

Chair Zerbe called the meeting to order at 3:03 pm on Tuesday, February 4, 2014, in Nelson Hall East, Room 102 (Goodwin Forum). A quorum was present.

The special meeting was called in order to continue the unfinished agenda from the meeting of January 28, 2014.

Members Present: Abell, Braithwaite, Bruce, Cervantes, Creadon, Dye, Eschker, Fulgham, Gold, Meyer, Mola, Moyer, Ortega, Richmond, Shaeffer, Shellhase, Snyder, Stubblefield, Thobaben, Tillinghast, Virnoche, Wrenn, Zerbe.

Members Absent: Blake, Ercole, Geck, Grabinski, Karl, Lopes.

Guests: Burges, Ruiz.

Announcement of Proxies

Bruce for Pierce, Moyer for Alderson.

Chair Zerbe announced that an additional curriculum proposal, which was intended for the Consent Calendar on 1/28/13, will be circulated to senators via email for review. It will be considered approved without objection unless an objection is received by 5:00 pm on Wednesday, February 5.

12. Resolution to Establish Voting Procedure on the Constitution of the University Senate of HSU for Spring 2014 (#20-13/14-AEC) – Second Reading

There were no speakers for or against the resolution. Voting occurred and the resolution Passed unanimously.

13. Series of Proposed Revisions to the HSU University Senate Constitution and Bylaws

a. Resolution on Forwarding the Proposed Revision of the *Constitution* of the University Senate of Humboldt State University (#21-13/14-CBC) – First Reading

M/S (Bruce/Abell) to place the resolution on the floor.

Resolution on Forwarding the Proposed Revision of the *Constitution* of the *University Senate of Humboldt State University*

21-13/14-CBC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University recommend that the attached revision of the *Constitution* of the University Senate of Humboldt State University be forwarded to the electorate defined in Senate Resolution #20-13/14-AEC for ratification in Spring 2014.

RATIONALE: The Constitution as originally adopted in Spring 2012 sufficiently laid the groundwork for the organization and charge of the Senate. This change is the second step (the first was approval of the Bylaws changes in March 2013) to eliminate redundancies between the University Senate Bylaws and Rules of Procedure and to make the Constitution a clearer and more readable document. The Constitution and Bylaws Committee offered suggested changes to the campus community in Spring 2013 and, after additional changes again in Fall 2013 for feedback. After many committee discussions, the proposed text is expected not to alter the content of the document, but to provide a clearer foundation for future changes, through improving its organization; reducing internal redundancies, conflicts, superfluous text, and vagueness; and eliminating redundancies and conflicts with the Bylaws.

The resolution forwards a revision of the Constitution, begun last Spring. It came to the Senate as a discussion item last Fall. It requires two readings. The goal of the revision is to clean up redundant text and re-format the document to make it easier to read. There are no significant changes in the document otherwise.

There was no discussion.

b. Resolution to Amend the *Constitution* of the University Senate of HSU to Authorize Recall of Elected Senators (#22-13/14-CBC) – First Reading

M/S (Bruce/Tillinghast) to place the resolution on the floor.

Resolution to Amend the *Constitution* of the University Senate of HSU to Authorize Recall of
Elected Senators
22-13/14-CBC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University recommend that the attached proposed amendment to the *Constitution* of the University Senate of HSU be forwarded to the electorate defined in Senate Resolution #20-13/14-AEC for ratification in Spring 2014.

RATIONALE: Senator recall is a common provision in many CSU Senates, as well as Senates outside the CSU. The power for recall is left to the constituency; this amendment to the Constitution establishes this power and, where no procedures exist, delegates procedures to the Bylaws.

Proposed Amendment (change indicated by underline):

Current *Constitution*:

4.0 Membership and Electorate

4.2 Elected Members

4.3 Recall of Senators – Any elected member of the University Senate may be recalled by procedures established by the governing documents of the electorate or, if no procedures exist, by those specified in the *Bylaws*.

The resolution gives power to constituencies to recall senators they have elected. The procedures for recall are to be outlined in the Senate Bylaws. The proposed recall procedures are presented in Resolution #23-13/14-CBC.

There was no discussion.

c. **Resolution to Establish Recall Procedures in the *Bylaws of the University Senate* (#23-13/14-CBC) – First Reading**

M/S (Bruce/Fulgham) to place the resolution on the floor.

Resolution to Establish Recall Procedures in the *Bylaws of the University Senate*
23-13/14-CBC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University (Senate) approves the following amendment to the *University Senate of Humboldt State University Bylaws and Rules of Procedure* (changes indicated by underline):

12.3 Nomination, Recall, and Election Procedures:

12.33 If no procedures for recall exist in a constituent body's governing documents, a recall election is initiated by a petition of one-fourth of the electorate. A majority vote of those voting in the Senator's electorate recalls that Senator.

;and be it further

RESOLVED: That this amendment is provisional on the passage of the amendment to the *Constitution* on senator recall as presented in Senate Resolution #22-13/14-CBC; and be it further

RESOLVED: That the University Senate encourage all constituent bodies (Staff Council, Colleges, Associated Students, and the General Faculty) to review their governing documents to include language for recall of elected senators.

RATIONALE: This change creates procedures for recalling a Senator, a power that belongs to the Senator's constituency. Where no recall procedures exist, this establishes recall procedures.

The resolution proposes an amendment to the Bylaws, in conjunction with the change to the Constitution proposed in Resolution #22-13/14-CBC.

Discussion:

Q: Will language be established that provides general reasons for recall? A: Sturgis recommends that procedures are in place but provides no language on infractions. It is up to the body to decide.

Q: Is requiring one-fourth of the electorate to petition a common practice? A: This is similar to what other CSU campus senate Bylaws stipulate. It is commonly used text.

The procedure outlined in the Senate Bylaws would be used only if the governing body did not have its own procedure.

The numbers of eligible voters in each electorate will have to be determined in order to know how many are needed to petition for each electorate. It was noted that voter turnout has been below 25% in past elections for some constituencies.

d. Resolution to Amend the *Constitution* of the University Senate of HSU to Authorize Reprimand of Senators (#24-13/14-CBC) – First Reading

M/S (Bruce/Tillinghast) to place the resolution on the floor.

Resolution to Amend *Constitution* of the University Senate of HSU to Authorize Reprimand of Senators
#24-13/14-CBC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University recommend that the attached proposed amendment to the *Constitution* of the University Senate of HSU be forwarded to the electorate defined in Senate Resolution #20-13/14-AEC for ratification in Spring 2014.

RATIONALE: The Senate needs procedures to reprimand members for unprofessional behavior. This amendment would grant the Senate authority to intervene with established procedures in the Bylaws.

Proposed Amendment (change indicated by underline):

Current *Constitution*:

2.0 Duties

2.6 The Senate shall hold the authority for impeachment, censure, and expulsion of its members for misconduct inside or outside the chambers. The Senate shall create procedures specified in the *Bylaws*.

Note: if the Proposed Revision (10/30/13) of the *Constitution* is ratified, this language will appear as section 2.7.

The resolution establishes the authority of the University Senate to reprimand senators through impeachment, censure, and expulsion.

Discussion:

It was recommended that the title of the resolution be changed, and “reprimand” be replaced with “impeachment, censure, and expulsion.”

Q: Are impeachment and censure defined? A: They are commonly defined in parliamentary procedure. Definitions for the Bylaws Glossary are included in Resolution #25-13/14-CBC.

e. Resolution to Establish Procedures in the University Senate *Bylaws* for Impeachment, Censure, and Expulsion (#25-13/14-CBC) – First Reading

M/S (Bruce/Abell) to place the resolution on the floor.

Resolution to Establish Procedures in the University Senate *Bylaws* for Impeachment, Censure, and Expulsion
#25-13/14-CBC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University approve the three amendments to the *University Senate of Humboldt State University Bylaws and Rules of Procedure* as attached; and be it further

RESOLVED: That these changes are provisional on the passage of the amendment to the *Constitution* of the University to authorize reprimand of senators as presented in Senate Resolution #24-13/14-CBC.

RATIONALE: The Senate should have the ability to remove officers and chairs. The attached procedures set a two-step process where the Senator is aware of the issues and invited to attend, as well as sets a two-thirds vote for passage.

Amendment on Impeachment:

12.5 Elections and Impeachment within the Senate

12.52 Impeachment of Officers – Any accusations for impeachment proceedings shall be initiated in the Senate Executive Committee; the Senate Chair, or Vice Chair if the Chair stands accused or initiated the accusation, will notify parties about the accusations prior to any and all formal meetings. An officer elected by the Senate may be impeached by a resolution passed by a two-thirds vote of the other members of the Executive Committee. A resolution of impeachment must then pass the full Senate by two-thirds of those voting after having presented the resolution at the previous meeting.

Amendment on Censure:

12.6 Censure of Senators. Any accusations for censure proceedings shall be initiated in the Senate Executive Committee; the Senate Chair, or Vice Chair if the Chair is part of the proceedings, will notify parties about the accusations prior to any and all formal meetings. The Senate may censure a Senator by a two-thirds vote of those voting, provided the resolution for censure has been presented at the previous regular meeting. Consequences of censure must be summarized in a resolution presented by the Senate Executive Committee and should only be used for issues of misconduct.

Amendment on Expulsion:

12.7 Expulsion of Senators. Any accusations for expulsion proceedings shall be initiated in the Senate Executive Committee; the Senate Chair, or Vice Chair if the Chair is part of the proceedings, will notify parties about the accusations prior to any and all formal meetings. The Senate may expel a Senator from the Senate by a two-thirds vote of those voting, provided the

resolution for expulsion from the Senate Executive Committee has been presented at the previous regular meeting. The process of expulsion is initiated by a resolution presented by the Senate Executive Committee and should only be used for the most serious violations of misconduct.

Glossary Terms:

Impeachment: Formal process accusing an elected official of misconduct.

Censure: Formal, public reprimand of an elected official.

The resolution establishes procedures that involve due process in the Bylaws. Impeachment is only for elected officers and standing committee chairs. Censure and expulsion applies to all elected senators. Censure may also warrant expulsion.

Discussion:

It is not clear that an officer can be expelled after being impeached. It should be two separate processes: impeachment and then expulsion.

Concern was expressed regarding the need for due process and representation. A process needs to be developed that is fair to everyone on all sides of the issue.

The amendment proposes a multi-step process, but it may need to be spelled out more specifically. It was suggested that the CBC work on the language to ensure the process is outlined correctly.

The definition of impeachment, under Glossary terms, is only a process of accusing. Following impeachment, the body can choose to either censure or expel an officer. However, it doesn't make sense that censure or expulsion would occur without impeachment for elected senators.

Congresspersons cannot be impeached, but they can be indicted. For our purposes, impeachment could be used for everyone.

If and when this is ever used, it will be contentious, so it needs to be as clear as possible.

13. Resolution on "Guidelines for Approving New Certificate Programs" (#29-13/14-ICC) – First Reading

M/S (Moyer/Ortega) to place the resolution on the floor.

Resolution on "Guidelines for Approving New Certificate Programs"
#29-13/14-ICC – January 28, 2014 – First Reading

RESOLVED: That the University Senate of Humboldt State University recommends to the Provost the attached "Guidelines for Proposing New Certificate Programs" (Integrated Curriculum Committee (ICC), December 2013) be approved, and be it further

RESOLVED: That use of the Guidelines shall begin in Spring 2014.

RATIONALE:

Part of the ICC's initial charge was to develop Guidelines for faculty proposing new programs. The Senate has already approved guidelines for New Degree Programs, New Minors, and Adding Online Versions of Existing Programs. In recent years, we have begun receiving proposals for new Certificate programs, so some Guidelines are clearly needed.

The "Guidelines" were reviewed by the Senate Executive Committee last Fall, and the red, italicized portions indicate changes made in response to feedback. The ICC is trying to balance between the need for faculty oversight and making it possible for College of eLearning and Extended Education (CEEE) to create these courses.

Discussion:

Section VIII under "Definition of Academic Certificates" is ambiguous regarding who the hiring authority is as well as which faculty will be consulted or make recommendations on hiring. If current faculty don't recommend someone, does a college dean have the power to hire anyway?

The guidelines for the maximum required units should be clearer.

These guidelines apply to new certificate programs which are offered through CEEE for outside students. There are existing certificate programs with enrolled HSU students that are all over the map; the challenge of sorting out the current programs convinced the ICC to only consider and develop guidelines for new programs.

What is meant by consultation and recommendation in section VIII? Does it mean standards are in place, or is a committee formed to consult and/or recommend?

Q: Is there a clear distinction between an academic certificate and a minor? A: For the future, minors are for matriculated students and certificates are for non-HSU students. This is standard practice across the CSU campuses.

Matriculated students may take these certificate courses, but they must enroll through Extended Education and pay the additional fee.

The State of California has built a 'firewall' between state-supported and self-supported programs. There are legal issues involved. The language is clear that you cannot supplant, e.g.,

campuses cannot move a program offered on the state-side to self-support and require matriculated students to pay for it.

It was noted that certificate units paid outside of the University do not count toward Financial Aid.

The State audit on Extended Education will force the need to address the big issues regarding how self-support programs reimburse campuses for resources used for programs and by students. It will not come back as direct billing to each department involved.

It was requested that more specific language on the standards under which someone would be hired for a program be included. The standards are more important than the actual hiring process.

Meeting adjourned at 3: 50 pm.