Senate Statutes and Bylaws Committee
MINUTES
October 24, 2002

Members present: Murray Brown, Tim Crimmins, Dan Franklin, Amy Lederberg, Peter Lyons, John Marshall, Roger Presley, Marti Singer, Neven Valev, Tracy Van Voris, Carol Winkler.

Members absent: Joan Gabel, Ed Palmer, Ellen Podgor, Susan Talburt.

The meeting was called to order by the chair, Murray Brown, at 10:33 a.m. The first item of business was the approval of the September minutes. The minutes were approved with no changes.

The next item of business was a discussion of the two proposals concerning Senate membership for staff members. One proposal originated from the Senate Executive Committee and the other came from the subcommittee of S&B chaired by Tim Crimmins. Dr. Brown distributed a handout of a draft response to the proposal from the Executive Committee composed by Dr. Crimmins. Dr. Brown spoke in favor of the subcommittee’s proposal and felt that Dr. Crimmins’ response to the other proposal was well reasoned. The floor was opened for discussion. There was some discussion of the possibility of compromise between the two proposals. There was also some discussion of the role and charge of the Statutes and Bylaws Committee.

Tracy Van Voris summarized the history of the original proposal to add staff to the Senate forwarded by the Cultural Diversity Committee. There were many different suggestions of how to respond to the Executive Committee. The point was made that any change to the Statutes will require a two-thirds vote of the Senate members present. Dr. Crimmins summarized the parliamentarian procedures governing proposals to change the Statutes. A proposal can originate from outside S&B but it must be routed through S&B and S&B must report on it by the next Senate meeting. Although S&B sends a report on a proposal, it still must be routed thought the Executive Committee in order to be placed on the Senate agenda.

Dr. Lederberg moved to accept the subcommittee’s proposal to add members of SAC to the University Senate. The motion was seconded and the question was called. The motion passed. After some further discussion, Dr. Crimmins moved that the S&B Committee recommend a “do not pass” on the Executive Committee’s proposal and that a response be prepared that weighs the relative merits of the two approaches. The motion was seconded and the question was called. The motion passed. Carol Winkler volunteered to write the response to the Executive Committee. She will compose a draft and email it to all committee members for their input.

The next item of business was a discussion of the proposal from the Executive Committee regarding the “25% rule” (Univ. Statutes Article VI. Section 4). Prior to the meeting, Amy Lederberg had circulated a response to this proposal that she composed. Dr. Lederberg summarized her position on this issue: this Statute needs to be clarified rather than changed. The change proposed by the Executive Committee is a substantial policy change and not a clarification. Discussion focused on the best way to convey the committee’s opinion to the Executive Committee. Dr. Crimmins stated that the misinterpretation of last year centered on the stated limitation of administrative appointments to 25%. This limitation does not mean the reciprocal: that 75% have to be elected faculty. Dr. Lederberg stated that the Executive Committee’s proposal was rationalized by saying that the Statute was difficult to understand, but rather than clarify it further, it proposed a substantial policy change instead.

Carol Winkler moved that the S&B Committee reject the proposal presented by the Executive Committee and then clarify the interpretation of the existing Statute for the Executive Committee and the Nominations Committee. The motion was seconded. Discussion centered on the implications of the Executive Committee’s proposal for Senate committees. The elected Senators’ voices would be diluted. The question was called on the motion. The motion passed. Dr. Lederberg will draft the response to the Executive Committee and will circulate a draft to committee members.

The next discussion focused on the Committee of Chairs. Dr. Lederberg summarized S&B’s position on this issue and the proposal last year from the Executive Committee to formalize the Committee of Chairs in the Senate Bylaws.
Statutes and Bylaws rejected this proposal and sent it back to the Executive Committee with a response. After that, the Executive Committee did not bring the proposal forward to the full Senate. The reason this item is being discussed at this time is that the Committee of Chairs proposed resolutions as a committee and forwarded them to the Budget Committee. Discussion centered on what this ad hoc committee can and cannot do since it is not a standing committee of the Senate. It was agreed that this group cannot make motions on the floor of the Senate. There was some question about the legitimacy of the Committee of Chairs giving a report at the full Senate meeting. If it is being considered a subcommittee of the Executive Committee, then its report should be part of the committee report of the Executive Committee. There was some discussion of the Committee of Chairs’ involvement in possible reorganization of the Senate. This discussion will continue at a future meeting.

Since there was no further business, the chair adjourned the meeting at 12:04 p.m.

Respectfully submitted,
Mary Nell Stone,
Committee Assistant