

Guidelines for Non-Departmental Academic Unit Bylaws

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At Hunter, as at many colleges, there are interdisciplinary academic units that are not connected to and operate independently of departments (non-departmental academic units or NDAUs). Such faculty units may develop, approve, and implement the offering of credit-bearing courses, minors, majors, certificates, and degrees using their own established committees and decision-making processes. In this document, “non-departmental academic units” refers only to those units. Unlike with departments, there are few guidelines for the formation or governance of NDAUs in the CUNY Bylaws or Hunter College Charter. There are two documents that do provide guidance: the Senate Resolution approved Feb 19, 2020, titled Ensuring Faculty Governance of Curricula Offered Independently of Departments (see Appendix A), and Article VIII.12 of the Hunter College Charter. The first lays out the minimum requirements for an NDAU, including faculty autonomy over the curriculum, and the second charges the Governance Committee to “make recommendations to the Senate on standards for By-laws for divisions, schools, departments, and all degree and/or certificate granting programs.”

Moreover, CUNY Policy 1.09 makes clear distinctions between centers, institutes, and the like and NDAUs. As this policy states: “centers, institutes, consortia, and special initiatives and the attendant personnel are explicitly debarred from: (1) offering regular courses, (2) conferring degrees.” In this document, we refer to all these initiatives as “Centers.”

The purpose of by-laws is to help ensure the transparent and effective operation of an organization and to support its continuity through change of membership. For an academic unit operating outside of departments, bylaws are especially important in providing the structure and roles that will ground the unit in fulfilling its academic mission over the long-term. While different programs may decide to organize themselves differently given the nature of their curriculum and faculty resources at Hunter, three main elements need to be specified:

- **Membership.** Lacking the automatic membership mechanism of departments – direct appointment to a faculty line in the department – program bylaws will enable a non-departmental unit to make clear how faculty from departments across the college may become and retain membership in the program.
- **Structures for faculty control of curriculum.** Program bylaws will set out the particular structures (e.g., committees and offices) through which the faculty unit will exercise its responsibility for credit-bearing curriculum and its implementation.
- **Unit leadership.** NDAUs are led by faculty with expertise relevant to the program’s curriculum. If leadership of the program is to be shared, then the bylaws need to make explicit how decision-making occurs in that arrangement. This is especially true where programs may have a curriculum whose subject matter is also the focus of a college Center’s public-facing activities and where a leader in the program may also have a role in the Center. In such cases, the bylaws should help in keeping distinct the faculty-directed decision-making processes relevant to the credit-bearing student activity and decision-making that concerns public-facing activities carried out via the Center.

What follows is a set of recommendations, grounded in the documents cited above and based in part on departmental bylaw structure, but allowing for the flexibility required by programs with diverse structures and needs. All bylaws must be reviewed and approved by the Governance Committee: these Guidelines are to help NDAUs draft appropriate documents.

Preamble

State the academic and scholarly goals of the NDAU. This may include but is not limited to: the academic mission of the unit's focus; the interactions between the unit and the larger public; the responsibility of the unit in terms of developing, administering, and evaluating the unit's curriculum; the departments that collaborate to form the unit. All NDAUs operate under the aegis of the Provost's office.

I. Membership in the Unit

While a variety of constituencies are associated with a unit – central faculty, affiliated faculty, students, staff, and the like – membership brings with it certain rights and responsibilities: for example, the ability to vote on policy matters or elect committee members or the unit leadership. According to the Senate Resolution Ensuring Faculty Governance of Curricula of February 19, 2020, membership in and control of the unit is delegated to full-time teaching faculty with departmental appointments with relevant expertise. At least three members of the NDAU must be on tenure-bearing and CCE-bearing lines (Assistant Professor, Associate Professor, Professor, Distinguished Professor, Lecturer, and Doctoral Lecturer); full-time faculty on non-tenure or non-CCE bearing lines (e.g., Distinguished Lecturer, Clinical Professor) may in part constitute the unit so long as the number of tenure- or CCE-line faculty members constitute at least two-thirds of the membership. If the membership of the NDAU is below three, the bylaws should clarify how the unit will resolve this question.

For NDAUs in which a large percentage of courses are taught by adjunct faculty, they might consider including some provision for representation of adjuncts in the membership.

Since faculty membership within an NDAU is voluntary and inter-departmental and/or inter-school, a unit must decide who qualifies for membership (for example, membership including all full-time faculty who have taught in the unit within the previous five years or who have served on a unit committee).

You will also have to decide how faculty gain voting membership in the NDAU, beyond teaching in or serving the unit. This could be initiated by the faculty member expressing interest to the NDAU leadership and being brought on that way or depending upon approval by the Policy Committee (see below). Units should also think about what would happen if a faculty member was not approved for membership: is there the ability to appeal this decision? For example, the faculty member could request that the decision be appealed to the larger membership of the unit to vote on.

The unit should also decide how often its membership needs to meet (we recommend at least once per semester), and conditions that must be met for calling and convening a meeting.

II. Committees

While much of the work of a unit is done by the NDAU leadership and unit staff, committees are crucial for achieving the policy and curricular goals of the unit. Units would be advised to have committees dealing with these issues. Bylaws also determine how often committees meet: we recommend at least once a semester. The two primary committees we recommend are:

a. Policy Committee

The Policy Committee serves as the governing body of the NDAU. The responsibilities of the Policy Committee could be as follows:

- i. Establish criteria for approving faculty for membership
- ii. Advise the unit leadership
- iii. Schedule meetings of unit faculty as needed, but not less than once each semester.
- iv. Propose and implement other activities for the unit.
- v. Establish a protocol for handling student grade appeals.

In many ways, the Policy Committee most closely resembles a departmental P&B. We recommend that it consist of five faculty members, but it should have a minimum of three, as required by the February 19, 2020 Senate resolution: the leader of the NDAU (if no shared leadership) and four other faculty. If a unit does not have enough core or affiliated faculty to constitute a five-member Policy Committee, it may have to have fewer, but no less than three. Committee members would ideally be elected by the membership for three-year terms. When a new NDAU forms, members of the Policy Committee should have staggered terms of one, two, or three years, so that there isn't a complete turnover within the committee every three years. Units should also consider what makes an election valid – is the election a simple majority of those voting or must a majority of the membership participate so that committee members aren't elected by a small group of the membership? We recommend that there not be a majority of the Policy Committee from a single department, division, or school. If a majority of the membership doesn't participate in the vote, how will the election be resolved? One solution is to hold another election. If a majority does not participate in that election, the unit leadership and/or Policy Committee should go to the Provost to appoint committee members.

b. Curriculum Committee

The Curriculum Committee supervises the curriculum of the NDAU. The responsibilities of the Curriculum Committee could be as follows:

- i. Review and approve all unit-based courses.
- ii. Develop new course(s) as deemed necessary by the unit.

- iii. Advise the NDAU leadership on course scheduling
- iv. Oversee observation of adjunct faculty teaching within the unit.

In the case of a small NDAU, these committees may be combined into one Policy and Curriculum Committee.

Members of the Curriculum Committee will be selected in the same process as members of the Policy Committee.

III. NDAU Leadership

According to the Resolution Ensuring Faculty Governance of Curricula [passed by the Senate in February 2019], NDAU leadership is selected by the unit to carry out the policies approved by the unit and must be full-time member(s) of the faculty with relevant expertise and an appointment(s) in a department in the College (or in Schools that do not have departments, within a school). The Resolution does not require the leadership to have a specific title beyond those required to be a member of the unit. All NDAU Leaders report to the Provost and are evaluated by the Provost's office.

The responsibilities of the NDAU leadership may include but are not limited to:

- a. Supervising the day-to-day running of the unit
- b. Scheduling courses in the unit
- c. Supervising internship placements
- d. Communicating with departments to coordinate cross-listed courses
- e. Chairing the Policy Committee
- f. Hiring adjunct faculty when necessary
- g. Convening the meeting(s) of the membership

In specifying the responsibilities of the NDAU leadership, it should be made clear on which issues decision-making is at the leadership's discretion and which follow upon a vote of a unit's committee. This should be consistent with the purviews of the leadership and committees with regard to faculty control over credit-bearing curricula.

Some NDAUs may have two leadership tracks: a faculty member who also has been assigned duties by the administration in relation to a Center and a faculty member whose duties center around the curricular and instructional functions of the unit. NDAUs that follow that structure should clearly designate which responsibilities involving the unit's credit-bearing curricula and its implementation belong to each position. Since the Center-related duties assigned to faculty are determined by the College administration, they are not the purview of the unit's bylaws.

It's important to determine how the NDAU leadership is selected. There are several options:

1. Some units may select the Unit Director by a vote of the membership of the unit, under the same conditions as the Policy Committee, in collaboration with the Provost.
2. Some units may have the Director appointed by the Provost following upon recommendations from the faculty.
3. Some units hire a Director from outside the existing faculty. If leadership is to be hired from outside the College, what will the membership of the search committee be? In some NDAUs, that committee may be formed by the Provost comprising faculty with an investment in the unit. In others, the Policy Committee or some of its members or faculty members of the unit who teach in a relevant field may comprise the search committee. Sometimes an opportunity arises to hire a specific candidate who is not a member of the Hunter community to direct an NDAU. In that case, the provisions above are still observed.

Units may choose any of these options in their bylaws; however, they must make clear which process or possible combination of processes they are using in selection of leadership.

Bylaws should also have a provision for filling in for the leadership in their absence (fellowship leave, illness etc). A member of the Policy Committee may be someone appropriate here; in any case, the provision should ensure the continued well-functioning of the unit.

Finally, while the Resolution Ensuring Faculty Governance of Curricula requires that the leadership be selected for a set term, the program needs to decide whether the NDAU leader and Policy Committee should have term limits. Most often in that case, leaders serve for a three-year term, renewable for an additional term, and previous leaders are eligible for re-election after an interval of three years. Again, this is up to the unit's preference, but it must be stated in the bylaws.