FULL-TIME FACULTY PERSONNEL POLICIES AND PROCEDURES

FACULTY

Bronx Community College faculty is diverse, highly qualified, and dedicated to the mission and objectives of the College. A majority of the full-time faculty has earned doctorates or equivalents and has practical experience in their respective fields in the career, technology, and science areas.

The faculty shall consist of all persons having faculty rank or faculty status and such other individual members of the instructional staff as the faculty may add because of their educational responsibilities...shall have membership in the faculties of their respective school... (Bylaws, Article VIII, Section 8.3, page 8.1).

Definition of Faculty Rank

The presidents, vice presidents, deans, associate and assistant deans, the business managers and all persons who are employed full-time on an annual salary basis in titles on the permanent instructions staff, except college laboratory technicians, shall have faculty rank. All persons having faculty rank shall have the right to vote both in the faculty of which they are members and in their respective departments provided, however, that they have not received notice of non-reappointment, or submitted a resignation (Bylaws, Article VIII, Section 8.1, page 8.1).

A complete list of the instructional staff titles classified as faculty rank appears in the Board of Trustees of The City University of New York Bylaws, Article VI, Sections 6.1, page 6.1.

Definition of Faculty Status

Persons employed in the titles of instructor or lecturer (full-time) who have been reappointed on an annual salary basis for a third or later year of continuous full-time service shall have faculty status... (Bylaws, Article VIII, Section 8.2, page 8.1).

FACULTY RESPONSIBILITIES AND PROCEDURES

The faculty shall meet at least once each semester, or more often, upon call by the president, or by petition of ten percent of its members. The faculty shall be responsible, subject to guidelines, if any, as established by the Board, for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefore, student attendance including leaves of absence, curriculum, awarding of college credit, and granting of degrees. It shall make its own Bylaws, consistent with these Bylaws, and conduct the educational affairs customarily cared for by a college faculty. The president shall preside at its meeting or in her [his] absence, the vice president of faculty or a dean designated by the president (Bylaws, Article VIII, Section 8.6, page 8.3).

Faculty Responsibilities

Professional responsibilities include but not limited to: instruction; departmental membership; participation in department and college-wide committees and faculty activities; advisement of student extra-curricular activities; participation in educational-administrative functions such as proctoring of examinations, academic advisement, registration, and conferences with individual students during scheduled and/or arranged office hours.

Updated Fall 2015
Multiple Positions (Overload Assignments) - The assignment of overload teaching opportunities is governed by the Board of Trustees’ Statement of Policy on Multiple Positions and the BCC Workload and Multiple Position Policy.

BCC Policy - The contract gives the President the discretion to assign overload within the guidelines agreed upon by PSC/CUNY Agreement.

• Faculty members with any type of reassigned time (VATEA, Administrative, etc.) are limited to one multiple assignment of no more than four classroom contact hours per academic year.

• Multiples will be approved for those individuals with no less than a three-day teaching schedule.

• Preference for multiples will be granted to full-time individuals willing to teach evenings, Saturdays, and Sundays.

• Multiple hours start after the 13th – 15th hour in the Fall Semester and the 12th – 14th hour in the Spring Semester (except full-time substitutes). A Multiple position form is to be completed by every faculty member each semester. In addition, time sheets must be submitted and signed by the Chairperson.

• Multiple position assignments require the prior approval of the Department Chairperson and P & B; the Office of Academic Affairs; and the President.

• Consideration for multiples across department lines must conform to academic and teaching qualifications required for the position.

• A multiple position assignment during the January Intersession falls within the stated multiple position limitation.

Reassigned Time Funded and Administrative Convenience - Faculty members who are released for a funded or other administrative projects are expected to fulfill a fair share of their department responsibilities. The extent of that responsibility to the department should reflect the extent to which the faculty member is released to perform an assignment. Reassigned time is computed two hours for each hour released. Excessive demands should not interfere with the completion of a project.

Faculty without Reassigned Time - Except as noted below, faculty without any reassigned time will be eligible for consideration for an overload assignment “when such assignment is determined to be in the best interest of the college and to serve a specific academic need.” An overload teaching assignment, then, is not an entitlement that accrues to any faculty member who wishes to have one. Rather, in determining whether an overload will be assigned, primary consideration must be given to the college’s interests and its academic needs. Further, the opportunity to perform an overload teaching assignment is limited to no more than one (1) course per semester of not more than four (4) classroom contact hours per semester.

Overload assignments for faculty without reassigned time are subject to the additional restriction that such assignments for the Fall and Spring semesters combined may not exceed six (6) classroom contact hours in most instances and in no event may they exceed eight (8) contact hours.

Updated Fall 2015
Faculty with Reassigned Time - Faculty with reassigned time for research are not eligible for an overload assignment. Other faculty with reassigned time during the academic year are not normally eligible for an overload assignment. The President may, however, approve an overload assignment for a faculty member with reassigned time for other than research, for academic reasons. This exception is limited to one (1) course during the academic year, typically of three (3) classroom hours, but in no event to exceed four (4) classroom contact hours. These restrictions apply to faculty members who have any reassigned time during the academic year, even if they do not have reassigned time during the semester in which the overload assignment is under consideration.

Faculty with reassigned time during the academic year will not normally be eligible for an overload assignment. In those instances when, for academic reasons, the Vice President of Academic Affairs approves an overload teaching assignment for faculty with reassigned time, such assignment cannot exceed one course, typically of three (3) classroom contact hours, but in no event to exceed four (4) classroom contact hours, per academic year.

NOTE: Semesters include: Fall, Intersession, and Spring, therefore, a faculty member can only teach one course from one of these semesters. Summer is not included in determining overload teaching assignments.

Reassigned Time for Scholarly Activities - Untenured Faculty Serving as Counselors or as Librarians (new contract provisions)

a. Effective September 1, 2006, untenured Assistant Professors, untenured Associate Professors and untenured Professors employed as faculty counselors or as faculty librarians, who are initially appointed to those titles on or after September 1, 2006, will receive the equivalent of 12 contact hours of reassigned time during their first three (3) annual appointments in order to engage in scholarly and/or creative activities related to their academic disciplines. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

b. Effective September 1, 2006, untenured Assistant Professors, untenured Associate Professors and untenured Professors employed as faculty counselors or as faculty librarians who were initially appointed to those titles on or after September 1, 2002, September 1, 2003, September 1, 2004, or September 1, 2005, and who continue in active pay status will receive the equivalent of 12 contact hours of reassigned time to be used during the 2006-2007, 2007-2008, and 2008-2009 academic years, regardless of tenure status, in order to engage in scholarly and/or creative activities related to their academic disciplines. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

c. For the purpose of calculating the reassigned time, 12 contact hours shall be equivalent to the number of clock hours that would be necessary to provide full reassigned time to a faculty counselor or a faculty librarian for 15 weeks. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

Reassigned Time for Scholarly Activities - Effective October 31, 2002, untenured Assistant Professors, Associate Professors and Professors, except Librarians and Counselors, who were initially appointed on or after September 1, 2002, will be eligible for reassigned time not to exceed a
total of 12 contact hours during their first three (3) annual appointments in order to engage themselves in scholarly and/or creative activities related to their academic disciplines. Assignments of such released time will be made by the college pursuant to guidelines designed to encourage scholarship.

Reassigned Time for Untenured Faculty - Untenured Assistant Professors, untenured Associate Professors and untenured Professors who received initial appointments to a **professorial title on or after** September 1, 2006, will receive an **additional twelve (12) contact hours** of reassigned time. With the 12 contact hours of reassigned time negotiated in the previous collective bargaining agreement (and for faculty counselors and faculty librarians, the 12 contact hours in the above paragraph a), these faculty members will have a total of **24 contact hours** of reassigned time, to be used during their **first five (5) annual appointments**, in order to engage in scholarly and/or creative activities related to their academic disciplines. Assignment of such reassigned time will be made by the college pursuant to guidelines designed to encourage scholarship.

**Faculty Survey** - The Committee on Instruction and Professional Development conducts a faculty and staff survey each Spring to determine areas of concern that can be addressed by the Committee.

**Responsibilities:**

**Teaching Workload** - The full-time faculty teaching workload is twenty-seven (27) contact hours per academic year. *(PSC/CUNY Agreement, Article 15, Workload Settlement).*

**Advisement and Registration** – Faculty are scheduled to assist students with Academic Advisement and Registration during the academic year. Faculty can access the on-line advisement form by going to the BCC website (bcc.cuny.edu) and jumping to the Registrar’s Home Page. Schedules are arranged, based upon availability of faculty, by the Chairperson of the Department. Faculty must have access to the Student Information Management System (SIMS) to review student transcripts. SIMS applications are available in the Registrar’s Office, Colston Hall, and Room 509. To evaluate a student’s transcript for degree requirements, faculty may access Degree Solutions by signing on to the CUNY Portal (cuny.edu). See Chapter VII for further information regarding academic advisement assistance provided by the Office of Academic Advisement.

**Copyright Guidelines** - The Office of The General Counsel and Vice Chancellor of Legal Affairs memorandum of July 1992 contains the stipulations for University faculty who make multiple photocopies of copyrighted materials for classroom use. Complete text. For assistance in obtaining permission to use copyrighted material, contact the BCC Legal Counsel’s Office.

**Student Performance Advisement** - Faculty are requested to notify all students with poor or failing grades early in the semester to alert students of their academic performance. Some students may be advised to reduce their programs and concentrate on doing quality work to achieve better results in fewer courses. Faculty should make students aware of any academic problems and suggest alternative methods to improve their grades such as the student services available for tutoring, etc. (see Chapter VII). It may also be necessary to suggest that a freshman see a counselor regarding current status.

**Faculty Attendance** - Faculty members are expected to attend to all professional obligations during the academic year from the first day of classes through June commencement, including classes, committee meetings, conferences, administrative assignments, etc. Faculty members are expected to attend and participate in graduation ceremonies.

Any faculty member who finds it necessary to be late or absent must notify the Department Chairperson or the Deputy Chairperson, as early as possible, so that arrangements may be made.
to provide a substitute or to post a notice for students.

Faculty who serve as substitutes for absent faculty members will be paid at their hourly rate, after the department has covered three-class sessions. (Clinicals are covered immediately.)

**Office Hours** - Full-time faculty are expected to schedule a minimum of TWO separate office hours a week on two separate days, excluding Club Hours, for conferences with students. TWO additional hours by appointment should also be scheduled.

Office hours, location, and telephone number should be announced to students in all classes. Scheduled hours should be prominently posted outside office doors and on the Department Office bulletin boards for student reference.

**Student Attendance and Class Rosters** - Faculty have the responsibility to allow only those students who are officially registered to attend class.

Class rosters are provided to all faculty through the Registrar’s Office. If the student is not listed on the class roster, faculty should request to see the student’s Bursar receipt for admittance to the class.

The **Initial Class Roster** lists all students who are officially registered and hold Bursar’s receipts as of the first day of classes.

The **Second Roster** includes all registration activities, change of programs and late registration, which may occur during the first week of classes.

The **Third Class Roster** is the official Class Enrollment and Attendance Roster.

**Auditing of Classes** - Students who are not officially registered in a course may be permitted to audit a class with the instructor’s permission. Students who expect to attend a class on a regular basis should register as an auditor. These students will receive an AUD grade.

**Student Lateness, Early Warning, Debarment, and Reinstatement Notices** – Attendance must be taken during each class meeting. Students should be made aware that excessive absences may lead to debarment from a course.

There are no provisions for unexcused absences or for unexcused free cuts. Attendance should be recorded in the **BCC Class Enrollment and Attendance Roster**. Absences within the **Guideline for Excessive Absences** should be reported to the Registrar’s Office, Room 509, (See **BCC Catalog**). The **gold form** for reporting student attendance is available in the department offices. Last date of attendance must be included in the proper column.

**Note:** See the **BCC Catalog** for Religious Beliefs and Class Attendance.

**Student Official Withdrawals** - Students must initiate an official withdrawal from a class by the last calendar withdrawal date. The student, upon discussion with a counselor, obtains the necessary forms to be signed by the instructor of the course. Faculty members should verify the reason for withdrawal, date and sign the form, and record the date of withdrawal in the proper column in the **BCC Class Enrollment and Attendance Roster**. A grade of “W” will be entered by the Registrar’s Office on the final grade sheet.

**Student Change of Grade Form** - Faculty members must complete and submit a **Change of Grade form**, with proper signatures, to the Registrar. Faculty members should maintain a copy of the form.

Updated Fall 2015
(See BCC Catalog for related grade information.) In addition, the new grade should be recorded in the Class Enrollment and Attendance Roster.

**Student Evaluations of the Faculty** - The Office of Institutional Research and Planning distributes the Student Evaluation of Faculty Survey forms to the department offices in the Fall semester. Faculty are required to sign for the envelope containing the blank evaluation forms and Student Comment forms, assign a student to administer the evaluations according to the instructions provided to students currently enrolled in the various classes, and have the student return all completed forms, excluding the Students Comment forms, in the sealed envelope to the department office. The Students Comment forms should be kept separately and returned to the faculty member during the same semester.

The student evaluations are to be completed during the thirteenth or fourteenth week of the Fall semester. Student evaluations may be conducted during the Spring semester. Faculty will receive the statistical results the following semester.

**Final Examinations** - The *Academic Calendar* lists the dates for the final examination period. The Scheduling Officer prepares a College-wide schedule for the specific courses, section numbers, dates, and times for administration of all final examinations. Block examinations may be scheduled in various academic departments. Final examinations are required in all courses. Each academic department is to set its own policy on final examinations, within the following conditions:

The State Education Department requires that 15 weeks (or the equivalent of 15 weeks) of educational activity be conducted each semester for all courses.

A department must choose one or a combination of the following alternatives as the activity for the final week of the semester:

- Department examinations should be conducted during the assigned time blocks.
- Individual instructor’s examinations should be conducted during assigned time blocks as reflected in the College’s Final Examination schedule.
- Faculty is expected to proctor their own final examinations.
- Faculty must submit a file copy of their examinations to the Chairperson of the Department prior to the exam being given.

**Student Final Examination Conflicts** - Students who have two or more final examinations scheduled simultaneously must file a *Final Examination Conflict form* with the Evening Administration Office who will make arrangements for other times and dates for the students to take their finals.

**New York State Ethics Law and Regulations Regarding Activities** - The Office of General Counsel and Vice Chancellor for Legal Affairs memorandum informs all employees of their responsibilities under the State Ethics Law. Information regarding outside activities, honoraria and travel responsibilities, prohibited activities, prohibited gifts and forms for reporting activities are included in the document. Any questions about ethical requirements can be directed to the Legal Counsel x5157.
PROFESSIONAL EVALUATION OF FACULTY

Annual Evaluations

Teaching Staff

The contract provides professional evaluation of all members of the teaching faculty, except for tenured full professors. These evaluations shall be used to encourage professional performance and growth and to maintain academic and professional standards of excellence among the faculty. They also provide a basis for decisions on reappointment, tenure, and promotion.

The evaluation of a teaching member of the faculty shall be based on total academic performance, with special attention to teaching effectiveness and shall include, but not be limited to:

• Classroom instruction and related activities;
• Administrative assignments;
• Research (Requirement excludes Lecturers);
• Scholarly writing;
• Departmental, College, and University assignments;
• Student guidance;
• Course and curricula development;
• Creative works in individual’s discipline; and
• Public and professional activities in field of specialty.

Teaching Observation

Teaching observation is one factor in the total evaluation of the academic performance of the faculty. The observation should assess the faculty’s strengths and weaknesses and should contain suggestions for improvements.

1. At least once during each academic semester, non-tenured and non-certificated members of the teaching staff shall be observed for a full classroom period. One observation shall take place during any scheduled class during the first ten weeks of a semester. The faculty member shall be given no less than 24 hours prior notice of observation.

2. Tenured and certificated faculty may be observed once each semester.

3. In recommending reappointment, awarding of tenure and promotion, the College P & B Committee and the Academic Review Committee consider reports of observation of classroom performance student evaluations, and significant evidence of teaching effectiveness as well as other factors.

4. A panel established by the Department P & B Committee shall conduct the observations. The Department Chairperson shall schedule the members of the Committee to observe teaching faculty as necessary.

5. Each observer shall submit, through the Department Chairperson, a written Observation Report to the Department P & B Committee within one week of the observation. The Committee shall consider these observation reports in the total evaluation of the teaching faculty member. The Observation Report shall be placed in the faculty member’s personal file.

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6. The Department Chairperson shall schedule the **Post-observation Conference** for the faculty member within two weeks after receipt of the written observation report. The conference shall include the faculty member and the observer. Either a member of the Department P & B Committee or a member of the Department with the rank of tenured Associate Professor or Tenured Professor may be assigned by the Chairperson at the request of the employee or the observer.

7. Following the **Post-observation Conference**, the assigned P & B representative or the assigned senior faculty member shall prepare a record of the discussion in memorandum form for submission to the Chairperson. If the Post-observation Conference includes only the observer and the faculty member, the observer shall prepare the record of the discussion in memorandum form. The faculty may have a copy of this document provided a signed receipt is tendered. The original conference memorandum shall be placed in the faculty member’s personal file.

8. If the observation or Post-observation Conference is not held within the time stipulated within the **PSC/CUNY Agreement**, the faculty member shall have 10 working days to file a request for an observation and/or conference with the Chairperson. A copy of the request should be sent to the appropriate Vice President and the Office of the President. Faculty failing to file the request within the stipulated time shall bar the employee from subsequent complaint regarding such non-compliance with Article 18.2 (b), 2 b) or c). Upon receipt of the request, the College shall cause appropriate remedial action to be taken, including, if necessary, scheduling of an observation and/or observation conference by the Vice President, the President, or their designee (**PSC/CUNY Agreement**, Article 18, pages 35 and 36).

**Annual Evaluations**

**Non-teaching Staff**

Preferably once each semester, but at least once each year, Librarians, CLTs, Counselors, Student Personnel Services staff, Registrar series, HEO series and other non-teaching members of the Instructional Staff covered under the **PSC/CUNY Agreement** shall have an evaluation conference with the chairperson or supervisor to be designated by the appropriate Vice President or President. At the conference, the staff member’s total performance and professional progress shall be reviewed. Following this conference, the designated official shall prepare a record of the evaluation discussion in memorandum form for inclusion in the staff member’s personal file. A copy of the report shall be given to the staff member within 10 working days following the conference (**PSC/CUNY Agreement**, Article 18.3 (b) page 36).

**Faculty Files**

**Faculty Credentials.** All faculty members must submit to the College proof of all earned degrees and any other related credentials, such as professional certificates or licenses. Official transcripts must be sent to the Chairperson of the Department.

**Curriculum Vitae.** All faculty should have an updated curriculum vitae on file in department offices, especially if personnel action is pending.

**Personnel Files.** The College maintains two files for each faculty member. Faculty members have the right and responsibility to inspect and initial their personal personnel files annually in the presence of the Chairperson or designee. The personal personnel file will contain information submitted by the individual faculty member or generated by the College. The information that may be included are: evidence of academic and professional accomplishments, evaluations of professional performance,
observation reports on academic and professional performance, and student evaluation data.

**Faculty Recruitment**

Procedures for faculty recruitment, selection, and compensation are consistent with the institution’s mission of maintaining high academic standards. Full-time faculty are recruited and selected through a process that mandates a thorough national search. Positions are advertised with CUNY through personnel offices and are publicized in publications that reach a broad readership of potential candidates. Rigorous Affirmative Actions Guidelines are mandated and implemented.

**Appointments**

The following information relates to all appointments with the exception of original appointments recommended by the President:

All appointments, reappointments, and appointments with tenure to a department, except as above specified, shall be recommended to the college committee on faculty personnel and budget (following consideration by the Divisional P & B) by the chairperson of the department after consultation with the president in accordance with the vote of the majority of the members of the department’s committee on appointments, or departmental committee on personnel and budget, save that a minority of any committee on appointments or department committee on personnel and budget shall have power to submit a minority recommendation to the college committee on faculty personnel and budget (Bylaws, Section 9.7b, page 9.5).

**Tie Votes** - A tie vote in a case affecting an appointment, a reappointment or a promotion shall be considered as a failure of the motion to prevail (Bylaws, Section 9.9, page 9.6).

There shall be a written notification to the individual of the Departmental P & B Committee’s decision on reappointment, tenure and/or promotion. A College-wide uniform notice is to be used for this purpose. When feasible, all such notices shall be sent simultaneously to candidates in a particular category in a department before the Divisional P & B Subcommittee acts on the recommendation of the Departmental P & B, and in accordance with the College P & B calendar.

All discussions, actions, and activities of the Departmental P & B Committee with respect to personnel matters shall be strictly confidential and privileged. Minutes recording only actions of the Committee shall be kept.

Members of the Departmental P & B Committee enjoy complete freedom of decision. A secret ballot shall be kept.

Any affirmative action of appointment, reappointment, and promotion taken by the Departmental P & B Committee must be submitted to the Divisional P & B subcommittee and then to the College P & B Committee.

**Reappointments**

The Board of Trustees reaffirms the Commission’s insistence that the decision to reappoint and the decision to tenure are two separate and distinct acts. Similarly, the Board reaffirms its position that no appointment carries with it the presumption of reappointment or of eventual tenure.

1. In order to enhance and maintain flexibility in recruitment, appointment, and reappointment, the Board authorizes the option of two-year appointments for full-time members of the instructional staff, in appropriate instances, at the discretion of the College.

Updated Fall 2015
2. Decisions to reappoint faculty members shall take into account such institutional considerations as have been established and disseminated as a framework for all academic personnel actions.

3. The factors upon which decisions to reappoint are based on the following:

a) **First Reappointment** - Candidates for reappointment at the end of their initial term of appointment on a full-time line shall be evaluated on the basis of the following criteria which should also include reference to the **Faculty Professional Development Plan**:

   (i) **Teaching Effectiveness** - There is a variety of ways, including classroom observation, to evaluate this criterion. The evaluation, however, should extend beyond the classroom, since the faculty member’s obligation to the students goes beyond normal class hours. Personnel Committees should consider student evaluations as a factor in assessing the teaching effectiveness of an instructor.

   (ii) **Scholarly and Professional Growth** - Candidates in tenure bearing titles for the first reappointment are expected to demonstrate their potential for scholarly work and their achievement in some of the following ways:

- a) Evidence of research in progress leading toward scholarly publication.
- b) Publication in professional journals.
- c) Creative works, show and performance credits, etc., when such are appropriate to the department.
- d) Development of improved instructional materials or methods.
- e) Participation in activities of professional societies.

   (iii) **Service to the Institution** - Since all full-time faculty members share broad responsibilities toward the institution, work in departmental and college committees should be considered in overall evaluations. Although it is understood that not all junior faculty members will have an opportunity to serve on important committees, their evaluation should consider evidence of their informal contributions to such committee work and their participation in other regular administrative activities such as governance, registration, advisement, library and cultural activities.

   (iv) **Service to the Public** - A candidate, though not expected to do so for the first reappointment, may offer evidence of pertinent and significant community and public service in support of reappointment.

b) **Second and Subsequent Reappointments.**

Candidates for second through **seventh** reappointment **should prepare a written brief** outlining all professional accomplishments that are pertinent to the application. **First reappointment candidates may choose to prepare a brief.** The following categories should be included in the brief:

In addition to criteria for the first reappointment candidates for the second or subsequent reappointments shall be evaluated on the basis of the following criteria:

   (i) **Teaching Effectiveness** - Evaluation of this criterion shall include contractual teaching
observations and peer judgments; assessment of the instructor effort and success in
developing new methods and materials suited to the needs of their students; and
assessment of student evaluations; and of other non-classroom educational efforts
such as academic advisement.

(ii) **Scholarly and Professional Growth** - Candidates for the second and subsequent
reappointments are expected to offer evidence of scholarly contributions to their disciplines.
Evaluations of the quality of such work may be sought from outside the department.
Achievements in the period following the last reappointments should be evaluated on the
basis of publications of scholarly works in professional journals, or reports of scientific
experimentation; scholarly books and monographs, and evidence of work in progress;
significant performance or show credits or creative work; and improved instructional
materials and techniques that have been found effective in the classroom either in the City
University or elsewhere.

(iii) **Service to the Institution** - Effective service on departmental, college, and university
committees.

(iv) **Service to the Public** - Institutions of higher education are expected to contribute their services
to the welfare of the community. Although such activities are a matter of individual
discretion and opportunity, evaluation of a faculty member for reappointment should
recognize pertinent and significant professional activities on behalf of the public. The
absence of this contribution should not work to the disadvantage of any candidate for
reappointment.

4. Judgments on reappointment should be progressively rigorous. In the second and subsequent
reappointments, a candidate should be able to demonstrate that he/she has realized some of
his/her scholarly potential. Similarly, standards of acceptable performance as a teacher should be
graduated to reflect the greater expectations of more experienced faculty members.

**Tenure**

Pursuant to the PSC/CUNY Agreement of 2002–2007 and subsequent legislative actions, the time to
tenure for those professorial titles has been changed from **five years to seven years**. Tenure will now
take effect with the **eighth full year appointment**. This change is **effective** for those appointed as of
**September 1, 2006**. However, as an interim measure, those in the professorial ranks with an **initial
appointment** year of **September 1, 2006**, **to August 31, 2007**, may elect to take **five years to tenure**.

1. The decision to grant tenure shall take into account institutional factors such as the capacity of the
department or the College to renew itself, the development of new fields of study, and projections of
student enrollment.

2. The criteria upon which decisions to tenure are based shall be as follows:
   
   a. **Teaching Effectiveness** - Tenure appointments shall be made only when there is clear evidence of
   the individual’s ability and diligence as a teacher.

   b. **Scholarship and Professional Growth** - Evidence of new and creative work shall be sought in the
candidate’s published research or in his/her instructional materials and techniques when they
incorporate new ideas or scholarly research. Works should be evaluated as well as listed, and
work in progress should be assessed. When work is a product of a joint effort, it is the
responsibility of the department chairperson to establish as clearly as possible the role of the
candidate in the joint effort.

*Updated Fall 2015*
The following factors may be supplementary considerations in decisions on tenure. The weight accorded to each will vary from case to case.

c. **Service to the Institution** - The faculty plays an important role in the formulation and implementation of University policy and in the administration of the University. Faculty members should therefore be judged on the degree and quality of their participation in College and University government. Similarly, faculty contributions to student welfare, through service on committees or as an advisor to student organizations, should be recognized.

d. **Service to the Public** - Service to the community, state, and nation, both in the faculty member’s special capacity as a scholar and in areas beyond this when the work is pertinent and significant, should be recognized.

3. Tenure shall not normally be granted before the **seventh** annual reappointment. Only in exceptional cases may tenure be granted before that time: when appointment to the faculty at the University requires the continuation of tenure previously awarded by another institution of higher learning; when a prestigious fellowship valuable to the College concerned interrupts continuous service during the probationary period; or when some extraordinary reason indicates that the College would be well served by the early granting of tenure. [Four or more letters of reference from experts outside the University are required.]

4. The Chancellor will publish annually a report on tenure in the University, which analyzes the actions of each College and contains such pertinent data as may be of assistance to the College in the management of tenure. The report will also contain the Chancellor’s judgment on the quality of tenure procedures and actions.

**Certificate of Continuous Employment (CCE—Lecturer)**

Faculty in the title Lecturer shall be eligible for a Certificate of Continuous Employment upon a sixth full-time appointment in the title of Lecturer immediately preceded by five years of continuous full-time service. In computing eligible time in service, such time shall commence with the first September of appointment.

When service has been continuous and a break in full-time service has occurred by virtue of a reduced schedule such less than full-time service shall be prorated towards its equivalency in full-time service.

The CCE shall be valid only in the College or in the Educational Opportunity Center which grants the certificate or sixth appointment and shall carry with it the guarantee of full-time reappointment subject to continued satisfactory performance, stability in academic program, sufficiency of registration, and financial ability.

The terms of this provision do not apply to service in any title other than full-time Lecturer.

Effective one year after the initial appointment, no full or part-time Lecturer shall be denied reappointment on the basis of professional incompetence unless he/she has been evaluated during at least three semesters (including the first year of appointment) according to the provisions contained in the **PSC/CUNY Agreement**, Article 18, and unless two of the last four evaluations indicate unsatisfactory professional performance.

An Instructor may be appointed in the title Lecturer immediately preceded by five years of continuous full-time service as an Instructor in the same department in which case he/she shall receive a Certificate of Continuous Employment as a Lecturer.

Instructors and non-certificated Lecturers with four or more years of continuous full-time service in these titles immediately preceding appointment to the rank of Assistant Professor shall receive two...
years of service credit toward the achievement of tenure in the title Assistant Professor.
By August 31, preceding the first full year of appointment to the title, Assistant Professor, the employee shall state, in writing, his/her preference regarding whether or not he/she wishes to waive the service credit toward tenure provided in the previous paragraph. In the event the employee wishes to have the service credit applied or does not state a preference, the service credit shall apply. Approval or denial of the request shall not be subject to the provisions of Article 20 (PSC/CUNY Agreement, Article 9, 9.8 page 13).

Promotion

The Board fully supports the Commission’s recommendation that the criteria established for reappointment and tenure apply equally to decisions on promotion. It also reaffirms the Commission’s caution that judgments on promotion be sufficiently flexible to allow for a judicious balance among excellence in teaching, scholarship, and other criteria.

When considering decisions on either promotion or tenure, personnel committees should bear in mind that the two judgments represent two distinct acts. Just as it would be unwise to promote those whose qualities for tenure are questionable, so it would be equally ill advised to tenure those whose capacity for promotion to senior rank is judged to be limited.

The criteria for a new appointment shall be as follows:

- **to Assistant Professor** - The candidate must possess the Ph.D. degree and submit evidence of qualifications to meet, in due time, the standards required for the first reappointment. Those persons without the Ph.D. currently holding positions as Assistant Professors and Instructors at the community colleges shall not be affected by this provision.

The criteria for promotion shall be as follows:

- **to Associate Professor** - The candidate shall present evidence of scholarly achievement following the most recent promotion; in addition to evidence of continued effectiveness in teaching, the candidate should thus meet the qualifications required for tenure.

- **to Professor** - The candidate must meet all the qualifications for an Associate Professor, in addition to having an established reputation for excellence in teaching and scholarship in this discipline. The judgment on promotion shall consider primarily evidence of achievement in teaching and scholarship following the most recent promotion.

**REAPPOINTMENT, PROMOTION, EQUIVALENCY, WAIVER, AND APPEAL PROCEDURES**

**Reappointments and Promotion** – Full-time instructional staff in tenure or certificate lines:

1. **Candidates for second through seventh (excluding certificate lines—second through fifth) reappointment should prepare a written brief outlining all professional accomplishments that are pertinent to the application. First reappointment candidates may choose to prepare a brief. The following categories should be included in the brief:**

   - Length of service in rank
   - Education
   - Employment record
   - Membership and activities in professional societies
   - Professional licenses

Updated Fall 2015
• Publications
• Other scholarly activities
• Academic and professional honors, grants, and awards
• Evaluation of teaching competency as reflected by personal observations, student evaluations, and department observation reports
• Other contributions to students, department, college, and community

Aspects of the candidate’s record subsequent to the previous reappointment must be clearly delineated.

2. Seven days prior to the Department P & B considerations, candidates should submit the following to the Chairperson of the Department:

- Original and eleven copies of brief
- Curriculum vitae
- Optional request for Personal Appearance before Departmental P & B Committee

If the Department P & B action is positive, the candidate’s application will be submitted to the Divisional P & B Subcommittee for review. The candidate should indicate whether he/she wishes to appear in person before the Department, and/or College P & B Subcommittees in case of a negative Department decision. The deadline for submission of the brief will be in accordance with the College P & B calendar and will be announced by Department Chairpersons.

3. If the candidate indicates that he/she wishes a personal appearance before the Department P & B Committee, he/she will be informed by his/her chairperson when to appear before that Committee to answer questions of members of that Committee and to present a summary of his/her written brief which may highlight, emphasize, and/or possibly include material which had been inadvertently omitted previously. The candidate’s presentation will be limited to 15 minutes.

4. Form FAC 101 will be sent to the candidate to inform him/her of the action by the Department P & B.

5. Candidates will not be permitted to make a personal appearance before the divisional subcommittee when the latter is reviewing their positive departmental actions.

6. Candidates requesting reappointment with tenure (or CCE) are required to appear before the divisional subcommittee.

7. The Divisional P & B Committee will notify the candidate of its decision on Form FAC 101.3.

8. The College P & B Committee will act on the basis of the positive recommendation of the Department P & B, the recommendation of the Divisional P & B Subcommittee, and its own deliberations. The College P & B’s recommendation will be reviewed by the Academic Review Committee and then forwarded to the President for further action in accordance with the Board of Trustees’ Bylaws.

9. The candidate will be notified of the College P & B decision on Form FAC 104.; the President will inform the candidate of his/her decision in the form of a letter.

Updated Fall 2015
LEAVES*


Eligibility -

- Tenured members of the permanent instructional staff, including those holding the title Lecturer with Certificates of Continuous Employment (CCE), and

- Lecturers with a CCE, on leave from that title and serving without tenure in professorial titles (Assistant Professor, Associate Professor, Professor), who have completed six (6) years of continuous paid full-time service with the University, exclusive of non-sabbatical or fellowship leaves, are eligible to apply for a fellowship leave.

Specific Purpose -

- Research (including study and related travel)
- Improvement of teaching
- Creative work in literature or the arts

Salary -

- a full-year at 80% of the bi-weekly salary rate
- a one-half year leave at 80% of the bi-weekly salary rate
- a one-half year leave at full pay

Approval Required By -

- Department Personnel and Budget
- Divisional Personnel and Budget
- College Personnel and Budget
- President
- Board of Trustees

College P & B Committee Evaluation Scale for Fellowship Leaves:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Study and Research</td>
<td>2 - 5</td>
</tr>
<tr>
<td>b) Creative Work in Literature or the Arts</td>
<td>2 - 5</td>
</tr>
<tr>
<td>c) Educational Travel</td>
<td>1</td>
</tr>
<tr>
<td>d) Restoration of Health** ***</td>
<td>-- To be evaluated</td>
</tr>
<tr>
<td>e) Seniority</td>
<td>1 For each year of service subsequent to the last fellowship leave or appointment</td>
</tr>
</tbody>
</table>

*Obtain relevant forms from the Human Resources Department in South Hall.
**Must be established by a statement from a physician
***Appointed prior to July 1, 1965

Temporary Disability Leave Bylaws, Section 13.2, page 13.2

Updated Fall 2015
Defined: As any temporary physical or mental incapacity of health including pregnancy, complications of pregnancy, and childbirth, and shall be deemed to include “sick” leave and “maternity” leave as referred to in the education law.

a) Instructional staff members accrue twenty days of temporary disability leave per year, cumulative to a maximum of 160 days.

b) An employee who is absent from duty because of a temporary disability must promptly inform his/her chairperson/supervisor, who in turn will inform the Vice President of Academic Affairs of the nature of the disability and of the probable duration of the absence.

c) Any individual absent in excess of five working calendar days exclusive of holidays is required to submit an Application for Temporary Disability Leave, together with a statement on letterhead stationary from his/her physician.

d) Before returning to the College the absentee must also present a statement from his/her physician certifying that he/she is fully capable of returning to work.

e) See PSC/CUNY Agreement Article 16, pages 32-33.

Special Leaves for Child Care

Special leaves for the purpose of caring for a newborn infant shall be granted to a member of the Instructional Staff upon notification to the President and application for such leave, provided the applicant has legal responsibility for the care and/or support for said child. See Article 16.8, PSC/CUNY Agreement, page 33.

Leaves for Special Purposes

Special leaves for personal emergencies of not more than ten working days may be granted with pay by the president at his/her discretion.

On recommendations of Department Personnel & Budget Committee, College Personnel & Budget Committee, President, Office of Faculty and Staff Relations, and Board of Trustees may be granted to members of the instructional staff for special purposes such as: study, writing, research, the carrying out of a creative project or public service of reasonable duration. Such leave shall be without pay.

The Board may allow special leaves to be credited as service for retirement purposes. Where the leave is one year or longer, it shall not be credited for purposes of increment, except that increment credit may be granted when the President certifies that the leave is being taken for a project of academic, scholarly or public importance that brings honor and recognition to the College.

Family Medical Leave

Effective February 5, 1994, an employee of the City University of New York covered by a collective bargaining agreement became eligible for leave under the Family Medical Leave Act (FMLA). Leaves are granted in accordance with University Regulations.

Attached is a memorandum from the Director of Personnel explaining the University's policy for requesting, receiving, and returning from FMLA leave.

Professional Reassignment Leaves

Professional reassignment leaves are granted to instructional staff who serve in the Library and to
Counselors.

Librarians

The purpose of permitting members to be reassigned for research, scholarly writing, and other recognized professional activities is that it will enhance their contribution to City University. The leave shall not exceed five weeks. The reassignment of 50 members in the instructional staff in the University libraries during a one year period shall be apportioned among the colleges in accordance with the size of the eligible staff at each institution, except that each college shall assign at least one reassignment.

A report of the activities undertaken by the member, while under reassignment, shall be submitted to the President of the College with copies to the Chief Librarian and the Office of the Vice Chancellor for Academic Affairs within two months after completion of the reassignment (PSC/CUNY Agreement, Article 25.4, page 62).

Counselors

The second paragraph of Section 25.4 of the current CUNY-PCS Agreement shall be amended as follows:

The parties agree to establish a paid leave not to exceed four weeks during any year commencing September 1 and ending August 31 for the purpose of permitting members of the instructional staff who are appointed or assigned full-time as Counselors or to other student personnel assignments on or after September 1, 1998, except those in the Higher Education Officer series, to be reassigned for research, scholarly writing, and other recognized professional activities that enhance their contribution to the City University. The reassignments shall be subject to approval by the personnel and budget committee to their department and appropriate college wide committees. The parties accept as a goal the establishment of such reassignment leaves to equal [20%] 35% of the members of the instructional staff appointed or assigned full time as Counselors or to other student personnel assignments on or after September 1, 1998, except those in the Higher Education Officer series, or 50 such leaves, whichever is less.

Jury Duty

Background

The purpose of Section 521 of the New York State Judiciary Law is to assure that employees receive either a day’s pay or the jury duty per diem allowance, not both, for any given day of jury day service in any state or local court, except town or village courts. That law has recently been amended to provide for a different method of payment of the jury duty per diem allowances to, among others, CUNY employees who serve on State or local juries in New York State. Section 521 streamlines the method of per diem allowance payment for jury duty service by having the State not issue a separate payment check to CUNY employees. CUNY employees should now receive only a carfare reimbursement check.

Procedure: A - New York State and Local Jury Duty Service

1. Employees summoned to jury duty must notify, as soon as possible, their immediate supervisor and the College Human Resources Director that they have been so summoned. A photocopy of the jury duty summons should be presented by the employee at this time.

Updated Fall 2015
2. CUNY employees should be reminded that they are a “State or local employee” for the purposes of Section 521. CUNY employees are to respond in the affirmative when asked this question by the appropriate court personnel.

3. Employees returning from jury duty must present a photocopy of the completed jury duty certificate to their immediate supervisor and the original jury duty certificate to the College Human Resources Director. A completed jury duty certificate will include the employee’s name, dates of jury duty service, and the signature or stamp of the appropriate court clerk.

4. Employees must also present to the College Human Resources Director a photocopy of the actual reimbursement check that they eventually receive from the State.

5. Employees must reimburse their College if the State inadvertently issues a check for per diem jury duty service.

Procedure: B - Federal and Out-of-State Jury Duty Service

1. Established procedures will remain in effect for federal and out-of-state jury duty service; employees will receive a per diem allowance payment from the federal or out-of-state governmental jurisdiction, and must then reimburse the College.

Note: College teachers are paid on the basis of a 10-month school year. Where they are not teaching summer school for additional compensation, they should be paid their per diem fee if they serve as jurors during the summer period, even if they continue to receive paychecks during that period. The summer months for teachers are considered a period when no regular workdays are scheduled, rather than a period of paid vacation, and the payment received during the summer (except for summer school) is considered deferred compensation.

Retirement

In order to assist their department in planning for future semesters, individuals should notify their department chairperson as soon as they have made a firm decision to retire.

In addition, to avoid the risk of forfeiting all retirement benefits, it is essential that certain steps be taken as an individual approaches his/her retirement date. There are two basic procedures: one involves College procedures described in (1) below; the second involves procedures which relate directly to the retirement system of the individual, described in (2) below.

1. Determination of Terminal Leave

Regardless of the retirement system to which an individual belongs, he/she may be entitled to terminal leave based upon accrued temporary disability leave. Members of the staff should make an appointment with the College Human Resources Director for verification of retirement leave. At that meeting employees will be given an Application for Retirement Leave of Absence. This form must be completed and filed by the employee with his/her Department Chairperson who will forward it to the Vice President of Academic Affairs and the President for signatures. This form is then returned to the College Human Resources Department.

Updated Fall 2015
Full time faculty on Travia Leave may teach one course up to 45 hours or have a non-teaching assignment of no more than 75 hours, with the approval of the University Office of Faculty and Staff Relations.

2. Filing Retirement Papers

New York City Teachers’ Retirement System (NYCTRS): Application for retirement must be filed with NYCTRS at least one day prior to the retirement date. Employees wishing to retire must contact the New York City Teachers’ Retirement System, 55 Water Street, New York, NY 10041 a few months prior to their actual retirement date to request retirement information and application forms. Information can be obtained from the NYCTRS website at www.trs.nyc.ny.us.

Teachers Insurance Annuity Association/College Retirement Equities Fund (TIAA/CREF): Employees must file directly with TIAACREF at 730 Third Avenue, New York, NY 10017-3206 at least one day prior to their retirement date.

New York City Employees Retirement System (NYCERS): Members of NYCERS may retire not less than 30 or more than 90 days subsequent to filing an application for retirement for Tiers 1, 2, and 3. For Tier 4 members, the application may be filed with NYCERS up to the day before the effective date of retirement or up to 90 days prior to the effective date. Application forms may be obtained from the BCC Human Resources Department and must be filed at the New York City Employees’ Retirement System, 335 Adams Street, Suite 2300, New York, NY 11201-3751. Applications can also be obtained from their website www.nycers.org.

Obtaining Information on Retirement Benefits

The College Benefits Officer is located in the Human Resources Department. Make an appointment with the personnel staff if you wish information regarding retirement benefits.

The CUNY Office of Human Resources Management is located at 205 East 42nd Street, New York, NY 10017, (646) 664-3263. You may also obtain information concerning retirement benefits from the University Pension Officer.

Special Note: It cannot be emphasized too strongly that it is the responsibility of each employee anticipating retirement to insure that his/her retirement application is on file with their appropriate retirement system and with the College Human Resources Department within the proper filing period.

Distinguished Professor

The title of Distinguished Professor is conferred on an individual by the Board of Trustees in recognition of exceptional scholarly achievement. The preference for these appointments is to recruit and retain new faculty whose appointments would enrich high priority academic units, especially when candidates require special incentives to influence their decision to accept an offer. These appointments are expected to contribute to CUNY’s commitment to recruit and retain an excellent faculty representing a rich diversity of gender and ethnicity (PSC/CUNY Agreement, Article 23, page 48).

Distinguished Lecturer

A Distinguished Lecturer title shall be created by the University, as follows:

Updated Fall 2015
The title shall not be eligible for tenure. Any individual may not serve in the title for more than five years. The salary range for the title will be from the minimum of the Lecturer schedule to the seven year step on the Professor schedule. The position will be primarily a teaching position, but it may include research. There will be no more than 80 Distinguished Lecturers. The workload for Distinguished Lecturers will be the same as that of Professors in the college to which they are appointed.

**Professor Emeritus**

In accordance with a long-standing practice of the Board of Trustees of The City University of New York, the title of Professor Emeritus is “automatically conferred upon all full professors who have honorably retired after more than ten years of service.” The ten years of service is from time of initial appointment, not from the time of promotion to the rank of full professor. Because the designation is automatic for eligible full professors, no formal application to the College P & B or the President is required.

The same policy allows for those in the rank of associate or assistant professor to receive the title of emeritus “in exceptional cases.” In order to establish that a case is indeed exceptional, an associate or assistant professor who retires with more than ten years of service and wished to be designated professor emeritus must:

1. submit a letter to his/her department chairperson at least two months prior to the beginning of retirement leave;

2. specify the reasons why an exception should be made; for example, outstanding achievements and recognition in research/publication, teaching or service to the College or community.

The request will then be voted on by the Departmental P & B Committee. If affirmative, it will be forwarded to the College P & B Committee for its vote.

There is no appeal at any level should the various committees act unfavorably upon the request.

At BCC, the following rights and privileges are conferred upon all who receive the title of Professor Emeritus:

- Use of all College learning and recreational facilities; for example, library, learning resource center, computer facilities, pool.

- Free on-campus parking (provided the emeritus is not employed for compensation on an adjunct or resident professor basis). The Senior Vice President of Administration & Finance will issue a card entitling the Professor Emeritus to this privilege upon request.

- An invitation to attend the President’s breakfast on graduation morning and to be seated with the faculty during graduation.

- To be notified of and invited to College cultural and intellectual events.

**Resident Professor Series**

Article 36.1 - 36.4 (g) of the PSC/CUNY Agreement state that:

1. To be eligible for appointment to the Resident Series titles a person must be a member of
the instructional staff of CUNY, at the time of application, at least 55 years of age, and eligible for service or age retirement prior to the appointment to the position.

2. To be eligible to receive appointment, after meeting above requirements, must have first exhausted retirement leave benefits under Section 3107 of the Education Law.

3. Appointments shall be discretionary with the Board of Trustees on recommendation of the College and be made only where educationally and financially advantageous to the instructional unit and College.

4. Incumbents in this title series will be eligible to receive a movement within schedule on January 1, 1995, and the January first of each succeeding year following completion of at least ten (10) full months of service. (Titles and salary rates are listed in Section 36.1, page 79.)

5. Appointment shall be for a semester or academic year, duration not to exceed three years.

Conditions of Employment:

a) Persons holding a title in the Resident Series may teach no more than the lesser of two courses or six credit hours during each academic year.

b) Assignment of courses shall be within the discretion of the departmental chairperson and/or other properly authorized College official.

c) Assignment of courses shall be within the range of offerings previously taught by the Resident staff member, but no Resident staff member shall have a claim to teach a particular course.

d) Appointment shall be subject to sufficiency of student enrollment and financial ability.

e) Disputes arising under the provisions of this resolution for early retirement shall be subject to Section 20.3 hereof, with an appeal permitted to the Chancellor or the Chancellor’s designee.

f) An individual who accepts early retirement under this plan shall retain faculty prerogatives under the Bylaws, except that no such person may serve as chairperson, in an excluded management title, or serve on a departmental personnel and budget committee or other personnel committee.

g) Acceptance in the Resident Series title shall not preclude the individual from receiving benefits under the CUNY Faculty Welfare Fund to which he/she is otherwise entitled as a retiree.

**BRONX COMMUNITY COLLEGE GUIDELINES ON EQUIVALENCIES**

**Determination of Equivalency Status**

**Application for an Equivalency to the Doctorate**

An application for equivalency to the Ph.D., whether for a new hire or current faculty member, will be

Updated Fall 2015
granted if the requirements of Section 11.8 of The City University of New York Board of Trustees Bylaws Section 11.8 have been met. This determination will be made by the University Office of Academic Affairs. A recommendation for equivalency will adhere to the following procedures:

I.  NEW APPOINTMENTS

A request for equivalency for new appointments will be made by the academic department to the College Office of Academic Affairs. Upon approval of the College Office of Academic Affairs, the request will be sent to the University Office of Academic Affairs.

II.  CURRENT FACULTY MEMBERS

A. For current employees in the rank of assistant or associate professor seeking an equivalency, a request would be submitted to the Department P & B in the fall semester. As in other personnel actions, candidates applying for equivalency status may, at their option, appear in person before the Department P & B. A positive recommendation from the Department P & B is forwarded to the Subcommittee on Waivers, Equivalencies and Early Tenure for review. A negative recommendation from the Department P & B may be appealed to the Subcommittee on Waivers, Equivalencies and Early Tenure.

B. All candidates are required to appear in person before the Subcommittee on Waivers, Equivalencies and Early Tenure. Based on the action of the Subcommittee the following actions will/may occur:

1. Based on a positive recommendation of the Department and a positive recommendation of the Subcommittee, the request for equivalency will be forwarded to the College P & B for a recommendation;

2. Based on a positive recommendation of the Department and a negative recommendation of the Subcommittee, the candidate may appeal to the College P & B;

3. Based on a negative recommendation of the Department, the candidate may appeal to the Subcommittee; and

   a. A positive recommendation of the Subcommittee to grant the appeal will be forwarded to the College P & B for a recommendation;

   b. A negative recommendation of the Subcommittee to deny the appeal will not be forwarded to the College P & B.

C. Candidates for equivalency may be requested to appear before the College P & B but will not be permitted to request an appearance.

D. If the College P & B recommends that the candidate be granted an equivalency, the recommendation is forwarded to the President.

E. Establishing a candidate’s equivalency status and determining the candidate’s qualifications for promotion are two separate and distinct actions.

F. Once the President has recommended a candidate for equivalency to the Board of Trustees, the candidate’s request for promotion may be considered in accordance with established procedures by the Department P & B, the Divisional Subcommittee, and the College P & B
G. Candidates with equivalency status granted by the Board of Trustees may subsequently apply for promotion (s) to higher rank in accordance with the P & B procedures applicable to those with a Ph.D.

**Waivers (Bylaws, Article XI, Sections 11.1c)**

The qualifications and requirements hereinafter set forth **may be waived** by the Board only in exceptional cases. In each such case, the president shall make a full written report, setting forth reason why the application of the regulation is not possible or desirable, specifying clearly the qualifications of the candidate which can be reasonably accepted within the spirit of the requirement, and stating that the appointment or promotion is desirable for the good of the institution (page 11.1).

At BCC, the following guidelines for waivers have been adopted:

The College P & B will approve waivers only under exceptional circumstances. Achievements above and beyond the usual must be demonstrated clearly in such areas as progress toward the Ph.D. in an appropriate discipline, publications, superior teaching and curriculum development, unusual administrative accomplishments, creative work in the arts, appropriate work experience, etc.

**Determination of Waiver Status**

a. Requests for promotion with waiver of the Bylaws will be considered by the various personnel committees in accordance with the same procedures following in other promotional actions, except as modified below:

(i) The subcommittee on Waivers, Equivalencies and Early Tenure acts in place of the Divisional Committees.

(ii) Candidates are required to appear before the Subcommittee on Waivers, Equivalency and Early Tenure when the latter is reviewing positive departmental recommendations. Candidates (other than those applying for promotion to the rank of professor) will not be permitted to appear before the College P & B Committee when the latter is reviewing positive subcommittee actions.

(iii) Candidates applying for promotion to the rank of professor with a waiver of the Bylaws are required to appear before the College P & B Committee. The Subcommittee on Waivers, Equivalencies and Early Tenure will not consider candidates in this category.

(iv) Four or more letters of reference from experts outside the University are required.

b. Negative recommendations at any level on requests for promotion on the basis of a waiver may be appealed to the next higher level in accordance with the guidelines governing appeals. Such appeals, which include the right of personal appearance, are governed by the guidelines adopted previously by the College P & B Committee.

Unlike equivalencies, waivers cannot be separated from promotional actions. Thus, candidates who have been promoted on the basis of a waiver cannot rely on that waiver when subsequently applying for promotion to a higher rank. Such candidates can be considered only on the basis of another waiver, unless they have attained an appropriate doctorate since their last promotion.

Updated Fall 2015
Appeals

At its meeting of March 23, 1988, the College Personnel and Budget Committee revised the guidelines to be followed by candidates applying for reappointment, reappointment with tenure or promotion, and in particular, by those candidates wishing to appeal negative recommendations concerning these applications. These guidelines, which became effective September 1, 1988, are based on the following principles:

a. All appeals will be heard by a body or person other than the one that made the original negative recommendation. Thus, depending on where the original negative recommendation occurred, the appeal could be heard by the appropriate divisional subcommittee of the College P & B, the College P & B itself, or the President. Candidates are limited to one appeal with right of personal appearance.

b. A presidential decision not to accept a positive College P & B Committee recommendation is not subject to further appeal. In this case a candidate may request the President to give reasons for her [his] action in accordance with Article 9.9 of the PSC/CUNY Agreement.

c. The Department P & B, the divisional subcommittee, the College P & B, and the President will notify candidates of all actions taken by them.*

*Since the subcommittees function under the overall authority of the College P & B, notices of subcommittee actions are not to be construed as grants of independent authority to the subcommittees.

Sequence of Personnel Actions and Appeals Procedure

1. Candidates have the option to appear in person before the Department P & B Committee. Positive Department P & B actions are forwarded to the subcommittee for review and vote. There is no appeal at the departmental level, and the Department P & B Committee will not entertain requests from candidates for reconsideration.

2. Negative decisions of a Department P & B Committee may be appealed to the appropriate divisional subcommittee of the College P & B Committee for review and vote. The candidate has the right to appear before the subcommittee.

3. If the divisional subcommittee reverses the Department P & B Committee’s negative recommendation, the divisional subcommittee shall forward its positive recommendation to the College P & B Committee for review and vote.

4. If the divisional subcommittee sustains the negative recommendation of the Department P & B Committee, it shall still forward its negative recommendation to the College P & B Committee for review and vote.

5. If the divisional subcommittee reverses a positive departmental recommendation, the candidate has the right to appeal the subcommittee’s negative decision to the College P & B Committee and to appear in person before that body.

6. Candidates not recommended by the College P & B and who have not had a prior appeal with personal appearance may appeal to the President and be heard in person.

7. Candidates not recommended by the College P & B Committee but who were heard on appeal at a

Updated Fall 2015
lower level may ask for the President's reasons as provided by the PSC/CUNY Agreement, but without the right of personal appearance.