

UNIVERSITY SENATE  
UNIVERSITY AT ALBANY  
STATE UNIVERSITY OF NEW YORK

Introduced by: Governance Council  
Date: November 26, 2012

**Amendment RE: Placement of Items on the Senate Agenda**

IT IS HEREBY PROPOSED THAT THE FOLLOWING BE ADOPTED:

- That the proposed amendments of the Faculty Bylaws below be adopted
- That these amendments go into effect immediately

**Current Bylaws**

Article II. Section 7.7.1 any Senator shall have the right to place items on the agenda by submitting such items to the Chair of the Executive Committee at least ten days before the scheduled meeting.

Article II. Section 3.4.3 The Secretary shall prepare and distribute the agenda at least one week before Senate meetings, in consultation with the Senate executive committee. The agenda must contain all items submitted by any Council or any Senator at least 10 days before the meeting. The Secretary shall maintain a public record of attendance of all Senators and shall give notice, at least ten days before the next Senate meeting, to any Senator whose seat could be declared vacant after an additional absence, as specified in section 8. The Secretary shall oversee preparation and distribution of the minutes and of a summary of recent and upcoming business.

**Proposed Revision to the Bylaws:**

Article II. Section 7.7.1 any Senator shall have the right to submit agenda items to the Chair of the Executive Committee at least one week before the scheduled meeting of the Senate Executive Committee. The Senate Executive Committee shall review the agenda item and shall either place it on the Senate agenda or refer the item to an appropriate Council. The Senate Executive Committee may recommend for or against the item but may not prevent such items from appearing on the Senate Agenda. Concerns regarding actions or inactions of the SEC or any Senate Council can be brought to the Governance Council.

Article II. Section 3.4.3 The Secretary shall prepare and distribute the agenda at least one week before Senate meetings, in consultation with the Senate executive committee. The agenda must contain all items submitted by any Council or any Senator in accordance with Faculty Bylaws Article II, Section 7.7.1. The Secretary shall maintain a public record of attendance of all Senators and shall give notice, at least ten days before the next Senate meeting, to any Senator whose seat could be declared vacant after an additional absence, as specified in section 8. The Secretary shall oversee preparation and distribution of the minutes and of a summary of recent and upcoming business.

**Rationale:**

The current language in Article II, Section 7.7.1 is problematic since it is not clear if the term 'meeting' refers to a meeting of the Senate or the Senate Executive Committee. The purpose of the revision is to

clarify this ambiguity and to ensure that items submitted for the Senate agenda are first reviewed by the Senate Executive Committee. This will allow the SEC to ensure that agenda items, particularly Bills and Resolutions, are actionable, in proper format to be considered by the Senate, and ultimately implementable should they be passed by the Senate. This will also allow the SEC to determine if items need to be reviewed by an appropriate Senate Council or Councils prior to appearing on the Senate agenda. This revision will reduce the chances that Bills and Resolutions might be impeded on the Senate floor purely on procedural grounds and will facilitate full consideration of content by the Senate. This amendment incorporates language currently found in Section VII.5 of the Senate Charter ensuring that the SEC may not prevent items from appearing on the Senate agenda, although the SEC may recommend for or against them. Concerns regarding actions or inactions of the SEC or any Senate Council can be brought to the Committee on Mediation (Section X.1.6 of the Senate Charter). In addition, this revision does not preclude Faculty Bylaws Article II, Section 7.7.2 which permits the introduction of new business by a Senator at the Senate meeting when approved by a two-thirds vote of the Senators present. Revisions to Faculty Bylaws Article II, Section 3.4.3 simply maintain consistency within the Bylaws.

### **Charter and Bylaws References**

Senate Charter Section VII.5 The Executive Committee shall review proposals and agenda items and may recommend for or against them. The Executive Committee shall either refer a proposal to an appropriate Council or place it on the Senate agenda. The Executive Committee may not prevent such items from appearing on the Senate Agenda.

Faculty Bylaws Article II Section 7.7.2 the agenda for each meeting shall permit the introduction of new business at the meeting itself when approved by a two-thirds vote of the Senators present and voting.

### **Senate Charter Section X.1.6. The Committee on Mediation**

[added by amendment, 5/2/05]

X.1.6.1. The Committee shall be activated whenever an individual, and/or a unit, and/or a governance body bring(s) a dispute concerning actions or inactions of any governance body to the Governance Council. The Committee shall mediate between the parties of the dispute.

X.1.6.2. The Committee shall consist of 3 members of the Governance Council and no more than 2 members representing each of the parties involved in the dispute, to be chosen by the parties. The Chair of the Governance Council shall serve as Chair of the Committee. The 2 additional members from the Governance Council shall be elected by that Council from a pool of nominees.

X.1.6.3. If the parties have not come to an agreement within a period of 60 days, the Committee shall submit a written report summarizing the dispute and its own recommendation to the Governance Council, which shall then transmit the matter to the full Senate for final disposition.