

Faculty Governance Committee
April 27, 2021 at 3:30 p.m.
WebEx Meeting: ([meeting link](#))
Access code: 157 356 0876

Committee Charge: *“The Committee on Faculty Governance shall review and interpret the Faculty Constitution, the By-laws of the Faculty Senate, and rules of order for the conduct of Senate business. Changes in any of these areas that are approved by this committee will be brought, by the Committee Chair, directly to the Senate for its action.”*

Agenda

Members: Cherry Beasley (vice chair, to 2022), Sherry Edwards (to 2021), Rebecca Gonzalez (secretary, to 2022), Joseph Lakatos (to 2023), Ottis Murray (to 2023), Carla Rokes (chair, to 2021)

- I. Call to Order
 - II. Approval of the Minutes of March 23, 2021 ([Appendix A](#))
 - III. Approval of the Agenda
 - IV. Chair Report: Carla Rokes
 - V. Unfinished Business
- Roll Call Vote Procedures - E-Meeting – **Action Item** ([Appendix B](#))
- a. Abstention Vote Change – **Action Item** ([Appendix C](#))
 - b. Reassess division representation on Faculty Senate
 - c. Academic Freedom Policies / Social Media Policy
- VI. New Business
 - a. Electing co-chairs to subcommittees
 - VII. For the Good of the Order
 - VIII. Announcements
 - IX. Adjournment

Appendix A

Faculty Governance Committee
March 23, 2021 at 3:30 p.m.
Virtual – Webex

Minutes

Members Present: Cherry Beasley (vice chair), Sherry Edwards, Rebecca Gonzalez (secretary), Joseph Lakatos, Carla Rokes (chair)

Guests: Joe West

I. Call to Order

The meeting was called to order at 3:37pm.

Carla reviews the agenda since we don't have a quorum, and voting on any items will be postponed until we have a quorum

II. Approval of the Minutes of February 23, 2021

The Minutes were approved unanimously at the end of the meeting, once we had a quorum.

III. Adoption of the Agenda

The Agenda was approved unanimously at the end of the meeting, once we had a quorum.

IV. Chair Report

Carla mentions that since we do not have a quorum, we will review the unfinished business items without voting on any specific items.

V. Unfinished Business

a. Reassess division representation on Faculty Senate – tabled until we have a quorum

b. SPB faculty representation and term limit – Carla provided an overview of the recent discussions she's had about the student publication issues Jamie Litty raised at our last meeting. Carla met with Dr. Jones to discuss term limits (as expressed in the faculty handbook); they concluded that members are appointed to appointments of two year terms. Carla checked with Jamie Litty to see if she had missed that information in the handbook, and if she would prefer that it be referenced again in a separate section. Jamie felt the language was vague and confusing (chair vs. co-chair distinctions). Carla will discuss with Jamie on how she feels the language in the handbook should be worded; then she will pass on the recommendations to FERS.

c. Assess the authority of a department, college, or faculty body to posit statements of institutional mission, vision, and values, as the prerogative of the faculty.

Carla spoke to Jodi Phelps regarding faculty ability to posit statements. Jodi mentioned that University communications has been working on a social media policy. It is being reviewed by the office of general counsel, and the process should be completed this month. If no major changes or revisions are required, Jodi thinks the policy can get sent out to campus for review; the policy should be in place by mid or late April. Sherry Edwards also inquired about this with Academic Affairs; she was told that it would be best to get an academic freedom policy from another university for reference, because AA does not have time to do it. Joe Lakatos mentioned that the key issue to consider is the difference between speaking on your own behalf vs. speaking on behalf of the university.

Carla mentioned that she will create a spreadsheet (similar to what we used when looking at faculty senate structures) so that we can research what other universities do in terms of academic freedom policies.

VI. New Business

a. Roll Call Vote Procedures for E-Meetings (Appendix B)

Carla shared a document on faculty senate roll call vote procedures (Appendix B). She mentioned that there is some discussion in Robert's Rules of Order regarding electronic vote rules. She can provide this information to us at a later time.

There was some discussion on electronic voting practices. In some cases, e-voting can occur over the course of one week. Instant surveys or polls can be used. Chat room voting can sometimes be a little confusing.

Joe West mentioned that the e-voting document resulted from the recent discussions surrounding the streamlining of faculty senate votes. This document was prepared by Joe and Kelvin Jacobs (General Counsel). General Counsel had some concerns with chat votes; people calling in to a meeting cannot see the chat vote (call-ins also make Qualtrics style voting out of the question). Joe Lakatos also mentioned that we need to consider senate members that are allowed remote accommodations (and cannot physically attend meetings) when establishing voting policies.

This discussion was tabled until our next meeting.

b. Abstention Vote Change (Appendix C)

Carla shared Appendix C with the group. Joe West explained that a discussion on how abstentions work occurred as a result of a recent vote in the faculty senate. In that particular vote, the majority of votes were abstentions.

A hypothetical scenario was presented: What if in a 24 count vote, 23 people abstain and 1 votes yes. Would that yes vote then carry the decision?

There was some discussion about whether abstentions count as no votes or if they should be treated purely as abstentions. The committee decided to table this discussion until our next meeting once we had a better chance of reviewing Robert's Rules.

VII. For the Good of the Order

Carla brought up an issue concerning whether the faculty senate chair can step in to serve as a chair of a subcommittee (this on the heels of the Chair of Fac Dev stepping down). If nobody steps up to serve as the new subcommittee chair, can the faculty senate chair serve in this capacity?

There doesn't appear to be any language in the bylaws that says this should not happen. Do we need a policy on this? Cherry Beasley mentioned that in the past, when this situation occurred, the subcommittee chair position was rotated for a few months between different individuals.

Do we need a policy in place saying a chair can serve in additional roles? Do we have a policy that states what will happen if a subcommittee is without a chair? Should we introduce the practice of electing co-chairs to subcommittees (to prevent this problem moving forward)?

The committee agreed to place this item in unfinished business to add to the next agenda.

VIII. Announcements

Cherry provided an update on the faculty assembly policy that was discussed at our last meeting. A memorandum was sent to the Board of Governors a few years ago, and that information is going to be looked up for us.

IX. Adjournment at 4:16 pm

Minutes submitted by Rebecca Gonzalez-Ehnes

Appendix B

Roll Call Vote Procedures (E-Meeting)

The steps below should be used to streamline Faculty Senate roll call vote procedures. These procedures have been vetted by UNCP GC Kelvin Jacobs.

1. Record, in writing, the names of all committee members present. This initial roll call is necessary so that call-in participants/listeners (if any) know who on the committee is in attendance.
2. Tell committee members that they must announce their departure from the meeting if they leave. The purpose of this step is to let call-ins know that Committee Member XYZ did not join in a vote by acclamation because they are no longer in the meeting.
3. The Senate and Committees / Subcommittees can approve vote by acclamation for all votes if and only if:
 - a) There are no nays on a vote
 - b) There are no abstentions on a vote
4. If there are nays or abstentions, the vote must be recorded by a roll call vote.
5. All motions and seconds must have a name recorded with them. Secretaries for the Senate and all Committees and Subcommittees must record the names associated with all motions and seconds in meeting minutes.

Appendix C:

Abstention Vote Change

The UNCP Faculty Senate Constitution and bylaws as currently written (as I understand them) seems to make it possible for the Faculty Senate to pass a piece of legislation with a vote of 1 yea, 0 nay, and 22 abstentions (assuming 24 Senators total), and this includes constitutional changes. It is my belief that this possibility should be eliminated.

I propose that all pieces of legislation be required to pass with 51% of the Senators present voting yea for simple majority legislation and 67% of the Senators present voting yea for 2/3rds majority legislation such as constitutional changes. This will permanently eliminate the possibility of legislation passing the UNCP Faculty Senate without a simple majority or supermajority yea vote. By way of an example, with the minimum quorum of 15 Senators present, this change would require 8 yea votes to pass simple majority legislation and 10 votes for supermajority legislation. If 22 Senators were present, this change would require 12 votes to pass simple majority legislation and 15 votes.

One potential modification to the above proposed change would be to require legislation to pass with a simple majority or supermajority of the *entire* UNCP Faculty Senate membership, and not simply of the number of Senators present. With respect to this change, a simple majority vote would require 13 yea votes and a supermajority vote would require 16 votes.

Another potential option would be to have a minimum of 15 (our quorum) yes and no votes combined for any vote to be “legitimized”. Essentially, this means that for any vote to pass, there must be a minimum of 8 yea votes and 7 nay votes.