DISCUSSIONS OF PROPOSED CONSTITUTIONAL AMENDMENTS – 2017

From Executive Committee Minutes of January 17, 2017

Chairperson Pynes has been asked by more than one senator to explore the issue of chairs serving on Faculty Senate. He sees the issue as having three parts: a) representative apportionment (size of the body), b) membership eligibility, and c) voting eligibility. He suggests that voting rights should be cleaved from Senate representation rights; currently, anyone who is eligible to vote is also eligible to serve on Faculty Senate (unless they have been deemed to be ineligible for some other reason). Chairperson Pynes has gathered constitutions from WIU's peer institutions in the state, which show a variety of different models of senate representation, for instance, while at Northern Illinois University the Provost serves as the chair of their senate. Chairperson Pynes related that Parliamentarian Deitz pointed out to him that, with shrinking numbers of faculty, college representation on Senate may be reduced, according to the Constitution; alternatively, the number of at-large senators is fixed.

Interim Provost Neumann asked what is not working that would necessitate a change to what has been in place for decades. Chairperson Pynes responded that nothing has to be wrong to warrant a review, just like the case with the Provost's desire to review general education and CCPI definitions. Chairperson Pynes added as an example that the Faculty Senate approved in a special meeting an objection to announced layoffs from December 2015. The resolution was drafted by a faculty member who may not have been as willing to write

Any changes to the Constitution would have to be approved by two-thirds of the total Senate membership, then by a majority of the faculty members eligible to vote, and, finally, by the President.

From Faculty Senate Minutes of January 24, 2017

Chairperson Pynes asked if any senators have comments to make "for the good of the order" or regarding the Executive Committee minutes. Senator Allison asked about item #7 in the Executive Committee minutes which references a previous Faculty Senate Constitution review which relied on a subcommittee. She asked if a review committee is necessary before making a change to the Constitution. Chairperson Pynes responded that a review committee is not required; a senator could make a proposal for a Constitutional change, and if it was approved by two-thirds of the total membership of the Senate, then it would go to the entire faculty for consideration.

Chairperson Pynes told senators that he believes the last time the Constitution was changed was 1994. [Note: the last time the Constitution was changed was 2004.] He related that when discussing reapportionment during fall 2015, it was noted that college representation is shrinking but the number of at-large senators stays the same, which seems strange. He stated that at that time the Executive Committee discussed looking into how other institutions determine faculty senate membership and has found that Illinois institutions have diverse methods by which they convene their senates. 45 0 0 Tttes3 () 51 (1 (r) 3 (ha)ve) 1 (ne) 1 () 5 (t)4stwa.354 51⁻

Chairperson Pynes informed senators that to add an item to the agenda requires a two-thirds vote of those senators present. Senator McNabb stated that the Executive Committee minutes relate discussion about the Faculty Senate Constitution's need for revision. Senator McNabb during that meeting sugges

college could lose a seat, but the size of at-large representatives is constitutionally determined and stays the same. He said this strikes some, particularly the Parliamentarian, as odd.

Finally, Chairperson Pynes pointed out that Article VI of the Constitution states that if a proposed amendment to the Constitution is approved by a two-thirds vote of the total Senate membership, voting must be accomplished by mail ballot; an affirmative vote by the majority of the voting faculty shall constitute approval of the amendment, after which it goes to the WIU President for consideration before becoming part of the Constitution. Chairperson Pynes pointed out that since Senate elections are now done via electronic ballot, senators may want this article changed to allow

Senator Allison related that several faculty in the Department of English do not understand why chairs are allowed to serve on Faculty Senate. She said this has been a recurring question in her department, especially in light of the fact that the person who serves ex-officio on the WID Committee as part of his duties as Director of the Writing Center cannot serve on the Senate or any other of its subcommittees while serving on WID. Senator Allison stated that while she understands logically the argument for this ruling, she does not understand why chairs, who are contractually

Senator Hironimus-Wendt stated that while the duties of chair represent at two-way street, faculty do not necessarily have the opportunity for that same two-way street. He noted that while he can talk to chairs and deans, he cannot serve on their councils and committees; while he can speak to the Chairs' Council as a faculty member, he cannot serve on it as a voting member. He stated that while chairs do have a two-way street, the parallel is not the same as that of regular faculty. Senator Hironimus-Wendt added that he has nothing but respect for Senators DeVolder and Boynton and the jobs they have done in their positions. He added that he has spoken to Senator McNabb about the possibility of interim chairs being allowed to continue to serve on the Senate.

Chairperson Pynes announced that Senator Boynton has asked the Executive Committee to put together a proposal. He asked the Vice Chair if she is satisfied with the discussion. Senator McNabb stated that there seem to be concerns, and it sounds like there is a recommendation that these issues will not get hashed out in a large body, so it may be beneficial to posit scenarios and return them to the group.

Senator Boynton asked why Article II refers to "Staff who are full-time..." rather than faculty. She suggested that this should also be cleaned up.

From Executive Committee Minutes of April 4, 2017

The Executive Committee will ask Faculty Senate during New Business on April 11 to consider whether to submit three proposed amendments to the Senate Constitution to the entire faculty for a vote. The amendments propose revisions to eligibility for service on the Senate, which would prevent service by chairs (Article II); membership eligibility (Article III); and a change to allow electronic voting for amendments (Article VI). If approved by the Senate by a two-thirds vote of the entire membership, the amendments would

interpretation of this article shall be decided by the Executive Committee of the Faculty Senate.

Senator Boynton asked if the change to include "an academic college" is intended to include schools

Senator McNabb, who is Interim Chair of the Department of History, related that she was elected as a faculty representative, but her status changed unexpectedly during her second term, and it has eaten at her that she is taking a seat at Faculty Senate while she is serving as an administrator. She stated that if her chair's position in her department should continue, she will resign her seat on Faculty Senate. She wants to see her seat filled by a full-time faculty member who has to teach three to four classes per semester because that person has a different view of the world than she has as interim chair. Senator McNabb related she has only been interim chair for six or seven months, but she can tell she has a different perspective, and her priorities and thinking about the University have changed. Senator McNabb observed that as interim chair she has opportunities to talk to administrators beyond Faculty Senate and the Executive Committee, and she feels that her voice is being heard in a lot of ways. She

recent election the deadline had to be extended for three colleges. Chairperson Pynes stated that no one is impugning the service of a particular chair, whether Loren Erdmann when he served during one of Chairperson Pynes's previous terms or Senators DeVolder or Boynton. He stressed the issue stems from the fact that more than five faculty members have asked why it is possible for chairs to serve on Faculty Senate. He stated that the purpose of the Senate is to have a faculty voice expressed to the administration, and it cannot be denied that chairs have a different point of view than faculty. He said that Dr. Rock's point is well taken and supports Senator McNabb's statement that she has a different world view as interim chair and will give up her seat if she becomes department chair.

Chairperson Pynes also believes that senators' faculty colleagues should not be let off the hook for the kind of service that they should be doing; if the same people continue to do all the work, it is letting other faculty off the hook. He thinks faculty should be responsible for governance and infused in the process. He added that sometimes individuals think the same people are going to do the work and that they do not have access into the process.

Senator McNabb pointed out that Faculty Senate holds open meetings so chairs can continue to attend; guests in the audience are called on regularly, so there are plenty of opportunities for chairs to voice their perspectives, and she plans to attend regularly if she continues as chair of her department. She added that she has a strong belief in history and tradition, but those have changed for WIU as an institution, and she thinks the amendment might seek to implement some of that new world reality in regards to the Faculty Senate. She observed that chairs have served on Faculty Senate in the past and have performed wonderfully, but now faculty colleagues have experienced the worst trauma that can come to an academic. She sees unprecedented levels of concern and unprecedented clamoring for opportunities to participate. Senator McNabb stated that when she is seated at Faculty Senate as an interim chair, that is an opportunity for service that is no longer open to a faculty member, so she is willing to send the proposal to the University community to see what everyone else thinks. She added that if faculty say they want chairs to serv

by either mail or electronic ballot and should be specified by the motion calling for the amendment. An affirmative vote of a majority of the faculty voting shall constitute approval of the amendment; then upon approval of the President of the University, the amendment shall become a part of the constitution.

Chairperson Pynes stated that this change would allow for electronic voting for amendments; the three current amendments, if approved by Faculty Senate at the April 25 meeting, would go out on paper ballots. He added that the proposal would allow for the use of paper ballots if requested in the motion calling for the amendment. Senator Allison stated that she is in favor of electronic voting but is irritated when some surveys, such as that for evaluating the President, do not let her exit out and then return to complete it later. Senator Boynton remarked that there was a problem with the electronic SNC interest survey when it first went out as well. Senator Szyjka stated that CITR has the ability to create special links which are unique to each person, so it really depends logistically on how the voting is set up by that office or whoever is making it. Senator DeVolder explained that sometimes the interface to the survey or voting is sufficiently confusing that an individual may think they are closing it when they are actually submitting it empty. He stated that consideration should be given to the relative security and reliability of paper ballots rather than moving to something new, so

faculty, whether Chairperson Pynes would include an explanation of what the vote means, particularly that this will take the right of voting away from chairs and directors, because that is not explained anywhere in the amendment.

MOTION APPROVED 19 YES – 2 NO – 0 AB

- B. Proposed Constitutional Amendment Membership Eligibility (Article III)
 - 1. <u>Second reading and vote</u>

Chairperson Pynes explained this represents a minor change to the title of the article and codifies the fact that a bylaws conflict could affect membership eligibility. He added that the bylaws already allow ExCo to adjudicate in these cases, but this amendment will make it easier for individuals to understand. He stated that the classic example related to this amendment is that the faculty member who serves ex-officio on the WID Committee cannot serve on Senate, but there are other examples, such as NCAA Faculty Representative Tom Cody who serves ex-officio on the Senate's Council on Intercollegiate Athletics.

Motion: To approve sending Article III to the voting faculty (McNabb/Hironimus-