

Senate Executive Committee Meeting Minutes

August 19, 2011
8:00 – 9:00 a.m.

Senate Conference
140 McFall Center

Attendance: Ancinec; Border; Buerger; Folkins; Herman; Jackson-May; Sleasman

Guests: Pauken

Special Meeting to Review Academic Charter Proposed Changes

CHAIR'S REPORT

Welcome. Thank you for coming in during the summer. It is extraordinary for us to have a meeting prior to our first meeting but we do have a pressing matter to consider. I'm not sure everyone knows each other so let's take a couple of minutes for brief introductions. I'm looking forward to meeting with all of you throughout the year. The Vice Provost of Governance and Faculty Relations, Patrick Pauken, is our official liaison to the administration.

The Committee on Committees (ComCom) had a special summer meeting yesterday as well. We are short on members of the Senate Executive Committee (SEC) and they needed to appoint four new members.

I want to remind everyone of the events of December 10th when significant changes were made to the Academic Charter. Not all of those issues related to the mandatory bargaining items. Kris Blair and I met with President Mazey to impress upon her how important the Academic Charter was to shared governance and this institution. She was an enthusiastic supporter of that idea and encouraged us to proceed immediately. She charged Pat to work with us to make sure that we could move these changes through quickly. This is our governance document. We are in an uncomfortable position right now not having the Academic Charter to guide us. We need to get these matters addressed. Not only have we put back the Charter language but also some of it has been tweaked and improved. Please see the two handouts. Pauken: This second page of H2 was unintentionally blank so that might throw off your review.

Folkins: I think we should step through these changes page by page. Border: What's in black represents the December 10th changes, is that correct? Folkins: Yes. There are two sections of the Charter; Section A is shared governance and Section B is basically the faculty handbook. We felt Section B has the potential to relate to the mandatory topics of bargaining and so is not a part of this discussion. Border: I agree that if we can, I'd like to go forward with a page-by-page review. Folkins: We would really like to have this on the agenda for the first Faculty Senate meeting that is the day after Labor Day, September 6th. We have one regularly scheduled SEC meeting between now and that full Senate meeting. We have to be cognizant of the schedule of the administration and when the Board of Trustees (BoT) will be meeting to consider these changes.

Folkins: We will start on the first page of the outline in your handouts.

Comments about particular sections:

Folkins: II.C takes us back to our original definition of faculty. I feel very strongly that many of the members of Faculty Senate have also been Chairs and Directors. We did some benchmarking of other Universities and they do not define faculty in the way that we did through this change. We want to correct this. Pauken: I did speak at the Chairs and Directors meeting this week. While I did not mention our work here, I did ask them what their thoughts were about making this type of change. This change was well received by that group. Buerger: How many individuals fall under the “no more than 50% administrative duty”. Folkins: Approximately 100.

II. D

Pauken: This section highlights the difference between the eligibility for AAUP and Senate.

II.G.5

Folkins: Budget responsibilities are part of shared governance. Border: What about number 1? The Board of Trustees included the words “academic and administrative missions”. Why not put this in number 1? Why not go back to the original wording prior to December 10th. Why not combine 1 and 5? Border: I preferred the old Charter. Pauken: This II.G.5 is identical to what was there prior to December 10th. Border: But in number 1 the redefine will remain. I believe that BGSU FS can be asked about anything that goes on at the campus other than collective bargaining. Folkins: I interpreted it as good to include administrative. I’m willing to consider a change.

II.G.1

This section is helping to define and further missions and goals of Bowling Green State University.

IV.A

Folkins: This is a restoration of past practice. Pauken: Chairs and Directors – cross-referencing eligibility. Border: The Board of Trustees (BoT) has a role in determining the ex-officio positions, is that correct? Pauken: The contemplation here is that an ex-officio position would be a Charter amendment. Border: In the past it seems the appointments were just established and it wasn’t a Charter amendment process. Folkins: It lists in the Charter who they are so I think we’d be wise to do this. Border: When we voted to have an ex-officio member from the AAUP, the Senate voted on that. Folkins: Yes, but the BoT did not endorse this. Pauken: References to the BoT are more noticeable here but that is important. Border: Jim Evans made an important statement on this point – name any body that does not have the ability to determine its membership. Folkins: Eligibility for Congress is defined in the constitution. Border: But the Constitution has the right to expel members for cause. Shouldn’t we determine our membership? Folkins: We’ve always had to have a Charter amendment for a new ex-officio member. I don’t think this changes that authority. I don’t want it to be perceived that the Faculty Senate is trying to grab power. Border: In the next paragraph in black, a sentence was stricken that should be reinstated. Can we put that back in? "A Senator who, through assignment to administrative duties, is ineligible for election to the Senate may continue to serve only until the next election."

This gives the Senate the option to allow the Senator to continue to serve until the next election. Pauken: I'm speculating here but there seems to be no question it was stricken because they were trying to make a greater distinction between faculty and administration. A goal here would be internal consistency. If there is a sentence in the proposed language, my consideration would be you would only be allowed to serve until the next election if your appointment is less than 50%. If you are promoted to an Associate Dean position you can't continue on as a Faculty Senator because it is more than 50%. If the distinction is made we need to allow the distinction to be made. Folkins: Faculty Senators are chosen by their colleges. Pauken: If you are ineligible for Senate, Folkins: Let's put it back in but tweak it so eligibility will be more clear. Jackson-May: How would that look? Pauken: I'm not quite sure yet. I'm OK with a rule that says someone who is not eligible to serve on Senate should not serve.

IV.C.1

Pauken: This page did go through discussion because the types of work the Senate is permitted to do, policy framing, recommending, and advising. Some of what was in number 1 before has been moved to 2, recommending and advising. We're trying to be true to the work of Senate and the bargaining unit.

Folkins: Can we have another meeting next Tuesday? It is clear to me we will need this. We will have a regularly scheduled meeting then. Dr. Mazey speaks at 4:00 but we'll plan to be done by that time.

Folkins: Let's move on to page 9... My understanding is it restores language and is not controversial. Pauken: The changes on page 9 are not a line-by-line restoration because it cannot be. The Senate cannot carry the same role as it did before.

IV.C.5

Buerger: When did quality become an adjective? I think it is a non-useful word.

IV.D.2.a

Folkins: This section restores the work of the Vice Chair. Pauken: This parallels to Article V. If you recall the December amendments took much of that work away from the Senate committees and moved it to the administration. President Mazey is certainly in favor of making this change. We've attempted to make this more of a shared responsibility with the President.

Folkins: I'd like a brief discussion on our handout, Summary of Proposed Charter Changes, Proposed Division of Motions. Dividing it into 7 sections will allow us to have more discussion and collaboration. Pauken: This is not just tactical but educational as it gives people an idea of the changes that have been made. As you review this more closely, you'll see why these distinctions were chosen. Buerger: I would expect the Senate would analyze the changes in this manner. I like this approach. What is the impact for the Amendments and Bylaws Committee? Pauken: It depends on how the SEC wishes to go. President Mazey says let's roll. Amendments & Bylaws sometimes gets things after they are presented and approved and sometimes on the way to that process. Folkins: We'll get one shot at this. I want to restore as much of the Charter as we can. Buerger: Would it be helpful if we send questions in advance? Folkins: Yes. We have to move along or we're asking to be marginalized. Border: I would encourage Pat to go back to

the administration to re-word that one sentence. Pauken: Yes, I appreciate it. Folkins: What I worry about is if there is a new contract it will result in a new round of Charter changes to make sure it is in alignment. If we get into that pattern, we'll end up going down all kinds of pathways.

ADJOURNMENT

9:00 a.m.

Respectfully Submitted
Terry L. Herman, Faculty Senate Secretary