

Chair VerLinden called the special meeting to order at 4:02 pm on Tuesday, April 5, 2011, Nelson Hall East, Room 102 (Goodwin Forum). A quorum was present.

Members Present: Berman, Blake, Ellerd, Faulk, Flashman, Goodman, Kelly, Knox, Madar, Mola, Mortazavi, Moyer, Nordstrom, Powell, Richmond, Shaeffer, Thobaben, Van Duzer, VerLinden, Wilyer, Yarnall, Yzaguirre.

Members Absent: Altschul, Crowder-Fiore, Rizzardi, Rodriguez, Snyder, Tripp, Whitlatch.

Proxies: Knox for August, Thobaben for Cheyne, Yarnall for Craig, Goodman for Heise, Moyer for Reiss.

Guests: Ayoob, Mullery, Lee.

Proxies were announced.

### **1. Approval of Minutes from the Meeting of March 29, 2011**

M/S/P (Mortazavi/Goodman) to approve the minutes from the meeting of March 29, 2011 as written. Motion PASSED with 1 Abstention.

Chair VerLinden announced that he had received communications from the Provost and the President regarding their absences at Senate meetings and apologized for not sharing those communications directly with the members of the Senate.

### **2. Discussion on Draft documents for Proposed University Senate**

Senator Knox thanked Senator Flashman for his thorough review of the *Revision to the Constitution of the General Faculty of HSU* and for sharing his comments with members of the Senate, and stated that a few of the issues he raised need further discussion by the Faculty Affairs Committee.

Senate review of the *Revision to the Constitution of the General Faculty of HSU* – Discussion:

Q: Will the Faculty Affairs Committee (FAC) review this document one more time after today's discussion? A: Unless there is something substantial that needs review, the FAC is okay with the document.

It was noted that if Resolution #28 is passed today, the documents will not go back to the

Faculty Affairs Committee.

Section 4.2 Members Eligible to Hold Office: The language in this section is the same language used in the University Senate Constitution – if it is changed it needs to be changed in both documents; they need to match.

- The requirement of “two years service on the University Senate prior to taking office” should be removed. This kind of restriction creates an unnecessary barrier for those running for the position. The requirement should be meaningful; so far, it hasn’t been demonstrated to be meaningful requirement.
- The requirement should not be eliminated. The Senate Chair has to negotiate complex issues and it helps if that person has had experience on the Senate. The learning curve is much steeper for those who haven’t been involved in campus wide issues.
- There is a past president and an executive committee that should be helpful to the new senate chair. They should work collaboratively. Newness on the job is not a problem; anyone in the position will experience a learning curve the first year.
- The odds of having someone run for the position who has never served on the Senate are slim. Of greater concern is making information about candidates available so that faculty can make an informed choice when voting.

There has been a lack of dissenting voices on the overall process of creating a university senate. Does that imply that everyone is in agreement to move this along? It would be helpful to hear opinions about whether or not this is a good idea – the Senate has not really had that general discussion.

Senator Powell stated that he has sent drafts of all HSU documents to the assistant secretary of the American Association of University Professors (AAUP) for governance and academic freedom for review, and received feedback that having staff and administrators vote is not what is usually done. HEERA and “the California State document” offer templates; neither Long Beach or San Diego State documents fit well with these templates. Is it a possibility to keep the current structure and just make the University Budget Committee a committee of the Senate? Making the Senate smaller may encourage discussion to proceed more efficiently.

A conversation across campus did occur last year. It was decided that the university senate model should be tried, and the task of drafting the documents began last spring. A university senate does not necessarily dilute the voice of the faculty. It is up to the faculty to make its voice heard.

The existing problems are not structural so creating a structural solution to problems of governance is useless. The consequences of an ineffective faculty voice over the past few years are visible. Anything that would increase the ability of the faculty to influence decision-making would be supported. The current proposal is not problematic, but it isn't a solution to the problem.

It is important that the faculty have a strong voice and having a faculty session of the Senate that is easy to call is important.

Section 4.2 Members Eligible to Hold Office: Discussion cont.

- The current wording of the document doesn't actually state that the General Faculty President has to have been on the Senate for two years.
- Amendments are not appropriate at this point. A straw poll should be taken on whether or not to keep the requirement of two years service on the Senate and whether or not the term for general faculty president/senate chair should be two years.
- The document should not go back to the Faculty Affairs Committee. If the Committee is in charge of the document, then the Senate doesn't need to vote on it.

Chair VerLinden asked senators to make motions to revise the document so there is a record of the changes made.

M/S/P (Powell/Yarnall) to amend both constitutional documents [the *Revision to the Constitution of the General Faculty of HSU* and the *Draft University Senate Constitution*] to eliminate the requirement of two years service on the University Senate prior to taking office.

Voting occurred and motion passed with 10 Yes votes, 6 No votes, and 5 Abstentions.

M/S/P (Powell/Thobaben) to amend the two constitutional documents [the *Revision to the Constitution of the General Faculty of HSU* and the *Draft University Senate Constitution*] to extend the term of the General Faculty President/University Senate Chair to two years.

Discussion:

- It is already difficult to get people to serve in this position – will a 2-year term make the

pool even smaller?

- A two year term will make the person in the position more effective.
- There seems to be a logical inconsistency – we just eliminated the requirement for experience on the senate, and now we’re saying having a longer term will make the person more effective.

Voting occurred and the motion PASSED with 12 Yes votes, 4 No votes, and 1 Abstention.

Section 3.1 Functions – Dissatisfaction was expressed with the statement as it is written. It reads as if the authority assigned by the president dictate the powers that reside in the general faculty.

- It was suggested that language from the current General Faculty constitution be reinstated in section 3.1 to make it clear that the general faculty is exercising its authority primarily through the university senate. This would clarify that there are not two bodies engaged in the same activity and/or competing with each other. And the wording “including policy recommendation” should be added to section 3.3.
- What power and authority the general faculty has comes from the State Legislature, not the University President. There are other sources of power than the legislature or the president (HEERA, AAUP, Title V, etc.).

The following changes to 3.1 and 3.3 were proposed and agreed to without objection:

3.1 Functions – The function of the General Faculty shall be to [formulate and recommend to the University President policies for the University affecting matters of common concern to the general faculty](#); to implement authority assigned to it by the University President; to assist in the selection of future presidents of the university and future administrators of high rank; to administer elections wherein the General Faculty vote; and to help the University gather and express the views of the faculty regarding issues of governance.

3.3 Exercise of Powers – All powers of the General Faculty shall reside in the General Faculty except that certain functions, [including policy recommendations](#), may be exercised through the University Senate as herein provided [in Section 6.0](#).

Section 6.0 Relationship to the University Senate – Discussion:

- It sounds like the general faculty is turning over its responsibilities to the senate and its delegates. The faculty needs to reserve the right to speak out. It was suggested that a

clause on “reserve powers” be added, i.e., that the General Faculty reserves its final authority to formulate, review, and recommend academic policies for the university to the President and appropriate agents. The General Faculty must still have the right to initiate action on its own.

M/S/P (Powell/Goodman) to include the above statement [the General Faculty reserves its final authority to formulate, review, and recommend academic policies for the university to the President and appropriate agents] in section 6.1.

Voting occurred and PASSED with 3 No votes.

It was suggested that provision for an executive committee of the General Faculty, comprised of the two elected officers of the General Faculty and the Vice Chair of the Senate, be added to the constitution. This committee would perform the administrative functions of the General Faculty. There were no objections.

M/S/P (Flashman/Mola) that the Vice Chair of the Senate shall be the ex-officio Vice President of the General Faculty and shall exercise the powers and duties of the General Faculty President when unable to perform his/her duties.

Motion PASSED with 3 Abstentions.

Section 3.2 Representation to Other Organizations: The section needs to include a statement about positions that are appointed rather than elected. It was suggested adding “and other positions as identified by the Faculty Handbook.”

It was suggested that a resolution asking the General Faculty to authorize the current Senate to make provisions for the transition to the University Senate (if approved) be written.

It was suggested that language be added under 6.0 that would allow the General Faculty to require a report from the University Senate. It was noted that a provision such as this needs to be more detailed and should be included under the reserve powers clause.

There were no objections to adding the wording suggested.

Section 8.32 (under Elections): It was stated that the current wording does not make any sense. It was noted that this is language from the current Constitution and that it is used in the election process and it works.

This kind of detail should be noted and worked out later in order for the document to move forward.

Senator Goodman moved to adjourn. The motion passed.

The meeting adjourned at 5:51 pm.