

**MONROE COMMUNITY COLLEGE**

**POLICIES OF THE BOARD OF TRUSTEES**  
**Adopted by Resolution of the Board of Trustees**  
**On January 26, 1978**

Amended June 19, 1987  
Amended 10/98

## ARTICLE 1.00

### 1.10 CONSTRUCTION:

These policies are a general statement of policy only and shall in no way limit the authority of the Board of Trustees with respect to any matter contained herein. Notwithstanding anything contained in these policies, the Board retains the right to modify these policies in whole or in part, and to otherwise conduct the affairs of the College retaining all rights, powers, authority, duties, and responsibilities conferred upon and vested in them by the laws of the State of New York and the laws of the United States within the authority granted by the Monroe County Legislature and State University of New York.

The exercise of these rights, powers, authority, duties, and responsibilities by the Board and the President and the adoption of such rules, regulation, and policies as they may deem necessary shall be limited only by the specific and express terms of any collectively bargained agreements.

### 1.20 APPLICATION:

These policies shall apply only to Monroe Community College. Decisions of the Board of Trustees made in accordance with the policies and procedures established herein become official and binding, and such decisions shall not be subject to the grievance procedure contained in the negotiated agreement with the faculty bargaining unit.

## **ARTICLE 2.00**

### **DEFINITIONS**

#### 2.10 TERMS:

As used in these policies, unless otherwise specified, the terms below shall be defined as indicated:

2.11 "College" – Monroe Community College

2.12 "Board of Trustees" – The Board of Trustees of Monroe Community College

2.13 "President" – The President of Monroe Community College

2.14 "Chief Executive Officer" (as used in New York statute and regulation)  
--The President of Monroe Community College

2.15 "Professional Staff" – All persons occupying positions designated as being in the unclassified service

2.16 "Academic Staff" – Members of the professional staff having academic rank

2.17 "Full Academic Rank" – Rank held by those members of the academic staff having titles of professor, associate professor, assistant professor, instructor

2.18 "Qualified Academic Rank" – Academic rank held by those administrative officers not having teaching duties by accorded faculty status by the Board of Trustees

## ARTICLE 3.00

### COLLEGE OFFICERS AND ORGANIZATION

#### TITLE 3.10 PRESIDENT

##### 3.11 APPOINTMENT:

The Board of Trustees shall appoint a President who shall serve at its pleasure. Prior to such appointment, the Board of Trustees shall consult with any duly authorized constituencies, including students, staff, teaching and non-teaching faculty. Such appointment shall be subject to approval by the State University of New York.

##### 3.12 RESPONSIBILITIES:

- 3.121 Serves as the Chief Executive Officer with full authority to administer the affairs of the College in accordance with the bylaws, resolutions, and policies of the Board.
- 3.122 Responsible for developing, implementing and assessing the College's long-range goals and short-term objectives in support of the College's mission.
- 3.123 Assumes primary responsibility for planning, development, implementation and assessment of academic, student, technological and fiscal programs/services of the College.
- 3.124 Responsible for supervising and coordinating the activities of College officers and other key administrators.
- 3.125 Provides institutional leadership in garnering public-private sector resources for the College.
- 3.126 Advises the Board of fiscal needs of the College, prepares and submits to the Board an annual budget for approval.
- 3.127 Attends meetings of the Board, and provides advice on all significant matters relating to the College; periodically submits reports on the State of the College as may be requested or deemed appropriate. Between Board meetings, the President is authorized to make such administrative arrangements and appointments as cannot await the action of the Board or its appropriate committees and shall report such action to the Board at its next regular meeting.

- 3.128 Approves and recommends the appointment and promotion of the College staff to the Board.
- 3.129 Works proactively with political, educational and business constituencies at the local, state and national level.
- 3.130 Provides direction and support in maintaining the integrity and efficiency of the academic governance and collective bargaining processes.
- 3.131 Assures compliance with College policies, state and federal regulations and requirements of accreditation agencies.
- 3.132 By virtue of his/her office, convenes meetings of the entire College faculty and staff, or any unit thereof, and presides at such meetings.
- 3.133 Designates person(s) to act in his absence or in the absence of any College officer.
- 3.134 Responsible for the preparation and publication of a compilation of College policies. This manual should include the Policies of the Board of Trustees, and administrative organizational chart, Faculty Senate Bylaws, and such other information concerning the College such as the President may deem advisable. The policy manual shall be made available to all members of the professional staff of the College.
- 3.135 Submits an annual report to the Board of Trustees concerning progress, finances, and affairs of the College and his recommendations with respect thereto.
- 3.136 Prepares and maintains an organization chart of the College and accompanying description of the duties and responsibilities of the positions therein.

**TITLE 3.20 OTHER COLLEGE OFFICERS**

3.21 DESIGNATION:

Other College Officers shall be the Vice Presidents.

3.22 APPOINTMENT:

Appointments of other College officers shall be made by the Board of Trustees upon receiving the recommendations of the President.

Such appointees shall serve at the pleasure of the Board of Trustees.

3.23 RESPONSIBILITIES:

Other College officers shall have such duties and responsibilities as may be assigned by the President.

**TITLE 3.30 COLLEGE ADMINISTRATORS**

3.31 DESIGNATION:

There shall be such other College administrative positions as may be determined by the Board of Trustees upon receiving the recommendation of the President. These positions include, but are not limited to, Deans, Associate Deans, Assistant Deans, Directors, Executive Assistant to the President, Legal & Labor Relations Officer, Associate Vice Presidents, Assistant Vice Presidents, and Assistant to the Vice President(s).

3.32 APPOINTMENT:

Appointments of College Administrators shall be made by the Board of Trustees upon receiving the recommendation of the President. Such appointees shall serve at the pleasure of the Board of Trustees.

3.33 RESPONSIBILITIES:

College administrators shall have such duties and responsibilities as may be assigned by the President.

**TITLE 3.40 CHAIRPERSONS OF ACADEMIC DEPARTMENTS**

3.41 APPOINTMENT:

Chairpersons of academic departments shall be appointed by the President in accordance with the provisions of Section 4.15 of the policies of the Board of Trustees.

3.42 TERM:

Chairpersons of academic departments shall serve at the pleasure of the President with a normal term of service being three years.

3.43 TERMINATION OF APPOINTMENT OF CHAIRPERSON:

If the chairperson of an academic department is relieved of duties as a chairperson, he/she shall retain such rights and privileges as he/she may have by virtue of his academic rank.

3.44 RESPONSIBILITIES:

Chairpersons of academic departments shall serve as chief representatives of their departments and be responsible for the implementation of the educational programs of the departments for which they serve. They shall have such other duties and responsibilities as may be assigned by the President.

## ARTICLE 4.00

### COLLEGE FACULTY

#### 4.10 COMPOSITION:

The faculty shall be composed of the President, College officers, and all other members of the full-time professional staff. The President shall be the chairperson of the faculty.

#### 4.11 PRESIDING OFFICER:

The faculty may provide for the selection of a presiding officer in a manner to be specified in the Faculty Senate Bylaws.

#### 4.12 VOTING FACULTY:

Voting Members: Membership of the Faculty Senate shall be elected from the voting faculty. Voting faculty shall include the following: full-time and part-time personnel in the following categories: advisors, assistant directors, associate directors, coaches, clinical supervisors, coordinators, counselors, department chairpersons, directors (*except* Director of Public Affairs, Director of Human Resources, Director of Public Safety), lecturers, librarians, managers, professional staff, specialists, and other certified instructional staff. Part-time status is defined in Article 51, Section B of the Faculty Association contract. Grant-funded personnel with the above-listed job titles or who hold academic rank are included as voting faculty. The Nominations, Elections and Governance Committee of the Faculty Senate will verify all voting status. Adjunct and emeritus personnel shall be non-voting faculty.

#### 4.13 RESPONSIBILITY:

The faculty, as defined in Section 4.10, shall have a responsibility to participate in the development and implementation of the educational programs of the College through consultation and presentation of recommendations through the Faculty Senate. The faculty shall have the right to present recommendations to the President of the College on matters concerning the educational program. The faculty, through the appropriate faculty committee and/or department shall also have the opportunity to present recommendations regarding appointments, reappointments, tenure, promotions, leaves of absence, preparation of the instructional budget, standards of admissions, curriculum and other study programs, attendance and academic status of students, student health, student activities, and other extracurricular activities. The faculty shall have the opportunity to make recommendations through administrative processes.

(Revised Nov. 21, 1978)

- 4.131 Specific Departmental Responsibilities of Faculty Through Departmental Participation.
  - 4.1311 Recruitment and recommendations in the selection of faculty.
  - 4.1312 Orientation and staff development for faculty
  - 4.1313 Regular conference with an evaluation of non-tenured faculty and recommendation of any resulting change of status.
  - 4.1314 Evaluation of faculty and any resultant change of status
  - 4.1315 Primary but not sole responsibility for the determination of the preparation and assignment of course and teaching schedules and maintenance of office hours for faculty
  - 4.1316 Participation and leadership in establishing new courses, programs, and teaching methods
  - 4.1317 Evaluation and review of courses, programs, and teaching methods consistent with established practice
  - 4.1318 Advisement of students in departmental area and assistance with special student problems
  - 4.1319 Periodic review of relevant Library holdings and recommendations for additions and deletions of collections
  - 4.1320 Communication with appropriate administrators concerning personnel, curriculum, and long-range planning.
  - 4.1321 Assistance in the admissions procedures by:
    - 4.13211 Helping to determine the number of students in programs
    - 4.13212 Establishing the academic qualifications for the programs
    - 4.13213 Maintaining close communications with the Admissions Office and Counseling Center
  - 4.1322 Cooperation with appropriate academic administrators in developing course schedules.

- 4.1323 Assistance in academic advising, placement, and transfer of students.
- 4.1324 Ordering and inventorying equipment, supplies and textbooks.
- 4.1325 Assistance in the development of publicity concerning departmental programs.
- 4.1326 Work with departmental advisory committees.
- 4.1327 Maintaining an awareness of community needs to establish educational partnerships between the College and external organizations.

#### 4.14 BYLAWS:

The faculty shall prepare and adopt bylaws, which shall contain provisions for committees and their responsibilities, procedures for calling and conduct of faculty meetings and elections, and provisions for such other matters of organization and procedures as may be necessary for the performance of their academic governance responsibilities. The bylaws shall be consistent with and subject to the Policies of the Board of Trustees, the laws of the State of New York, and the provisions of the negotiated agreements between the College and recognized bargaining units. Such bylaws and amendments thereof shall be subject to approval of the President and the Board of Trustees.

#### 4.15 FACUTLY PARTICIPATION IN ACADEMIC ADMINISTRATIVE AFFAIRS:

- 4.151 The Special Committee on Administrative Affairs (SCAA), of the Faculty Senate may make recommendations to the appropriate administrative officers regarding the selection or appointment of the following administrative officers, specifically: President, Vice Presidents, Assistant Vice Presidents, Deans and Directors, and Legal and Labor Relations Officer. SCAA shall also monitor the selection of the Department Chairperson.
- 4.152 It is the responsibility of the appropriate College officer(s) to give adequate advance notice of vacancies in the above titles mentioned above to the faculty, in order that this policy may provide for effective and timely faculty participation as stated above.

4.153 The SCAA Committee should present written recommendations on the hiring of personnel for positions named in Section 4.1.5.1 to the appropriate College officer. A copy of all recommendations shall be submitted to the President of the College.

## ARTICLE 5.00

### APPOINTMENT OF PROFESSIONAL STAFF

#### TITLE 5.10 TYPES OF APPOINTMENT

##### 5.11 TEMPORARY APPOINTMENT:

###### 5.111 DEFINITION:

A temporary appointment shall be an appointment to the professional staff for a specified period of time. This appointment however, may be terminated before the expiration of that specified period.

##### 5.12 ANNUAL APPOINTMENT:

###### 5.121 DEFINITION:

An annual appointment shall be a non-tenure track appointment to the professional staff. During a five-year probationary period, the appointment shall be for a period of not more than one year and shall automatically expire at the end of that period unless terminated earlier in accordance with these policies.

###### 5.122 RENEWAL OF ANNUAL:

The President shall, in writing, notify members of the professional staff holding annual appointments whether their appointments will be renewed or, if they are eligible for three-year appointments, whether or not they will be granted a three-year appointment. Such notices shall be given as far in advance as feasible and ordinarily not later than the March Board of Trustees meeting preceding the expiration of their appointments for persons appointed for the regular appointment year, or a comparable length of time for other appointments.

###### 5.123 THREE YEAR APPOINTMENTS:

Professional staff on annual appointments shall be eligible for a three-year appointment after the completion of the five-year probationary period.

##### 5.13 TERM APPOINTMENT:

###### 5.131 DEFINITION:

A term appointment shall be an appointment to a position of academic rank for a period of not more than one year *and* shall automatically expire at the end of that period unless terminated earlier in accordance with these policies.

5.132 RENEWAL OF TERM:

The President shall, in writing, notify members of the professional staff holding term appointments whether their terms will be renewed or, if they are eligible for continuing appointments, whether or not they will be granted continuing appointments. Such notices shall be given as far in advance as feasible and ordinarily not later than March Board of Trustees meeting preceding the expiration of their terms for persons appointed for the regular appointment year, or a comparable length of time for other terms.

5.14 CONTINUING APPOINTMENT:

5.141 DEFINITION:

A continuing appointment shall be a full-time appointment to a position of academic rank which shall not be affected by promotions in such rank and shall continue until terminated in accordance with these policies.

5.142 ELIGIBILITY:

Professors, associate professors, assistant professors, and instructors serving on a full-time basis who have not otherwise been granted a continuing appointment, shall be granted no more than five consecutive term appointments. Reappointment at the end of five years of term appointments shall be for a continuing appointment.

**TITLE 5.20 METHOD OF APPOINTMENT**

5.21 APPOINTMENTS:

All appointments shall be made by the Board of Trustees upon the recommendation of the President.

**TITLE 5.30 NOTICE**

5.31 CHANGES IN STATUS:

The President or his designee shall notify, in writing, members of the professional staff of their appointments, reappointments, promotions, and other changes in the terms and conditions of their positions.

**TITLE 5.40 SALARY PERIODS AND APPOINTMENT YEAR**

5.41 SALARY PERIODS:

The annual salaries of members of the full-time professional staff, other than persons having temporary appointments, shall be paid over a period of twelve months. Staff on 10-month contracts shall have the option to elect either a 10 or 12-month method of payment. Staff members may make only one election for the year and must make this election before August 15 for the following academic year.

5.42 APPOINTMENT YEAR:

Unless terms and conditions of their appointments otherwise provide, the regular appointment year for the members of the professional staff on 10-month contracts shall be from September 1 through June 30; and for those on 12-month contracts, from September 1 through August 31.

## **ARTICLE 6.00**

### **GUIDELINES FOR THE DEVELOPMENT AND USE OF INSTRUCTIONAL PROGRAMS AND LEARNING AIDS PREPARED BY COLLEGE STAFF MEMBERS**

#### **TITLE 6.0 DEFINITIONS AND APPLICATION OF GUIDELINES**

##### **6.11 PURPOSE AND DEFINITION:**

- 6.111 The purpose of this article is to promote responsible use of College resources in the development of instructional materials, and to protect the respective rights of both the creator(s) and the College with respect to their control and distribution.
- 6.112 “Staff members” refer to teaching faculty and supportive staff. They can be full-time or part-time employees of the College.
- 6.113 “Instructional programs” refer to instructional materials and not the ideas expressed in them. “Instructional programs” are materials which have resulted from substantial investment of public funds. They are characterized by high reuse value. They might be used in specifically approved credit and credit-free courses offered by College and such other programs as may be generally available to the body through the Library or other official units of the College responsible for their circulation and distribution in general support of the institution’s educational purposes.
- 6.114 “Learning aids” are instructional materials customarily produced by teaching faculty, often in cooperation with College staff, and normally requiring modest investment of public funds.

##### **6.12 APPLICATION GUIDELINES:**

These guidelines will normally apply to all situations in which instructional materials designed or produced by teaching faculty, often in cooperation with College staff, and normally requiring modest investment of public funds.

#### **TITLE 6.20 EDUCATIONAL POLICIES GOVERNING THE DEVELOPMENT AND USE OF INSTRUCTIONAL MATERIALS**

##### **6.21 EDUCATIONAL PURPOSES:**

The development and use of instructional material shall be guided by the primary purposes of the College as reflected in its Statement of Philosophy and Goals.

6.22 RESPONSIBILITY AND OBLIGATIONS IN PLANNING AND IMPLEMENTATION:

The teaching faculty as individuals and as academic departments has primary responsibility for the planning and implementation of projects relating to the development and use of instructional materials. To further these objectives, the College shall acknowledge an obligation to make available to teaching faculty support staff, resources, and information regarding the development and production of instructional programs and learning aids. The teaching faculty on their part shall acknowledge an obligation to consult with the appropriate administrators in Academic Services and those individuals having a technical expertise in educational media in the development of any plans promising to have a significant impact on the College's educational programs and involving a substantial investment of public funds. The purpose of such consultation should be to improve the quality of teaching and promote economies in the modes of instruction.

6.23 USE, REUSE, REVISION, AND WITHDRAWAL OF INSTRUCTIONAL MATERIALS:

The use of instructional materials should be restricted to the purpose for which they were originally designed. If instructional materials are to be used for purposes other than their original design, an agreement must be reached between those seeking to use the materials and the creator(s), as well as professional obligation of the creator(s), to work with their colleagues. Failure to obtain this agreement would result in censure from the President of the College.

The right to revise and withdraw instructional materials from use due to obsolescence shall be that of the creator(s). If and when the materials are adjudged to be out of date, or otherwise unfit for further use, the creator(s) should request their destruction from the Director, ETS, Instructional Support. If the Director is not convinced that this is proper, he may request a meeting with the Vice President, Educational Technology Services, but the final decision still rests with the creator(s).

6.24 USE OF INSTRUCTIONAL MATERIALS AND ACADEMIC FREEDOM

The principles of academic freedom which apply in the use of traditional instructional materials and methods shall also apply in the use of instructional programs and learning aids.

## **TITLE 6.30 PROPRIETARY RIGHTS AND INSTRUCTIONAL MATERIALS**

### **6.31 PROPRIETARY RIGHTS TO INSTRUCTIONAL PROGRAMS PRODUCED ON CONTRACT FOR THE COLLEGE:**

In those instances where instructional programs are to be produced as the result of the College contracting with one or more individuals to pay the full costs of their services and agreeing to provide all equipment, supplies, and technical support connected with the production, the College shall retain sole and exclusive proprietary rights to the resultant programs. Written agreements prepared and signed in advance between the College and other parties shall govern the production of materials and the rights thereto. The President shall be the College officer authorized to sign such agreements. Staff members shall retain an unqualified right to accept or reject an agreement.

### **6.32 PROPRIETARY RIGHTS TO INSTRUCTIONAL PROGRAMS PRODUCED BY INDIVIDUAL FACULTY IN COOPERATION WITH THE COLLEGE:**

In those instances where instructional programs are produced as part of regular teaching responsibilities and in cooperation with the contribution of College support services and/or resources, the College shall retain rights to the instructional materials, and the creator(s) shall retain rights to the ideas expressed in the materials. The College cannot reproduce, sell, or rent the instructional materials without prior agreement with the creator(s). The agreement shall reflect as nearly as possible an apportionment of rights and claims on future revenues commensurate with the contribution of the College on one hand and the creator(s) on the other to the production of the materials. The agreement shall be in writing and signed in advance of any expenditures or commitments of services, by the President on behalf of the College and the one or more individuals responsible for the production of the program.

### **6.33 PROPRIETARY RIGHTS TO INSTRUCTIONAL PROGRAMS PRODUCED BY INDIVIDUAL STAFF MEMBERS AT THEIR OWN EXPENSE AND ON THEIR OWN TIME:**

In those instances where the College may wish to acquire the use of instructional programs which have been produced by one or more staff members wholly on their own time, at their own expense, and without the use of any College resources, they shall have sole and exclusive rights to determine the terms and conditions under which they will permit College use of the materials. The College shall retain the unqualified right to accept or reject the proposed terms and conditions. Teaching faculty who voluntarily prepared mediated instructional materials for use in

their own classes shall have exclusive rights thereto so long as they have been prepared at no expense to the College. If the College is desirous of making such materials available for use of other faculty, an agreement with the author/creator would have to be obtained. The College shall not be expected to compensate a faculty member for use in his/her own classes of instructional materials he/she voluntarily prepared or created.

6.34 **PROPRIETARY RIGHTS TO LEARNING AIDS ROUTINELY PRODUCED IN CONNECTION WITH REGULAR TEACHING ASSIGNMENTS:**

As part of their normal responsibilities, teaching faculty may provide their students with charts, tables, graphs, syllabi, notes, outlines, glossaries, and similar learning aids. In certain types of courses, they may also prepare for individual or classroom use slides, tapes, photographs, displays, models, and similar materials. The production of such student learning aids is considered to be an integral part of a teacher's professional responsibilities for which the College provides technical services and support, but in no circumstances will the College be expected to provide remuneration to teaching faculty beyond their regular salaries. While the College retains the rights to materials that are "learning aids," the creator(s) retain rights to the ideas reflected in the "learning aids."

**TITLE 6.40 STANDARD FORMS AGREEMENT**

In the interests of standardization, consistency and equity, the Vice President, Educational Technology Services, shall be responsible for designing forms for the agreements cited in Sections 6.23, 6.31, 6.32, 6.33 of these guidelines after due consultation with representative faculty and appropriate administrators. The preparation or existence of such forms shall not necessarily preclude the possible negotiation of agreements having unique or otherwise extraordinary provisions.

**TITLE 6.50 DISPOSITION OF INSTRUCTIONAL MATERIALS UPON TERMINATION OF EMPLOYMENT**

In the event the creator(s) leaves the employment of Monroe Community College, the instructional programs or learning aids shall be disposed of by mutual agreement between the creator(s) and the Director, ETS Instructional Support. If not suitable agreement is reached, the assistance of the Vice President, Educational Technology Services, may be requested in teaching an equitable decision. The materials may be destroyed or erased at the request of the creator(s). The materials may be left for re-use at the College, with annual review by the academic department concerned. The materials may be revised, if appropriate. The creator(s) shall have the right to a personal copy of any instructional program or learning aid produced under the conditions described in Section 6.30 on the condition that he/she pay the costs of its duplication.