

CSUSM Academic Senate Meeting Schedule 2006/07

Academic Senate

(Regular meetings begin at 1 p.m. and run until approximately 2:50 p.m.)

Fall 2006

August 23	Convocation (a.m.) & New Senator Orientation (2:15 - 3:30 p.m.)
September 6	Senate Meeting
October 4	Senate Meeting
November 1	Senate Meeting
December 6	Senate Meeting

Spring 2007

January 18	Spring Assembly (9 – 10:30 a.m.)
<i>(no January meeting)</i>	
February 7	Senate Meeting
March 7	Senate Meeting
April 4	Senate Meeting
April 18	Senate Meeting
May 2	Joint Senate Meeting

Executive Committee

(Regular meetings are held from 12 - 2 p.m., or until 12:50 p.m. when preceding a Senate meeting.)

Fall 2006

August 22	Retreat (11:30 a.m. – 3:30 p.m.)
August 30	
September 6, 13, 20, 27	
October 4, 11, 18, 25	
November 1, 8, 15, 29	
December 6	

Spring 2007

January 24, 31	
February 7, 14, 21, 28	
March 7, 14, 21	<i>(Spring Break is March 26 – 31)</i>
April 4, 11, 18, 25	
May 2	

Unless otherwise noted, the Academic Senate Meetings are held in Commons 206. All CSUSM faculty are encouraged to join us. *Only elected Senators may vote.*

Because the Senate is not a governing board, meetings of the Academic Senate are not subject to the Brown Act. The decision to allow press/public into an Academic Senate meeting may be made by the Senate.

Approved by the Senate Executive Committee on ____

To: EC
From: Don Barrett
Date: February 17, 2006
Re: Parliamentary issues

Following are my comments on parliamentary issues that arose since the Senate meeting of 2/1. For each I note what Roberts Rules of Order (RRO) or our bylaws state about the item, then comment on the issue considering the nature of our assembly, and then propose a solution (with alternatives in some cases).

Adding new business to the agenda from the floor

There were concerns about the two items (parking and university hour) that were added to the agenda in the Senate on 2/1. This breaks into two separate concerns, whether to allow items to be introduced in this manner, and the form of such items.

Per RRO:

a) Whether to allow new business to be added to the agenda from the floor: We do not currently have any rules of order that prohibit this and such introduction of items is definitely within the rules in RRO.

b) Form of introduction: Per RRO, it is conventional practice to require that items be introduced in the form of a written resolution, though RRO does allow simple items to be introduced verbally as resolutions.

Considerations: Given the nature of faculty shared governance and assuming a desire to increase faculty involvement in shared governance, I believe it best to have recommended procedures (see next) but to not actively disallow the submission of new business from the floor.

Proposed solution: I propose that we add yet more text to the agenda, and that the chair adopt a practice along these lines. Following is a draft of the text (this needs to be shorter):

Adding new business to the agenda: Members of the Senate may request that new business be added to the agenda. Senators, however, are strongly urged to introduce new business to EC prior to the Senate meeting whenever possible. When an item is introduced as new business from the Senate floor, it must be introduced in the form of a resolution. We strongly request that it be introduced in writing with copies for distribution to Senators.

Note that we can disallow attempts to add items to new business if they are not clearly in the form of a resolution, thus when there is an attempt to add an item the chair can ask if the item is in the form of a resolution.

Alternate solution: Though I would not recommend it, we could propose adopting a rule of order requiring that new business be first cleared through EC or requiring that any new business be in writing.

EC placing items as second reading (without having a first reading)

When this question was first raised with me, it appeared that the question was whether EC could place an item on the agenda as a second reading without it having had a first reading. Subsequent emails concerning LATAC's resolution suggest that the question may have been about handling items that have been withdrawn. I readdress the 'withdrawn' issue further below. In this section I address the question of whether EC can place an item as a second reading without it having had a first reading.

Per RRO/Bylaws:

- a) Per our bylaws EC is primarily a coordinating body that also sets the agenda. Setting the agenda is separate from taking action on an item and I see no precedent that allows EC to establish that an item is a second reading, though see next.
- b) Per RRO, an item becomes a motion after it is moved and seconded, there is a brief discussion period, AND the chair then 'states the question'. Per our procedures, the first reading is the discussion period and the chair implicitly 'states the question' when an item is placed on the agenda as a second reading. Technically, therefore, the chair can place an item as a second reading if it was moved and seconded, regardless of whether there was a first reading.

Considerations: Since we already have trouble with getting Senators sufficiently involved in decision-making, it would seem to further aggravate this problem if Senators were short-circuited in the process. I am also concerned that this would aggravate tensions around the suspicion by some Senators that EC has some supernumerary status.

Proposed solution: We already have the option of requesting a suspension (waiver) of the 'first reading' rules, thus I see no reason to put items on the agenda as a second reading without their having been a first reading.

EC and status of withdrawn items

I previously proposed that if there is a request to withdraw an item after a first reading, that we state that in the secretary's report at the time that would be the second reading. EC adopted that suggestion and I have no concerns about that part of the solution. I do, however, have concerns about the status of a motion after it is withdrawn. EC adopted a position that, if the item is subsequently ready for action, they would decide whether to place the item as a first or second reading. Per my reading of RRO, the situation is more awkward than that.

Per RRO: Since addressing the issue I have discovered a section specifically addressing the withdrawal of a motion. Per RRO, if a motion is withdrawn before the chair has stated the question (prior to our second reading), the motion is considered to no longer exist. To restart it, it must be moved and seconded again (our first reading). Technically, then, for a motion to be able to go from a first to a second reading with a lag in between we would need to, at the time of the second reading, vote to postpone the motion till a time certain (e.g., next Senate).

Considerations: My sense is that the first part of the above (withdraw = gone) is relatively easy to follow for the Senate, but that the second part (vote to postpone instead of withdraw) is confusing. Also, I am concerned about long time delays between first and second readings, and the need to refresh Senators on issues.

Proposed solution: I would propose that when an item is withdrawn, that it come back as a first reading. The option of voting to postpone seems to be unnecessarily confusing for us. A withdrawn item would be reintroduced as new business, and if necessary there can be a request to suspend the rules re moving it to a second reading.

Information items, and time certain:

Multiple concerns were raised after the last Senate with time certain information items including the amount of time given to information items, the inability to respond to issues raised in information items due to time demands, the impact of information items on the ability to conduct Senate business, and the problem of time certain information items interrupting debate.

Per RRO: RRO does allow for informational presentations as we currently handle them, though it recommends that they be at the end of the session. RRO can also be interpreted that information items are essentially EC or other committee reports and should be handled as such. RRO also does allow that information items may be presented at a specified time during the session, though doing so falls under the conditions for conducting business out-of-order. With regard conducting business out of order, doing so typically requires a vote to suspend the rules (rules of debate or agenda). Technically any suspension of the rules must be voted on by the assembly at

the time the suspension occurs, thus we should be voting as to whether to accept the time certain report. However, the fact that the time certain is stated in the agenda and the agenda is voted on can be construed as meeting the requirement to vote on suspension of the rules.

Considerations: As we generally move towards trying to increase awareness of procedures and involvement by Senators, I find myself being increasingly uncomfortable with our current procedures with regard information item presentations. In the first place, too often it seems that the Senate session is used as a substitute for a general assembly of the faculty. While we are the representatives of the faculty, I don't think the Senate is the best forum for disseminating information to the faculty. Also, information items often would receive better attention if presented to the relevant committees where it would be easier for the items to be discussed and their relevance for the task of such committees could be addressed. Most important from the parliamentary perspective, I am uncomfortable with the existence of time certain information items that occur during the time that we are conducting business (new or old). They distract from the business at hand, and serve to result in confusion with regards the tasks of Senators.

Possible Solution: I would suggest that either EC or NEAC debate the status and timing of information items in general, and propose a 'rule of order' for how the Senate handles such items. My preference would be that information items be prioritized to committees, be limited in length when presented to the entire Senate, and be limited to occurring either within the period set aside for reports or at the end of the agenda.

The following two items are long-standing issues that arise at various times.

Rules of debate (times speaking):

It has been noted that we are in violation of RRO in terms of how many times we allow a member to speak.

Per RRO, "each member has the right to speak twice on the same question [main or subsidiary motion] on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor." Per RRO the second part of this rule always holds (sequence) but the first part (times speaking) can be suspended if we consider ourselves to be using 'informal consideration' when debating motions. Technically, to be using rules of 'informal consideration' we have to vote each time to use those rules.

Consideration: I find this rule difficult to interpret for our assembly. Very often our 'speeches' are in the form of question/answer debates and it would be difficult to count each as question as a speech. Our current procedure of the chair implicitly identifying

the end of a 'speech' and rotating among Senators seems to capture the intent of the first part of the rule, though it could be argued that allowing debate results in quickly violating the rule. Since I have been on the Senate we have not strictly followed either part of the rule, and we have not moved to apply the rules of 'informal consideration'. Following the rule would be difficult to interpret.

Possible solution: I feel our general procedure of taking turns works, and do not advocate adopting the specified rules of RRO on this. We might, however, want to consider proposing some 'rules of debate' in our 'rules of order'.

Committee quorums and role of committee chair:

I have been asked a number of times to comment on what constitutes a committee quorum. A quorum is more than half of the voting members, which does not include ex-officio. This question usually arises from the false assumption that the committee chair is not a voting member. The committee chair is a voting member in each committee. It is simply a matter of standard practice that, in some committees, the committee chair does not speak on issues or vote; such non-participation is voluntary. We may want to specify language to this effect either in the by-laws or in a 'rules of order'.