

Bylaws & Faculty Code Committee

Minutes

Dec. 2, 2016

The meeting was called to order at 3:59 p.m.

Present: Jason Dormandy, Lila Harper, Mary Radeke, Bret Smith, Cody Stoddard
Sathy Rajendran attended as a guest.

The meeting agenda was approved as amended (date changed from Nov. 18, 2016 to Dec. 2, 2016).

Approval of Nov. 18 2016 minutes – Lila moved to approve; Mary seconded. Motion passed, and the minutes were approved.

Discussion of “No Confidence Vote” language suggestions:

Lila reported that the President sent some new feedback regarding the wording of the Vote of No Confidence language. The committee needs to take another look at the wording the code change and come up with some suggestions. She also noted that she thought there had been some communication issues that delayed the code change getting through to the President as quickly as it should have. Possibly we need to alert the EC to notify the administration when something needs to be addressed so that things are dealt with sooner.

Sathy explained the process for presenting code changes to the President, who then takes the changes to the BOT. Any code changes that come to the BOT are reviewed with the attorney general to make sure they are legally correct.

Lila pointed out that we don't have to worry about Item 1 in the President's memo; focus on Item 2 instead. Suggestions/responses/concerns regarding Item 2, Issue 1:

- insert something to refer to the complaint policy that was just passed
- We don't have a mediator or ombudsman (discussed at last meeting)
- In the past there was a list of steps to take to go forward with the complaint process, but here there is no intermediate step. The resolution turns directly into a vote and says nothing about reviewing the merits.
- Issue 1 presupposes that someone has an issue that would be covered in policy. In that case is it necessary to itemize each grievance or possibility? The other two issues can be resolved with simple word or structural changes.

General suggestions/responses/concerns:

- Can concerns of mediation be included in the in “unstipulated conditions” mentioned in

Sec. VI.C.2?

- The structure of Sec. VI.C.2 means someone couldn't bring a vote of no confidence on the floor without EC approval; Sec. VI.C.2 gives the EC veto power.

- The possibility exists that a number of faculty could get together and bring something to Senate. (In response Sathy pointed out that the president wanted this policy so these things wouldn't play out on the senate floor.)

- It is too easy to compare and contrast the complaint policy and no confidence vote policy because they're right next to each other, but they are not totally comparable.

Discussion of the no-confidence vote language then continued, with suggestions and ideas for changes to wording. Lila suggested starting off with a definition, as "no confidence" means "lack of confidence." Bret said that there is no definition of confidence/no confidence in *Robert's Rules of Order*, but such types of votes go back to the 1700s in English parliamentary procedure. "Support" almost seems like a limited word because you can have confidence in someone but not support their ideas. Mary agreed; to say lack of confidence would be worse than saying lack of support. Sathy mentioned that all other colleges/universities he could find by doing Google searches all use the same language we are using. Lila suggested that one way of presenting this is to say we are saying that we are trying to use language that has been used at universities for some time.

Jason wondered if it is similar to a censure. It's what a senate would do because we can't otherwise force a resignation. Lila and Cody explained that it is different – a vote of no confidence is more serious and is about a broader lack of confidence. Lila then suggested making some wording changes to show the seriousness of the no confidence votes:

- put "vote of no confidence" in quotes
- Sec. VI.A, line 2: change "administrator" to "leader"

Cody suggested striking the entire first sentence of Sec. VI.A, if that is what is so problematic. The committee agreed. Lila moved to have Cody take the suggestions to the president. Bret seconded and the motion was approved.

Sathy mentioned that we don't have to have 3 readings to this. We can just bring it straight, but voting has been postponed until February so the President can have another chance to look at it.

The meeting adjourned at 5:05 p.m.

Next meeting: Jan. 6 - 4:00 p.m.