

**University Constitution Committee Minutes**  
**January 22, 2016**  
**9:15 AM – Tigert 239A**

**Attendees:**

David Groisser (Chair), Maureen Long, Heather Ray, Richard Scholtz, Angel Kwolek-Folland, Sue Alvers and Ana Spiguel

David called the meeting to order at 9:16 a.m. The November minutes were approved.

**Review of Drafts of Proposed Revisions**

To assist the Constitution Committee in presenting its recommendations to the Faculty Senate, aides to the Committee had drawn up draft versions of the Constitution and Bylaws to indicate the Committee's proposed revisions. The Committee reviewed these drafts. The draft of the proposed Bylaw change was correct. However, in the draft of the proposed Constitutional revisions, some revisions that had been approved by the Committee had not been reproduced accurately. The Committee discussed these, and discussed others that had been reproduced accurately but that it now noticed could be improved.

- David pointed out that on page 12 and 13, in the title of IV(3) and several other places, the document had "Advisor(s)" rather than what was written in the minutes, "Advisors". Also, he thought that the phrase "Secretary and Parliamentarian" in the first sentence of IV(3)(A) should be changed to "Parliamentarian and Secretary", for consistency with the order in which these persons appear later in IV(3)(A) and IV(3)(B). The committee agreed that "Advisor(s)" in the draft should be corrected to the intended "Advisors", and that "Secretary and Parliamentarian" should be changed to "Parliamentarian and Secretary".
- David noted that the revision of the last sentence of Section V(8)(A) on page 21 was very different from the revision that had been proposed by the Committee. The Committee agreed that the wording it had proposed was the wording that should be used. However, after a bit of discussion, the Committee decided that a better location for this content would be Section V(7)(D). Heather moved, with Richard Scholtz seconding, to propose the following revisions to the Constitution:
  - Article IV(8)(A) : Delete "*Members who miss three consecutive unexcused meetings shall be replaced.*"
  - Revise Article IV(7)(D) to:
    - *Members of councils, standing committees and joint committees are expected to attend all regularly scheduled meetings during the academic year and to make every effort to attend special meetings. Members who miss three consecutive meetings without proper and timely notification shall be replaced, except that a member whose term is interrupted by a temporary absence may be replaced on a temporary basis during that absence.*

The motion passed.

- Also missing from the draft revision of the Constitution was the proposed insertion of two references in V(2)(A): "[Ref: IV(3)(B)(5)]" at the end of the first paragraph and "[Ref: IV(6)]" at the end of the second. This proposal had been made after long discussion at the previous meeting. Angel, Ana, and Sue, who had not been present at that meeting, had questions and/or

concerns about this proposal. Angel expressed concern that cross-referencing everything that appears in more than one place could get out of hand. Ana asked why the references were necessary. Sue asked why there should be a reference to a sentence that stated the same thing.

At the previous meeting, Maureen Long had been the person most knowledgeable about this type of referencing in parliamentary documents. Since Maureen was not yet present, Heather moved, with Christine seconding, to table discussion until a meeting at which Maureen is present. The motion passed. Although Maureen arrived later, the Committee decided to keep this discussion tabled till the February meeting, at which Maureen expects to be present.

The committee asked that David Groisser present the draft Constitution and Bylaws documents (with the above-noted corrections and revisions) to Steering Committee on February 4<sup>th</sup>.

#### **Update on “temporary replacements” issue**

According to the minutes of the Sept. 21 meeting of the Committee on Committees (CoC), at that meeting Faculty Senate Chair Paul Davenport presented the Constitution Committee’s observation that “the constitution does not specifically state how to fill temporary vacancies on committees.” (The Constitution Committee’s actual observation had been that what’s not stated clearly is how to fill temporary a vacancy *when the committee-member creating the vacancy intends to return after a year of absence*. Constitution Article V(8)(A) does provide a procedure for filling all other temporary vacancies on committees.) The CoC’s Sept. 21 minutes state that, “Traditionally the Faculty Senate Chair follows the same procedure to fill temporary committee seats as the senate fills temporary senate seats,” and that the CoC passed “a motion to not change the constitution as it pertains to temporary vacancies on committees.”

David was concerned by this action and its description in the CoC minutes. The phrase “Traditionally the Faculty Senate Chair follows the same procedure to fill temporary committee seats as the senate fills temporary senate seats” suggests that this procedure is traditionally followed whether or not the temporarily-vacating member intends to return after a year of absence. Temporary vacancies in which the vacating member intends to return after a year of absence are atypical. For filling typical temporary vacancies on committees, the procedure in Constitution Article V(8)(A) requires the Faculty Senate Chair to select replacements “in consultation with the Senate Steering Committee”, while the procedure by which temporary Senate vacancies are filled (Bylaw 4(E)(2)(e)) does not require any such consultation.

Maureen made a motion that David attend a meeting of the Committee on Committees to explain the inconsistency between the Constitution and the current procedure that is being followed. Richard seconded. The motion passed.

Meeting adjourned at 10:25 a.m.