Minutes of the UWRF Faculty Senate for November 17, 2010, Volume 35, Number 7

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<td>Laine Vignona</td>
<td>David Rainville</td>
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<td>Jennifer Willis</td>
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<td>Dawn Hukai</td>
<td>Wes Chapin</td>
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<td>Kathleen Hunzer</td>
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<td>Marshall Toman</td>
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<td><em>Chancellor’s Designee</em></td>
<td>Fernando Delgado</td>
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* Absent
() Substitute

Agenda, November 17, 2010

Call to Order: 3:35 p.m., Willow River Room, UC

1. Seating of Substitutes
   Matt Levine for Ashley Olson

   A motion to approve the seating of substitutes was made by Marshall Toman; it was seconded by Kathleen Hunzer. The motion carried unanimously (19 of 19 present at this point in the meeting).
2. Approval of the minutes from the October 20, 2010 meeting of the Faculty Senate

The minutes of the October 20, 2010 Faculty Senate meeting were reviewed. A motion to approve the minutes was made by Barbara Stinson; it was seconded by Kathleen Hunzer. The motion carried unanimously (19 of 19 of those present at this point in the meeting).

Reports:
Chair’s Report (James Madsen, CAS)
I met with Chancellor Van Galen on November 10, 2010 to discuss various informational items, including student investment in the institution through differential tuition and gearing up for the strategic planning process. More to follow in these regards in the near future.

Vice Chair’s Report (Dawn Hukai, CBE)
I am working with Integrated Planning personnel to obtain the list of persons eligible to vote in the Faculty Senate elections during the spring 2011 semester. More to follow in this regard.

Parliamentarian’s Report (Wes Chapin, CAS)
Cancelled Senate Meeting

The Parliamentarian has been asked to address the issue of canceling meetings. In particular, senators have asked whether the chair has the power to unilaterally cancel meetings (e.g. Wednesday, November 3, 2010).

Please note that as a general and binding practice, the standard rule is that federal and state law should be the overriding considerations when examining legal issues. However, in this case they do not specify whether a governance chair in this context can cancel meetings. After federal and state laws, the next consideration should be the constitution/bylaws of an organization, followed by Robert’s Rules of Order.

For the issue under consideration, there are several, potential factors to consider that relate to the question regarding whether or not a chair has the power to cancel a meeting. Please note that this issue applies to both the chair of a Senate and committee chairs, similarly.

Constitutional Language:
The only relevant language in the Constitution about meetings refers to the responsibility of the chair to hold and schedule meetings:

Article VI, Section D, Sub-section 7: “The Senate shall have regularly scheduled meetings during the academic year and summer session and shall be subject to call at other times”
Article VI, Section D, Sub-section 13: “Regular meetings of the Faculty Senate shall be scheduled in alternate weeks starting with the first week of fall semester, at such time and place as designated by the Faculty Senate Chair.”

Robert’s Rules:
There is nothing in Robert’s Rules of Order that empowers a chair to cancel a meeting. Robert’s Rules, Chapter IV, Section 9, discusses the need to follow by-laws and resolutions related to meetings:

“The term regular meeting (or states meeting) refers to the periodic business meeting of a permanent society, local branch, or board, held at weekly, monthly, quarterly, or similar intervals, for which the day (as, ‘the first Tuesday of each month’) should be prescribed by the bylaws and the hour should be fixed by a standing rule of the society. If, instead, an organization follows the practice of scheduling the dates of its regular meetings by resolution, notice must be sent to all members in advance of each regular meeting, and the number of days’ notice required should be prescribed by the bylaws.”

Senate Motions:
There appears to be only one Senate motion relevant to this issue, 2009-2010/46. This motion is atypical, because most chairs establish meeting schedules, as per the Constitution (Article VI, Section D, Sub-section 13 – see above). In this case, the chair requested that the Senate designate specific meeting dates, including Wednesday, November 3. This motion passed the Senate and was signed by the Chancellor, establishing the 2010-11 meeting schedule.

Tradition and Custom:
The Senate website and documents do not make it easy to identify cases of canceled meetings, historically, and it is probably impossible to identify such cases with complete accuracy, based on the extremely limited available information. For example, the Parliamentarian was unable to identify specific instances of canceled Faculty Senate meetings over the last four years. Prior to then, meetings were canceled by chairs periodically, but this is not apparent in the records, and the Parliamentarian is aware of these only through memory. For instance, cancelled meetings occurred several times during the 2005-2006 period, typically justified by a lack of agenda items.

Conclusions and Recommendations:
The Senate should follow Robert’s Rules of Order and define whether or not the chair has the authority to cancel meetings. This could involve the creation of a new section of the By-Laws that would allow the Senate to incorporate policies, rules and procedures that do not easily fit into existing sections of the Handbook. This would help limit, if not eliminate, the reliance upon “memory” and references to minutes and motions from the past. Many of these “policies and procedures” already exist, such as allowing

1 Article VI, Section D, Sub-section 12 of the Constitution reads, “The agenda shall be prepared by the Executive Committee of the Senate [and submitted to the faculty] be available online three days prior to a regular Senate meeting.

2 It is possible, of course, that additional examination of the records might identify such an instance.
presentations by candidates before the election of officers, and these could also be into a new section of the By-Laws. In addition, the issue of proper notice should be defined, specifically, to avoid future questions regarding this issue.

Motions:
The following motions are possible ways to address these issues. Of course, these are only possibilities, and the Senate could choose to adopt other motions.

Motion 1: Motion to add a new section to the By-Laws titled “Article IV: Miscellaneous Senate Policies and Procedures.”

Motion 2: Motion to add Section A to the By-Laws under Article IV:

“Section A: Meetings
1. The Faculty Senate chair will have the authority to cancel Faculty Senate meetings, provided no substantive items are on the agenda.”
2. Faculty Senate committee chairs will have the authority to cancel Faculty Senate Committee meetings, provided no substantive items are on the agenda.”

Motion 3: Motion to amend the Constitution, Article VI, Section D, Sub-section 12 (first sentence only will be amended):

Current Language: The agenda shall be prepared by the Executive Committee of the Senate and [submitted to the faculty] be available online three days prior to a regular Senate meeting.

Proposed language: The agenda shall be prepared by the Executive Committee of the Senate and be both available online and circulated to senators at least three full business days prior to a regular Senate meeting (e.g. no later than Friday at 3:30 p.m. for a meeting beginning the following Wednesday at 3:30 p.m.).

Unfinished Business:
No unfinished business was address at this meeting.
New Business:

1. Consent agenda items
   a. Committee Assignment
      i. Information & Instructional Technology Council
         - Dr. Robert Coffman (CAS) is being recommended to fill a
           vacancy on this committee through the end of the 2010-
           2011 academic year
   b. Motion from the Academic Program & Policy Committee (Dr. Jim
      Zimmerman, Chair) to approve the following undergraduate program
      changes:
      i. Change in Major/Minor Land Use Planning
      ii. Change in Major/Emphasis/Option in Animal Science-Meat
          Animal Emphasis -Management Option
      iii. Change in Major/#of credits/Emphasis/Option - Animal Science-
           Equine Emphasis-Minor Option
      iv. Change in major/#of credits/emphasis/option - Dairy Science-
           Management Option
      v. Change in major/#of credits/emphasis/option in the Animal
         Science-Equine Emphasis-Management Option
      vi. Changes of names of the HHP Physical Education, Exercise and
          Sport Science, and Health Education programs
   c. Motion from the Academic Program & Policy Committee (Dr. Jim
      Zimmerman, Chair) to approve the following graduate program change
      i. Substantial change in curriculum for the MSE-PD Shared Inquiry
         Communities
   d. Motion from Athletic Committee (Ms. Melissa Wilson, Chair) to appoint
      Dr. Brian Schultz (CBE) as the male Faculty Athletic Representative to
      this committee
   e. Motion from the International Program Committee (Dr. Marshall Toman,
      Chair) to pay study tour leaders commensurate with the salary paid for J-
      term and summer school
   f. Resolution from the Learning Resource Committee (Dr. Magdalena Pala,
      Chair) to support the “Research to Jobs: Growing the Research
      Infrastructure Funding”

A motion to remove item “e” above so the proposal can be returned to the
International Program Committee (Dr. Marshall Toman, Chair) for further
action was made by Brad Mogen; it was seconded by Marshall Toman. The
motion carried unanimously (22 of 22 present at this point in the meeting).

2. Motion from Dr. Wes Chapin (CAS) to change the rules of debate for the Faculty
   Senate

Before the motion was introduced, James Madsen (Chair, Faculty Senate)
passed the gavel to Dawn Hukai (Vice Chair, Faculty Senate). From there, a
motion to approve this proposed change to the rules of debate was made by Wes
Chapin; it was seconded by John Heppen. After some discussion, Jennifer Willis-Rivera called the question; Wes Chapin requested a roll-call vote. The motion did not carry (9 yays, 11 nays, 2 abstentions).

Laine Vignona – Yes    Michael Middleton – Yes
Patricia Berg – Yes    James Madsen – No
John Heppen – Yes    Brad Mogen – No
Jennifer Willis-Rivera – No    Kristie Feist – No
Hilary Pollack – Abstain    Matt Levine (for Ashley Olson) – No
Valerie Malzacher – No    Wes Chapin – Yes
Dennis Cooper – Yes    Stephen Reed - No
Kathleen Hunzer – No
Fernando Delgado – No
David Rainville – Yes
Todd A. Savage – No
Hossein Najafi – Abstain
Barbara Stinson – No
Robyne Tiedeman – Yes
Marshall Toman – Yes

3. Motion from the Faculty Compensation Committee (Dr. Stephen Olsen, Chair) to approve a Uniform Campus Compensation Policy for Summer Session and Winter Session (J-Term)

A motion to approve this compensation policy was made by Dawn Hukai; it was seconded by Marshall Toman. In the discussion of this item, Wes Chapin reported the motion as written is in conflict with motion #2009-2010/9 as signed by the Chancellor on July 13, 2010. Thus, Wes Chapin moved the Faculty Senate postpone action on this motion until the body could reconsider motion #2009-2010/9; Dennis Cooper seconded this motion. The motion carried unanimously (21 of 21 present at this point in the meeting).

A motion was made by Wes Chapin to reconsider motion #2009-2010/9, specifically to strike “J-term” and “summer” from the motion; Dennis Cooper seconded this motion. The motion passed unanimously (22 of 22 present at this point in the meeting).

A motion was then made by Wes Chapin to revisit and to take action on the original compensation policy for summer and winter sessions; Dennis Cooper seconded this motion. The motion passed unanimously (22 of 22 present at this point in the meeting).

4. Discussion of plans for the restructuring of the Technology Council

A discussion took place regarding a proposed plan to restructure the Technology Council, this item being a first reading of the proposed plan.
5. Motion from Dr. Marshall Toman (CAS) to compensate instructional academic staff members who serve on Faculty Senate

A motion to approve this compensation proposal was made by Marshall Toman; it was seconded by John Heppen. John Heppen requested a roll call vote. The motion carried (17 yays, 0 nays, 3 abstentions).

Laine Vignona – Abstain Robyne Tiedeman – Yes
Patricia Berg – Yes Marshall Toman – Yes
John Heppen – Yes Michael Middleton - Yes
Jennifer Willis-Rivera – Yes Brad Mogen - Yes
Hilary Pollack – Yes Kristie Feist - Absent
Valerie Malzacher – Yes Matt Levine (for Ashley Olson) - Yes
Dennis Cooper – Yes Wes Chapin - Yes
Kathleen Hunzer – Yes Stephen Reed - Absent
Fernando Delgado – Abstain Dawn Hukai - Yes
David Rainville – Yes
Todd A. Savage – Yes
Hossein Najafi – Yes
Barbara Stinson – Abstain

Miscellaneous New Business:
1. A motion to reconstitute the ad hoc committee on constitutional reform, to appoint a chair to this committee, and to reset the sunset clause for this committee to March 1, 2011

A motion was made by David Rainville to reconstitute the ad hoc committee on constitutional reform, to appoint a chair to this committee, and to reset the sunset clause for this committee to March 1, 2011; it was seconded by John Heppen. John Heppen requested a roll call vote. The motion carried (15 yays, 0 nays, 2 abstentions).

Laine Vignona – Yes Robyne Tiedeman – Yes
Patricia Berg – Yes Marshall Toman – Yes
John Heppen – Yes Michael Middleton - Yes
Jennifer Willis-Rivera – Yes Brad Mogen - Yes
Hilary Pollack – Yes Kristie Feist - Absent
Valerie Malzacher – Absent Matt Levine (for Ashley Olson) - Absent
Dennis Cooper – Yes Wes Chapin - Yes
Kathleen Hunzer – Absent Stephen Reed - Absent
Fernando Delgado – Abstain Dawn Hukai - Yes
David Rainville – Yes
Todd A. Savage – Yes
Hossein Najafi – Yes
Barbara Stinson – Abstain
Adjournment

A motion to adjourn was made by Dennis Cooper; it was seconded by Jennifer Willis-Rivera. The motion carried unanimously (17 of 17 present at this point in the meeting). The meeting was adjourned at 5:40 p.m.