

Governance Council

Thursday, March 17, 2011

10:30 AM

UNH 105

Susanna Fessler, Chair

Minutes

Present: Nan Carroll, Liang Chu, Nicholas Fahrenkopf, Susanna Fessler, Reed Hoyt, Danielle Leonard, John Pipkin, John Schmidt, Laura Schultz, Daniel White

The meeting convened at 10:32 am.

CHAIR'S REPORT BY SUSANNA FESSLER

Prior to today's meeting, Chair Fessler attended a meeting of the Japan Relief Fund. The University will set up a web site for donations and UAS will match donations dollar for dollar any money collected until the end of June.

Chair Fessler welcomed Danielle Leonard who was elected Senate Secretary at this past Monday's Senate meeting. Secretary Leonard is an alumnus of UAlbany.

Chair Fessler reported that the preliminary slate of candidates for at-large Senators was sent out to all voting faculty this past Monday. The slate was short one name in the category for part-time teaching faculty but all other slates were properly populated. It's expected that additional names will be forwarded by means of petition. A final slate will be disseminated the week before the elections. Chair Fessler encouraged GOV members to actively pursue nominations for the position of vice chair of the Senate. The election for the position will be held at the April 11 Senate meeting.

Chair Fessler completed her meetings with the deans and is sanguine about the possibility that the names of Senators will be submitted before the Committee on Council Nominations meets on April 8.

APPROVAL OF MINUTES

The minutes of March 3 were approved.

NEW BUSINESS:

Bylaws Wording re: SPH Senators:

Chair Fessler asked for a discussion of Senate representation from the School of Public Health (SPH). The Bylaws, in part, state that "...each school or college shall have at least one Senator and the School of Public Health shall have two Senators" The Chair believes the Bylaws wording needs clarification as to whether it means that SPH may **only have two** Senators or **at least two**, but possibly more. Currently, the SPH has three Senators.

John Pipkin and Reed Hoyt agreed the language indicates the SPH should have **at least** two Senators and the wording should be revised. GOV discussed the possibility of changing the clause, but given the difficulty in changing the Bylaws, a small change such as this could be deferred and done at the same time a larger change is made. Liang Chu, a faculty member from SPH, said that the MOUs between the NYS Health Department and the University need to be given consideration since this could influence the number of faculty within the SPH. Chair Fessler said she would follow up with SPH Dean Nasca about the presence of the existing language.

Slot on BAG IV:

Chair Fessler was concerned that GOV may need to address a vacancy on BAG IV resulting from the resignation of former Senate Secretary Bessette. She shared an e-mail response from Provost Phillips who did not believe it was an issue, but perhaps could be from GOV's perspective. Mr. Bessette is on BAGIV because of his membership on UPPC which will continue. The consensus of GOV was that since GOV had approved the slate for BAG IV and four meetings had already been held, it would not be prudent to make changes in the membership at this point.

A brief discussion took place concerning the charge of BAGIV which remains unclear. BAGIV has not indicated what conclusions will result from their work. Chair Fessler said the Senate would need to request a charge should BAGIV ask for a Senate response. Provost Phillips has indicated it will be difficult to make decisions prior to the passing of the State budget.

At-Large Senator Vacancy:

Chair Fessler informed GOV that Secretary Leonard's election to the Secretary position this past Monday will require her to relinquish her at-large position in the Senate. A vacant Senate seat can be filled according to a set of priorities outlined in Bylaws Article II, Section 8.3, and specifically 8.3a, which states that, "Designation of the available person with the next highest number of votes in the last previous election from the constituency involved." The person filling the position would finish the term which ends in 2012. A ranked list was distributed to GOV members from the last at-large election. The person with the next highest number of votes in that election declined to serve as at-large Senator. The next two people on the list were tied in number of votes. In accordance with *Roberts Rules* the Senate Chair must choose from those two. Fessler said she would approach Senate Chair Lifshin with the two names for consideration.

GOV Membership:

Chair Fessler informed GOV members that to continue their membership for next year, they need to email the Senate staff support with their council preferences. There are no guarantees for

continuing on their current council, but a decision will be made at the April 8 meeting of the Committee on Council Nominations (CCN).

Membership of Councils as a Whole:

Chair Fessler sent a message to the council chairs to obtain an accurate account of the membership of each and compiled the information in a spreadsheet. GOV reviewed the membership of each council, and it was apparent that a number of membership improprieties exist in most of the councils. In some cases there are violations of the Charter concerning membership. The Charter also says that normally one council should not have more than one person from a unit. GOV discussed that in the case of CNSE which has more than one representative on some councils, that the representatives are from different constellations. This could open the door for other schools such as the School of Business which could define its departments such as Accounting, Finance, Marketing, etc. as units. GOV agreed that the Charter needs a clearer definition of a unit.

Chair Fessler asked GOV to consider whether or not the discrepancies were an issue at this point since there is one month to go before the councils are repopulated and approved by the Senate. GOV did not think it was but should ensure that the rules are followed when CCN meets in April. Chair Fessler informed GOV that Reed Hoyt will be the GOV representative at that meeting.

Chair Fessler returned to the discussion about how to define a unit. Aside from the College of Arts and Sciences, there does not appear to be much that differentiates units. John Pipkin suggested reviewing the bylaws of the other university centers to see if they address the issue. Chair Fessler posed the question as to whether units need to be considered to meet the requirements of the Charter or if it's proportional representation and bringing broad experience of the campus to each council. Professor Pipkin said that representation was central to the issue. Chair Fessler said she raised these concerns when she was considering the duties of the Secretary and the upcoming council formation meeting at which time this work will be done. She pointed out that the Charter does not address council changes that occur during the year. Often the council chairs have too many things going on to keep track of their members, putting pressure on the Secretary to make those decisions. Chair Fessler would like to avoid further Charter violations and she said that GOV needs to be supportive of the Secretary in making sure that the council memberships are on track.

Also at issue pertinent to the topic is the inclusion of O'Leary Professors on councils. While this is not officially addressed in the Charter, it appears to be official and supported by the President's Office. Chair Fessler said she would follow up with the Provost's office to clarify how this process was initiated for the purpose of adding it to the Charter.

Secretary Leonard raised the question about the propriety of a person being on more than one council. Chair Fessler said this had been discussed in a prior meeting and hopes that when the CCN meets, this type of dual-membership will be avoided. She said that although the Charter does not have anything written against it, it seems to be suboptimal. The exception, as pointed out by Reed Hoyt, is membership on a Council *and* a Standing Committee, such as CERS or CAFFECoR.

Chair Fessler conveyed a discussion she had with the Dean of the Libraries, Mary Casserly, who suggested that an *ex officio* position for the Associate Director of Collections be added to both UAC and GAC. The Dean expressed concern about UAC and GAC passing legislation that would affect the Collections division without the Library being properly informed. Some GOV members asked if, since GAC has representation from the Library confirmed in the Charter, such an *ex officio* position would be necessary? Chair Fessler explained that she had asked the same question of Dean Casserly, and the answer was that often the Library representative is not someone familiar with Collections and thus could not serve the same function. Many GOV members felt that those representatives need to communicate better with the Dean and their constituency. Given little support for the idea, Chair Fessler did not suggest an amendment to the Charter.

The last agenda item was the election of a new chair of ULC (the position previously held by Danielle Leonard). The *Charter* states: "VIII.3.2. The election [of Council Chairs] shall occur at an organizational meeting. An organizational meeting of each council shall be convened by the Vice Chair of the Senate..." In this case, it is a mid-term replacement and normally the outgoing chair would conduct that election. However, in this case, because of recent demands on the outgoing chair (due to the natural disasters in Japan), Chair Fessler volunteered to attend the next ULC meeting in former-Chair Leonard's stead to conduct an election for a new chair.

ADJOURNMENT

The meeting adjourned at 11:47 am.

Respectfully submitted by
Gail Cameron, Recorder