shall appoint Sub-Committees to assist the Standing Sub-Committee in carrying out its responsibilities. Membership in such Sub-Committees may be from among the voting and non-voting members of the Faculty, Student Body and Administration of the School. When areas of specific interest to individual programs within the school are involved, the Sub-Committee shall have, when possible, at least one representative from the group concerned.
- j) When necessary, Sub-Committees shall conduct publicly announced open hearings, at which time interested parties shall be given an opportunity to express their views. Two weeks prior notice shall be given for such hearings. The administrative office of the School shall be asked to employ all means at its disposal to publicize the hearings within the School.
- k) The Sub-Committees shall be responsible for making full and detailed reports of their findings to the appointing committee via its Chairperson or Secretary.
- l) All Standing Committees of the Faculty Assembly except as stated in these By-Laws, are to report directly to the Committee of the Faculty when the report carries with it a recommendation, resolution or motion. The Committee of the Faculty shall report directly to the Faculty Assembly.

Two weeks prior to the Faculty Assembly meeting at which a report carrying a recommendation and/or resolution is to be presented, a copy of the report shall be sent for study and deliberation to: a) the Chairperson, the Secretary, and members of the Committee of the Faculty, b) the Library for the inspection and use of the Faculty Assembly members and/or by e-mail to the faculty.

- m) A minority shall be entitled to submit a report at the time that a committee makes its report to the Committee of the Faculty. The existence of such a report shall be noted by the Presiding Officer of the Faculty Assembly in his report to the Assembly.

ARTICLE VI

ELECTIONS AND APPOINTMENTS

All voting members of the Faculty Assembly shall be eligible for election as, and entitled to cast a mail ballot for, Presiding Officer, Presiding Officer Elect, and Secretary.

Representatives of the Graduate School on the Committee of the Faculty and Professional Staff of the DMC shall be the Presiding Officer, Presiding Officer Elect, Secretary, and two members elected by the Committee of the Faculty of the Graduate School (*Note by KP Nov. 2007: Does not match by-laws of Centerwide*). Representatives of the School of Graduate Studies to other bodies within the State University, where these are not otherwise described, shall be appointed by the Committee of the Faculty of the Graduate School.

The ballot for the above named offices of the Faculty Assembly and Representatives of the School shall be mailed (or e-mailed), deposited and counted as described in Article IV, Section B of these By-Laws. The only exceptions to the mail ballot type of voting for an office shall be those for the Nominations, Elections, Ballots and By-Laws Sub-Committee (see Article IV - Section B).

Every three years, in the spring semester, each graduate program will elect an executive committee. Nominations from each program will be solicited by the Nominations, Elections, Ballots and Bylaws Committee. The election will take place via mail or electronic ballot and will be conducted as described in Section IV B, d. For the Neural and Behavioral Sciences (NBS) and Molecular and Cellular Biology (MCB) programs, the elections for executive committee will consist of electing a program director and five additional members from the faculty that constitute the program. An NBS or MCB program director may be elected to no more than two consecutive three-year terms and is then eligible for re-election after an intervening three-year term.

The Biomedical Engineering (BME) Program is a joint program with Polytechnic University. Downstate members of the BME program will elect six members to the BME Executive Committee at this election. The six elected will be 1) Downstate Program Director, 2) Downstate Track Coordinator for Biomaterials and Polymer Therapeutics, 3) Downstate Track Coordinator for Bioimaging and Neuroengineering, and 4) three additional members.

ARTICLE VII

AMENDMENTS TO THE BY-LAWS

Presentation of Amendments:

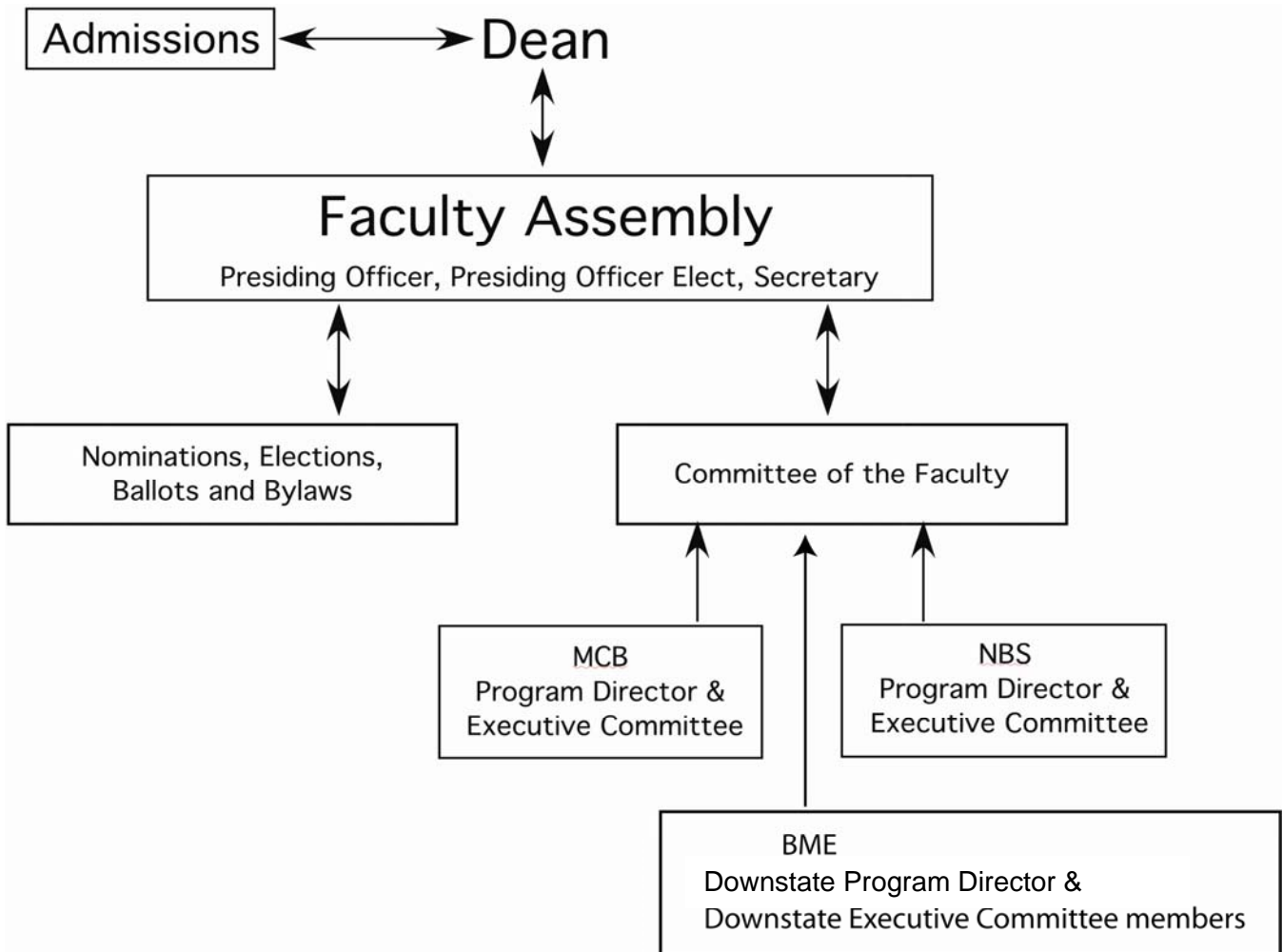
Proposals to amend these By-Laws must be made on the written petition of 10 voting members of the Faculty Assembly to the Presiding Officer of the Faculty Assembly at least 4 weeks before discussion at a Faculty Assembly meeting. The Secretary of the Faculty Assembly shall be responsible for the distribution of the text of the proposed amendment to the Voting Membership at least two weeks before discussion at the Faculty Assembly.

Method of Voting on Amendments:

a) Within two weeks of termination of discussion on an amendment, a secret ballot (accompanied by the text of the final proposed amendment and, when appropriate, the text of the existing By-Laws it seeks to supersede) shall be sent by the Secretary of the Faculty Assembly to voting members. The ballots shall be counted by the Nomination, Elections, Ballot and By-Laws Committee and the results of the vote shall be communicated to the membership via e-mail. The results of the vote and the count shall be made available within two weeks of the mailing of the ballot. The text of passed amendments shall be transmitted to the Board of Trustees, Chancellor and Provost of the State University of New York, The University Senate, the President of the Center, the Dean, Associate Deans of the School, and to the By-Laws Committee of the DMC.

b) A proposed amendment shall be considered adopted if approved by two thirds of the membership casting ballots in the election.

c) An amendment to these By-Laws shall go into effect immediately upon its adoption unless the motion to adopt specifies a time for its going into effect or the Faculty Assembly has previously adopted a motion to that effect.



3/1/77

(scanned for data file 3/31/95)

(DMC changed to HSCB 4/12/95)

(font and column change 8/4/97)

(By-Laws amended 2/6/04)

(HSCB changed to DMC 2/6/04)

revised 6/20/04 (M. Halpern)

By-laws amended by full faculty vote 6/07 and amendments incorporated into text by K. Perkins 7/07.

2008 amendment about election of BME executive committee incorporated into text. Flow chart edited to change "Downstate Leader of Program" to "Downstate Program Director."