

FACULTY SENATE ON-CALL MEETING MINUTES

September 20, 2011
2:30 – 4:30 PM

Assembly Room
McFall

CALL TO ORDER

Chair John Folkins called the meeting to order and asked the secretary to call the roll.

ROLL CALL

Secretary Terry Herman called the roll.

Absent: Muthusamy; Edminster; Weinsier

The Secretary announced that there was a quorum.

COMMENTS

Folkins: I would like to introduce Lawrence Coates who will be the BGSU-FA liaison to Faculty Senate. Welcome to the Faculty Senate Lawrence. Coates: I have no official role in the Faculty Senate but I do have an official role with the BGSU-FA. My goal is simply to express the sentiments of the BGSU-FA Executive Committee when and where appropriate.

OLD BUSINESS

- Charter Changes
 - Faculty Senate membership, including expanding eligibility for Senate membership (III.C., IV.A) and ex officio membership (IV.A and F) and Senate officer incentives (IV.D.2.b). (Passed by Senate last spring.)
 - Faculty Senate Committees: Establish Fiscal Affairs Advisory Committee (IV.F.6) and Administration of University Standing Committees (IV & V).
 - Faculty participation restored in selection and review of administrators (VPAA, VI; Graduate Dean, VIII; Undergraduate Dean, IX; School Director; X; and Department Chair, XI).
 - Academic reconfiguration restored (XIV) and creation of new programs, departments, schools, and colleges and academic reconfiguration.

Folkins: We only have one item on the agenda today, the Charter changes. I'd like to have a general discussion of where we are, observations, and then we'll step through the four major areas in the Charter that we had on the agenda last time. Are there general issues anyone would like to raise?

Dixon: Were any responses sent in particular to Faculty Senate on the questions as to why this is being rushed? Why do we need to do this only for the October Board meeting? I don't believe I've heard a good explanation for this. I remain concerned. These are extraordinarily important changes and I'm not sure what the rush is. Folkins: Thank you. There has been a fair amount of discussion related to this. For example, I met with David Jackson last Thursday and we had a good and open discussion about these changes. We had the Senate Executive Committee (SEC) meeting and talked about a number of issues and perspectives. I did get one email from an individual who I later called to discuss the changes. President Mazey would you like to address the timing? President Mazey: The timing came from the faculty. When I interviewed, the Charter

changes were the major issue. People said we have to get the Charter back. There are certain items that can go back in the Charter and certain items that cannot. The most important issue for me is the administrative review. We must have an administrative review policy as we move forward with the Higher Learning Commission (HLC) review process in 2013. You never want to be out of accreditation standards. We currently don't have a process for administrative review as it was taken out of the Charter. Folkins: Does anyone else have a general comment at this time?

Murnen: I do have some concerns after having more time to look at the document. I'm not sure if you'd like me to bring them up now or wait until we get to the specific sections for review. The way the document was framed when we met two weeks ago it was a reinstating of the missing language from the pre-December document. From what I can see in terms of the comparisons, you don't have to go very far, three pages into the document, to see a place where language has been removed that wasn't noted as having been removed or places where language was inserted that wasn't noted as inserted. The document we're looking at today is not simply a reinstatement of the pre-December document. If that is the intent or focus, then we should be going back to the pre-December document might be the focus. At some point I'd like to offer a motion but for now I'll sit back and listen. Folkins: Please understand the way things were presented; we gave you a grid for all the major changes made. These were topics the Senate Executive Committee (SEC) felt the Senate would want to discuss were noted on that spreadsheet. There was no intent in the 8/30 document to go back and mention every item in the pre-December 10th document that had been omitted. To do that would have made it very difficult to track. Murnen: I understand that and I'm not crying foul, but there are a lot more to the changes that I think warrant a longer review process and more commensurate with how we do things in Faculty Senate. It seems to me that we have not gone to a committee stage yet for this review. Folkins: The SEC did a review. They had three meetings related to this. Murnen: I started creating my own grid and did just the first three pages and found many changes that were not noted. As I did my review, I believed we need a deeper review following the standard process.

Folkins: The option of going back to the pre-December 10th document could not be done because of the items of collective bargaining. It was not an option that we had. President Mazey: The document we had to go back to is the current version of the Charter. We have to start with the document we have now. Folkins: Opportune Zongo... Zongo: Is the December 10th document amendable? If no, are we just meeting to express our sentiments on those changes? If so, how much time do we have to suggest changes? I'm talking about the official document from the Board of Trustees (BoT), which was sent out and is now the official document. Is this something we can amend or do we just have to accept it? Folkins: The post-December Charter was the basis for our August 30th changes and the amended Charter. We have gone back and made these changes in as far as we can considering the mandatory topics of negotiation. Zongo: We can recommend these changes. What exactly are we doing here today?

Folkins: There is a motion on the floor to accept the changes in the document included in red. We're trying to get back the Charter language we really need such as review of administrators and a committee for budget oversight. If you have suggestions, please raise them. We can discuss those amendments. This is the time to suggest changes to the August 30th document. Also realize that when we (SEC) suggested these changes to the post December 10th document, we added some things. We cleaned up the Charter for language that was well out of date. For example, review of actions taken by the Dean's Council and that was removed because the Dean's Council does not take action. It did not look good to have that in the Charter. They are advisory. Zongo: So we can make changes today. How much time do we have to discuss these changes? What happens if we don't have enough time? Do we have to accept the package or can we change things again? Folkins: We can change things today. Zongo: We can change things today. But, will

we have enough time to go through all of these? Folkins: We certainly may not have enough time. Zongo: What happens if we don't have enough time? Folkins: We may have a motion to delay. That means there is more time for people to examine the document and discuss the changes. They have time to get input by the rest of the Senators. If there is a motion to delay again, we still have to deal with the motion on the floor at this time. Zongo: Do the decisions made by the BoT carry the day? Folkins: The BoT must approve everything we do including these Charter changes. Zongo: We must bring these changes to the BoT. Folkins: Yes.

Labbie: At the beginning of the question, it sounded like you might have thought that the BoT might have proposed these changes. They did not. SEC and the President's office suggested these changes over the summer. This is our opportunity to revise things from our position. Folkins: Others? Craigo: History is really important. This document is an historic document that contains the work of decades and faculty members. They worked slowly and deliberately. I feel that should be honored with our own slow deliberation. I know we've all looked at the document, but I feel very rushed. I don't think that is appropriate. Folkins: Thank you.

Rogel: What did SEC do? You said you started with the post-December 10th document. Could you have reversed the changes, every single change, to go back to the previous document and only remove those sections that are specifically no longer allowed to be in the Charter? I think that might have worked procedurally. Folkins: We didn't do it in that order but we did go back to the pre-December 10th Charter to examine what we felt needed to be put back in. The language was modified in a few sections. We looked at Section XIV, academic reconfiguration. It was very awkward and overly specific and not fitting. It hadn't been working well so we made it more general. We modified this section to streamline it. It was done by the SEC. Rogel: I just thought it might have saved some of the questions and concerns if all the language was reinstated within a set of proposed amendments. Folkins: Yes, we could have done that. We could have used three colors – black, red, and another to show what was in the pre-December 10th that is now gone and we're not proposing bringing it back.

Terry-Fritsch: I need clarification. My constituents unanimously agreed that if we were returning to the pre-December 10th document we will vote yes for the change. However, if we are not going back to the pre-December 10th Charter we should vote no. I understood from the last Faculty Senate meeting was that we have only one chance at this change. Is that correct? Folkins: It is conceivable that we could have a vote to delay until the October 4th Faculty Senate meeting that would move us to the December Board of Trustees meeting. Archer: I don't think that answers the question. Is the BoT only going to consider these changes at the October meeting and will not consider at the December meeting? I think it would help me and others to understand if that is the case or not. Folkins: President Mazey... President Mazey: I thought when we originally went into this process that we were trying to bring the University back into compliance by reinstating the administrative review. We are out of compliance. Archer: The BoT put us out of compliance. President Mazey: And the Board can put you back into compliance. Archer: The Board could. President Mazey: Yes. I wanted to work this out with you and so have not taken it to the Board. Folkins: Thank you. Don Deters...

Deters: I would like to say that there are a lot of places in this Charter, as I went through and carefully examined several pages, I found an average of two changes per page, that are not marked in red. Sometimes changed words, deleted sentences, and inserted sentences have not been marked. I think that poses a problem in approving or ratifying changes that are not transparent. I think it would have been right and proper to go back to the pre-December 10th Charter. I know others have said that already so I won't belabor the point. I think that would be a much better approach. With so many difficulties and problems here, I don't see anything to do but

reject this. If the Trustees want the Charter, let them restore the original Charter. They did this by fiat; they put the change in... then let them bring the other one back. All they have to do is issue a statement and everything is fixed. Then we can worry about changes if the Union comes. We're all thinking about what may happen in November. We can't predict the future. I think it is a mistake to proceed with this. I would like to recommend that we pull this topic off the table and bring it back at a later time if you want to. Thank you. Folkins: Linda... Dixon: As a point of clarification, did the pre-December Charter include the evaluation of administrators? Folkins: Yes. Dixon: Then why is it not better to go back to a document that was working, when we were in compliance and take our time and deliberate on the other changes that were done?

Folkins: That would require us to go back to the BoT. Dixon: Yes, why can't we do that? Folkins: We could, but we can do more in terms of restoring changes to the Charter. Dixon: This is a circle of doing things without deliberation and time. Rogel: If the main focus of getting things done now is the evaluation of administrators, administrative review, and we are concerned about time to understand all the changes. Would it be possible to excerpt that section out of the changes and amend just that portion, the portion concerning administrative review as a separate motion to amend – carry the rest of the changes to a later date? Folkins: I will check with our Parliamentarian, David... My understanding is there is a motion on the floor. There could be a motion to table it but at this point there is a motion on the floor. Is that right? Border: As before, in our last meeting, we can table it to a later date. We can table to a specific date or table the motion indefinitely. The person who made the original motion could also withdraw that motion. Rogel: If we were as a Senate to think this is a good idea we could propose an amendment to strike all changes except for the administrative review. That would be the motion on the floor. Would that work? Folkins: We are open to proposed amendments to the motion on the floor. One could make such a motion. Is that correct? Border: The motion on the floor can be amended. Folkins: Tim...

Murnen: I have some concerns about making a motion to accept that one clause and leaving everything else behind. We've given up even more of the reinsertions we were hoping for. We would need to build into that motion a process by which we confer this proposal to an ad hoc committee created by SEC and Com/Com in accordance with the Charter to review as we have in the past. Whatever we vote on in this document, we need to outline next steps. We need more review. I think we need a committee designed to look at this document. Labbie: Amendments and Bylaws (A&B) would like to remind you that we offered to receive corrections before this meeting and in the future after this meeting. It is the role of A&B to make these changes. The document as presented is not final. It will undergo further review and changes as deemed appropriate. Archer: Would this come back to the floor for another vote after changes by A&B? Labbie: In current practice, and it is in the Charter currently, once a document has been voted on the floor, not unless the changes are substantive. Amendments and Bylaws will decide what is editorial and what is substantive. If there is a doubt, we bring it back to the floor. Archer: The answer is it might come back and it may not? Labbie: Yes. Folkins: Opportune Zongo... Zongo: I have two points of clarification, I hear people refer to the old Charter, the pre-December 10th Charter. Can we go back to the old Charter? Is that an option or has the BoT closed the door on that document? Folkins: No. That was not a choice we were given. Zongo: Second, Dr. Mazey you refer to something about administrative review. Is that the only option we have? What other options do we have?

President Mazey: The Charter prior to December 10th was a Charter without collective bargaining. We have collective bargaining now and that is why the BoT amended the Charter as they did. Administrative review is a part of the Higher Learning Commission re-accreditation process, reaffirmation that is completed every 10 years. Part of the governance is administrative

review. I don't know why the BoT took that section out, but they did take it out. As of December 10th we have been out of compliance with our own accrediting body. I've never been at an institution that is out of line with its own accrediting body. Zongo: Thank you. I thought you meant to say that this is the only thing we can discuss today. President Mazey: No. Folkins: Yes...

Senator: A little history on this... someone at some point noted that the changes made pre-December 10th, in order to make the Charter more compliant with collective bargaining, removed administrative review but other things were removed as well. The Board giveth and the Board taketh away. When the BoT took these things out, they made us out of compliance. Recognizing that, there has been recognition that the Charter needs to be changed to put us back in compliance with the accreditation body. The SEC saw an opportunity to include other topics as well, two for one. We are proposing the Board rescue themselves from the short sightedness of removing administrative review, thereby leaving us out of compliance. In a two for one, we want to rescue the BoT from their mistake but also make other changes that the SEC thought would be sensible and productive at the same time. The reason we're going around in circles is we're trying to do two things at once. We need to be in compliance, and there are other changes we would like to make. That second set of changes has only been reviewed by the SEC this summer and this body over the past three weeks. Is that a fair summary of the position we are in?

Folkins: Yes. The motivating factor for the SEC was, yes we want to be in compliance and we don't know how many chances we'll get to revise the Charter. We need to take advantage of this. Things this controversial, no governing board will want to deal with them very often. I understand it is a lot to digest at one time, but I don't think we should let this opportunity go.

Larsen: So given that, one of the things that happened on December 10th when the Charter was eviscerated was that the Faculty Senate's power was also challenged. We have an opportunity to reinsert the idea that the Senate is empowered to represent the faculty. The worst thing we could do is nothing. That maintains the status quo. We lose the opportunity to reinsert the power of the Senate. I think we can talk about what we need to do and what we don't need to do but I think we should vote today to send a message back to the BoT. Craig: I've been puzzling over President Mazey's statement that, "I was trying to work it out with you." Could you please extrapolate that tacit statement? Are you saying the Board of Trustees will do it if we don't? Mazey: There is an awful lot of mistrust in this room and that is a shame. It means what it says. When I came here I heard over and over again that the Charter was a problem, an issue. I have been trying to address that issue since I became President. My hat is off to Pat Pauken. He has been trying to work with me on this. He was a member of the Senate. I'm trying to do what I can. I don't want the University to be out of compliance with our accrediting body. Craig: I'm asking about the emphasis on the word "you". If we were to replay the tape, we would hear you are trying to work this out with "you" implying if not, you'll do something else.

President Mazey: The next step is to take your vote. I'll make a decision after the vote is taken.

Archer: I've been on Faculty Senate (FS) for a long time; it seems like every semester we make recommendations to the Board about changes to the Charter. That's our job. We do that through committees. You just suggested you don't know when we might get to change the Charter again. I'm concerned about that statement. I thought it was the role of the Faculty Senate to review the Charter and recommend necessary changes or new sections such as a maternity leave policy. What seems to be suggested is that if we don't take this opportunity now, we won't be able to make changes again. In light of some of the statements by Senator Larsen, what is the role of FS if the BoT won't entertain Charter changes in the future? Has the role of this body changed so fundamentally since December 10th that we have to wait until the Board says now we'll entertain

changes? If so, that is terribly troubling. I'd like some clarification. If this is the only moment we can make changes that is significant. Folkins: Hal Lunde...

Lunde: I was here for the last meeting as well. Through all of this discussion, I came to his meeting thinking that we would have already voted. The word President Mazey said was trust. Trust. My how we lose that. I came to Bowling Green State University (BGSU) in 1980 and retired in 2005. I was Chair of FS twice and we had a lot more trust, a lot more trust during that time. We have committees. That's a good idea. Why do we have committees? Because everyone cannot be informed about the details of every issue. You delegate to committees if you want an efficient, strong organization. You have to trust the committees to do that work. If you don't trust them then you should not have the committee. I would urge you to pass this and give President Mazey a good helping hand in building this great University. Folkins: Other discussion? Opportune...

Zongo: If we don't pass this, can the BoT make the amendments to include the administrative review without the other changes? Is that possible? Folkins: Yes, that's possible. The question is would the FS want them to do that without the proposal coming from the Faculty Senate? Zirbel: I think it would be irresponsible for us to say, "You broke it, you fix it." I trust that if we are out of compliance then President Mazey would take whatever sensible means necessary to put us back in compliance. If we, as the FS, can't make a decision and the BoT is willing to reinstate it, then I hope President Mazey will take the opportunity to get us back in compliance. I think that would be appropriate. I don't think we want to go about this in that way. A point of order... Is it possible for us to deal with the matter of administrative review, put our fingers on the relevant paragraphs, review those and see how content we are with those? If so, I would suggest we spend some time doing that. If not, then we need to give up and go to committees. Folkins: Don Deters...

Deters: Well, I think it would be very easy, the BoT revoked the former Charter and all the points in it. The BoT could issue a proclamation with a new Charter with whatever items they want restored. It is ridiculous to imagine that anything we're doing is important here in that regard. They have demonstrated that the entire FS is a fairly weak body. The BoT took it upon themselves to revoke the Charter and they can fix it any day they please. I do not think we should be ratifying the Charter that they produced even though it has now been patched up. Folkins: Tim Murnen... Murnen: It hasn't been spoken in the room here today, but there was this metaphor of the honeymoon period. I'm not sure whose honeymoon it is. Is it the honeymoon period with us? President Mazey with the Board? I'm not sure how all this works. I've been married for seventeen years; I can suggest that if the relationship is a strong one the honeymoon doesn't have to end in a couple of weeks, it can go on. The matter of trust is important. I feel like what we do as a Faculty Senate is important. I feel to vote yes on this document is to allow other people to make our decision, hand over the decision making process. I believe it needs more review. This is in no way being disrespectful of the Board's work, or Pat Pauken's, or President Mazey's. We have a process in Faculty Senate, either Amendments & Bylaws or some other ad hoc committee. We need to be sure our process includes these reviews. We need our committee(s) to do their work with two things in mind, to help rescue the Board to help them put things in place that must be, and to remove language incompatible with collective bargaining. It's time to trust FS, to sit down and to propose a document that does just those two things. Support the Board and put us in compliance.

Lunde: Not only is trust an important word, another one is shared governance – does this faculty believe giving this to another committee is the answer? It has been through committees and your colleagues work. Can you make a decision? Can you move ahead with something you know is

right? I think you can. The downside risk of this is you may have to amend it in the future. If something needs amending, it can be amended in the future. The people who have worked on these committees have worked very diligently. Like you they have the same interest and aspirations for BGSU that you do. I trust them. Folkins: Thank you. Yes, Beatrice...

Guenther: I would like to follow up on that comment. I think we are beyond the question of trust. These are such complicated issues. People have pointed out there have been oversights and misrepresentations and not necessarily out of malice. But this is such a dense and complicated and important piece of legislation that we can't go on blind trust. I don't have a clear sense in this document of the status of the FS, the power of the FS versus the discretion of the FS. There are implications to those words. We need to think very clearly. If we are a marginal advisory board, we no longer have a real function. Buerger: You had mentioned earlier that you have slides to take us through the major parts. Perhaps we could discuss the major issues and see where we are when we are done with that. We're talking in the abstract now.

Folkins: I thought we needed to have a general discussion, and clearly we did. Maybe we have come to a point where we can review the specifics. There have been two suggestions coming forward as well not made in the form of a motion, one is to delay the vote and another is to try to make a motion today to separate the administrative review from the rest and then vote. Terry-Fritsch: I believe there has been a third proposal and the third proposal is to recommend a return to the pre-December 10th Charter adjusting the language to account for collective bargaining. Several people have reiterated that proposal but it hasn't been taken seriously. Folkins: How would that be done? Terry-Fritsch: One goes to the meeting and recommends that change. President Mazey: You have a Charter right now, the Charter we're dealing with, and the Board has given the Charter. We have to amend that Charter. I will not go back to the Board and say we're going back to the pre-December 10th 2010 Charter. Terry-Fritsch: Thank you, just a point of clarification. Folkins: Erin Labbie... Labbie: Thanks. I'd like to attempt to clarify a possible misconception that A&B has been separate from this process. I appreciate the goals of shared governance that have been expressed. In the sense that SEC met during the summer, Amendments and Bylaws was not directly involved. Amendments and Bylaws have been in the loop on this. Michael Buerger serves on both SEC and A&B. There is a longer history to this. Prior to the December 10th changes, we were working on the process of administrative review. This has produced a culmination of many of the discussions that we have had over the past two years involving the major topics you see here and did not have the opportunity to act on but now can. We have not been removed from this process. We were active in the process in different ways. We have been active in a number of ways including attending an SEC meeting to confer with SEC about administrative review, reduction of schools, reconfiguration, and others. We collectively came to decisions on issues that are reflected in these documents. McManus: Following up on that, how many faculty members/Senators were involved in these discussions and arrangements up to this point in committee meetings?

Folkins: Eleven faculty members of SEC and five members of A & B. McManus: So this is not a coup? Folkins: No. Deters: Mr. Chairman, I would like to introduce a motion to table the consideration of this amendment. Folkins: It has been moved to table consideration of the motion on the floor. Border: Indefinitely or to a specific date? Deters: To table to an indefinite date. To table not postpone it. Murnen: What happens if we table the vote? Where does it go next? Border: According to Robert's Rules there are two methods of tabling; one is to table choosing a definite date to review or two, to an indefinite date. That's why I asked for clarification. The indefinite option essentially makes the motion dead. Laura: Can we table indefinitely? Is that part of Robert's Rules? Border: Yes. It can be taken back off the table. Folkins: It doesn't have to come back up, but it can. Laura: So it is not dead? Pauken: Motions to table are typically made and in

order when we have situations of immediacy or urgency. The motion itself can come back by a similar vote of the majority. It is different than a postponement because a postponement sets a date or does not depending on the type of motion. The motion to table can come back by a vote of the majority so it's not automatically dead.

Folkins: Is there a second of that motion? Zongo: I second the motion. Folkins: Discussion on the motion? Tim Murnen... Murnen: If we're concerned that FS has no power or show of strength, what does tabling mean for us? Does it mean we can't make a decision? It seems we should take a vote. If it passes, OK; and if not, we have a new discussion about what to do next. I understand the motion is on the floor and I'm comfortable with that. I'm not sure what the stronger position is. Deters: I could understand that there might be a resolution to establish some mechanism for some group to review this. All I'm suggesting here is that the motion be tabled. Folkins: Bess...

Wood: I'm new to Senate and I am on Amendments and Bylaws. I want to remind the body that there is a lot of good in this set of restorations other than the review of administrators. There is restoration of budget oversight. The wording is much stronger than before. How long are we going to chew this over? How many times can we get the 2/3 of all voting members to take this vote? I spent a great deal of time to review these changes. Being new maybe I should not express a strong opinion. I wish we could change something and go forward together. I've been here more than three decades. I don't want to send the message that we cannot work with the BoT and they cannot work with us. This is a window of opportunity; I wish we could pass something. We have SEC. We have a process in this very document to make substantive changes. SEC can address future needed changes. That would assert the role and the power of the Faculty Senate more than just tabling the motion. Larsen: I would agree with everything that was just said. Further, I would say if we table this we are abdicating our responsibility. We have the responsibility as Faculty Senate to make decisions not to simply allow the status quo to continue without us exercising our power and rights. Folkins: Further discussion on the motion to table indefinitely? Hearing none, a show of hands... We need the majority to pass. All those in favor of the motion, please raise your hands. All those in favor of the motion to table the amendment before us indefinitely, raise your hand...

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All those opposed; I suppose we don't need to count, the motion fails.

Folkins: Further discussion of a general nature? Or, should we move on specifically to point one? Faculty Senate membership, including expanding eligibility for Senate membership (III.C., IV.A) and ex officio membership (IV.A and F) and Senate officer incentives (IV.D.2.b). (Passed by Senate last spring.) Yes, Craig... Zirbel: I'd like to suggest we prioritize and start with what seems most important, or if you'd like what's least controversial. Folkins: Is there an area you'd like to suggest? Zirbel: Administrative Review. Folkins: Is that on the next slide? Faculty participation restored in selection and review of administrators (VPAA, VI; Graduate Dean, VIII; Undergraduate Dean, IX; School Director; X; and Department Chair, XI). Any discussion on those areas? Yes... Landry-Meyer: Are we voting on each of these points separately? Folkins: No. The vote will be on the whole suggested revision. We thought we'd divide it by these major topical areas. We thought this would be most productive. Comments? Suggestions? Areas of concern related to the faculty participation and review of administrators? Yes, Julie Haught...

Haught: I have a point of clarification. We will not be voting on these individually? It's an up or down vote of the whole? Why? Folkins: Because that was the way it was moved. Haught: What would we need to do to change that? Brodke: You can amend the motion. Haught: I would like to

propose a friendly amendment that we vote on each of these bulleted points individually rather than an up or down on the entirety. Brodke: I would accept that friendly amendment. Folkins: Who seconded that motion? Michael? Buerger: I would agree as well. Pelletier: For those of you who are interested in this Charter section on review, I have the 8/30 recommendations, and the pre-December 10th document. The changes are verbatim. If you'd like to see them personally, come on down. Folkins: Karen Johnson-Webb... Johnson-Webb: In view of the amendment, how do we deal with the parts of the Charter that were changed and not reflected in these bulleted points? Folkins: We tried to capture the major topic areas. If we missed one that was smaller, we can also talk about those. We can do that as well. Buerger: It is still open to bring things back to A & B. We did commit ourselves to this work. Landry-Meyer: At this point is it a friendly amendment? In terms of point of order, does someone need to make a motion on each individual bulleted point? Folkins: We could do each bullet. Pauken: If there is no disagreement to divide the motion into these four bullet points you can proceed to vote in that way. If there were a problem, you would need a formal motion to divide. At that point you would consider each point separately.

Archer: I'm just confused at this point. I have a point of information. I take Karen's point that if you are taking only the high points and we vote on those, what about all the other changes that are not represented in these bulleted points? What happens to them? For example, if I say if I'm interested in point 3, what happens to the changes that might have been made that fall under this category but aren't expressed in these bullet points? Are those changes passed or not? Originally we were asked to vote on this as a complete document. If we split this up, are we passing just the highlights? Are we passing the whole Charter or not? Folkins: These are major organizational categories. Archer: What are we actually voting on? Folkins: Those sections. Archer: If it's clear to everyone else, I guess that's fine. I was confused. Labbie: I think Candace's point is well taken. I think there is something to leaving the document as a whole. If we break up the document, and certain things are restored, I think there is a consistency to the document you have in front of you that could be broken up. I think it would require extensive work to break this up. The amendment may not be friendly to break up the voting. Folkins: My understanding is we need a motion to divide. Would you like to change your motion to divide? Haught: I made the motion to divide and I don't know. I need to deliberate on this actually. The point made that the friendly amendment might not be so friendly is one I'd like to consider. Folkins: Michael... Buerger: My recollection from SEC is that most of the changes were editorial and not substantive. Can we do major section by major section up and down, then voting on the document as a whole, deferring concerns about those other changes to A & B? I would like to vote on the full Charter as well. Folkins: Is that possible David? Border: I know of no way to have a formal vote counted without the context of a motion. Some motions are debatable and others are not debatable and proceed right to a vote. Folkins: You're saying there is no mechanism to proceed with a sense of the body type of polling. Is that the case? Pauken: You can do it by discussion. Folkins: Yes, you can do it by discussion but you can't by a vote. Brodke: Just so I'm clear, the original motion is still on the floor; the motion to break the Charter vote into pieces has been rescinded. Is that correct? Haught: I did not commit to that but I can if you need me to. I also have to leave for class. Brodke: As a point of information, I will have to leave as well for class. Keil: I'm not sure we're getting very far. I call the question on the motion. Folkins: You're calling the question on the motion to accept the changes. What exactly is the motion on the floor right now? Brodke: The original motion I made and Michael seconded... accept the changes to the document as presented. Folkins: We're back to discussing the individual points? Dixon: No, we've called the question. Folkins: Does that require a vote to end discussion? Pauken: No. Only if there is a disagreement. Rainey: I have a point to discuss. Can we do that? Folkins: You can object to the motion to call the question. Pauken: A motion to call the question is the same thing as a motion to limit debate and that is not valid if members still wish to discuss. Folkins: Thank you for that clarification.

Rainey: I agree with Andrew that most of these restorations are line by line. However, some of these points are not such as in Article VIII. One thing that is missing that was not restored was a sentence, "In intervening years, the Dean may be evaluated upon request of the VPAA or upon petition of one-third of the Graduate Faculty." That is not restored in the amendment here.

Pelletier: Half the sentence is missing, right? Rainey: That is a consistent missing point in that section. I would move to include that statement. Rogel: Seconded. Folkins: Discussion on the motion to put that back in? Craigo: Isn't the whole section out? Folkins: No. Darke: I know we have several members of SEC here. Can we talk about the logic behind removing that section or not putting it back in? Folkins: Does anyone remember? Labbie: I believe that the element of petition was added to compensate for the lack of process. Once the process was rectified it was unnecessary. Rainey: From my understanding the petition clause is not about the process but used during an off year; we can petition to have this review in an off year; we can petition the graduate faculty. I'd like to put that back in. Labbie: That makes sense. Since it was seconded perhaps we could vote. Folkins: All those in favor of the amendment? It takes a simple majority to pass.

Vote:

35 For

2 Opposed

7 Abstentions

Folkins: We're back to general discussion on the original point. At this point we do not have a motion to divide the motion. We're going back to discussion of specific points. Is there further discussion on the review of administrators? Lunde: I don't know what it is called. I would move that we approve these changes. Folkins: That's the same as calling the question. Border: This is not debatable. Majority votes. All those in favor of ending the discussion, please raise your hand.

Vote:

39 For

5 Against

3 Abstentions

Folkins: The motion passes. Now we have a vote on the original motion. You have your clickers in front of you. Ancinec: A quick point of order; we're voting on the whole Charter? Folkins: Yes. Deters: I'd like to have a paper vote. Archer: I have a point of order; it takes a 2/3 vote to pass? Folkins: Yes, it takes a 2/3 vote of the Senate membership. Since our last meeting when there were 66 Senators, another College has appointed a Senator so we now have 67 Senators. This means that 45 votes are required to pass the amendment (a 2/3 vote of the entire membership). Archer: Are there 45 people in the room to vote? Herman: As of the last vote, it appears we have 47 people voting in the room. Folkins: Do we have paper ballots? Herman: Yes. Folkins: Hal Lunde... Lunde: I believe that the parliamentary rules here are that if you abstain it counts as a no vote. Folkins: Yes. And, please make sure you are eligible to vote. If you are an elected member or an ex-officio member you are allowed to vote. Folkins: We are waiting for the ballots to be counted; you may want to stay to see how this turns out. We have the outcome of the vote for the amendment:

Vote:

39 For

14 Against

2 Abstentions

Folkins: The motion fails for lack of 2/3 of the number of voting members of the Senate. Motion to adjourn? Buerger: So moved. Rogel: I suggest we refer this back to the committee for further consideration, modification and to come back to the Senate so it can come back in time for the December meeting. Folkins: We have to vote on the motion to adjourn, but if you'd like to pursue this we can. Keil: Amendments & Bylaws will meet next week to do exactly that. Folkins: If we have no objections, we'll adjourn. We are adjourned.

NEW BUSINESS

None

ISSUES AND CONCERNS

None

ADJOURNMENT

The meeting adjourned at 4:20 p.m.

Respectfully submitted,

Terry Lee Herman,
Secretary, Faculty Senate