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Dr. [unclear]

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**MINUTES OF THE SPECIAL MEETING OF UNIVERSITY COUNCIL
MARCH 18, 1993**

The special meeting of University Council was called to order by the Presiding Officer, Senior Vice President and Provost, Mark S. Auburn, at 3:00 p.m. on Thursday, March 18, in Room 307 of Leigh Hall.

Forty-five of the eighty-one members of Council were in attendance. Those absent with notice were Mr. Thomas Baker, Dr. Elizabeth Beach, Mr. David Brink, Ms. Barb Bucey, Dean Patricia Carrell, Ms. Kathleen Davis, Dr. Jeffrey Dilts, Dean V. Ruth Gray, Dr. Frank Griffin, Mr. Bud Houston, Dean Isaac Hunt, Dean Frank Kelley, Dean William Klingele, Dr. George Knepper, Dr. Thein Kyu, Dean Linda Moore, Dr. Allen Noble, Dr. June Patton, Dean Tyrone Turning, Mr. David Well, and Dean Delmus Williams. Those absent without notice were Ms. Shannon Barbic, Ms. Holly Bogner, Mr. Andrew Borowiec, Dr. June Burton, Mr. Allen Cabral, Dr. Hal Foster, Dr. Darlene Kausch, Dr. Edward Lim, Mr. Richard Maringer, Mr. George Pope, Mrs. Janet Purnell, Ms. Elizabeth Reilly, Mr. Roger Ryan, Mr. Todd Schmitz, and Ms. Alicia Tabet.

Dr. Auburn stated that in parliamentary terms, Council had before it a substitute motion to an original motion for a new form of shared governance. The original motion was introduced at the special meeting of February 23. At the regular meeting on March 4, Dr. Gary Oller proposed a substitute motion. Council went into a committee of the whole, had extensive discussion, and rose to report, but took no further steps. Thus, that substitute motion is before the body at this time. However, another substitute amendment has been crafted by the Ad Hoc Committee on University Governance. Dr. Auburn said that he would entertain a motion to substitute that motion, dated March 15, 1993, consisting of 12 leaves and 24 pages. (Appendix A) It was moved and seconded. He requested Dr. Jesse Marquette to address this document.

Dr. Marquette said that this document melds the original proposal and the substitute proposal. Those differences that remain are italicized. That is, the italicized portions of this document are the places where there is a difference between the two versions that should come before this body for further discussion. Those deal with the issues of Membership, VII, A (page 14); Diversity, VII, C (page 15); Terms of Office, VII, E (page 15); and Majority, VII, C (page 17). For purposes of discussion and furthering the business of the body, he urged acceptance of this substitute version. Council Bylaws and committee structure have been added so the document is more complete. The differences that remain are philosophical: membership - what the body is supposed to look like; diversity - how exactly is that to be phrased; and amendments - how to change it if necessary.

Dr. Auburn stated that there was a motion to substitute before the body. If the body is agreeable, he would propose that any amendments to the substantive substitute be made before there is a vote on the motion to substitute. That way when Council has gotten through all the potential amendments that might be made on the substance of the substitutions, it could then proceed to vote on whether or not to substitute. Then there would be a complete package upon which Council could vote one way or another. Dean Russell Petersen asked if it would not also be possible to adopt this in its present form and then place the amended form on the table for discussion. Dr. Auburn replied affirmatively but thought that his suggestion was a cleaner way to proceed. However, it could be done either way. Dean Petersen said he was in favor of adopting this in its present form and amending it later.

The question was called and the motion to substitute the March 15 document for the motion before Council was passed.

Dr. John Bee said that all members should have in their possession a copy of a 5-page document entitled Proposed Amendments. (Appendix B) These are proposed amendments to the document which has just been voted to substitute. He moved passage of these amendments as a group. Seconded. He continued by saying that the Ad Hoc Committee has done a very great service creating the document dated March 15 because it has provided a complete structure of the proposal. It is a detailed document on which there can be discussion and deliberation. At the same time, in the last few meetings in the committee of

the whole, there was specifically one recommendation that was voted on. There were a couple of other issues with regard to representation of part-time faculty and other issues that the group was polled on. And at least by implication from the discussion of the last meeting, there seemed to be no opposition to the components of the Oller document that included representation of that group or other groups, such as the retired or emeritus professors. This set of amendments is simply an attempt to express that point of view in a complete sense. He said he wanted to go over them individually.

He said the first section that would be substantially altered is Section VII, Membership, part A., Eligibility. This proposed amendment enacts what was voted on in the regular committee of the whole, which is to allow department heads to be eligible for election by their constituencies. So as amended, the section on Eligibility would read as follows:

MEMBERS OF THE FACULTY SENATE SHALL BE ELECTED FROM THE MEMBERS OF THE REGULAR FACULTY OF THE UNIVERSITY OF AKRON, EXCLUDING DEANS AND OTHER PRIMARILY ADMINISTRATIVE OFFICERS WITH FACULTY RANK. TO ENSURE THE REPRESENTATION OF DIVERSE VIEWS ALL REASONABLE EFFORTS SHOULD BE MADE AT THE COLLEGE LEVEL TO ELECT WOMEN AND MINORITY FACULTY TO THE SENATE.

The next set of amendments concerns Section VII, B., Apportionment. The first proposed amendment here would bring paragraph 1 into line with representation for additional members from part-time faculty, students, or whomever. Instead of saying "the Senate shall consist of 49 members," it would read "SENATE SHALL BE CONSTITUTED AS FOLLOWS," PART 1, "49 MEMBERS OF THE REGULAR FACULTY, APPORTIONED ON THE BASIS OF THE NUMBER OF REGULAR FACULTY ELECTED BY THEIR CONSTITUENCIES, AND CURRENTLY APPOINTED TO THE INDIVIDUAL DEGREE GRANTING COLLEGES OF THE UNIVERSITY." The rest of it would be the same.

In paragraph 2, the suggestion is to strike "1-3" and insert the number 2. That would then read "THE PART-TIME FACULTY SHALL ELECT TWO (2) REPRESENTATIVES."

Following that the proposed amendment would add the following components: 3) CONTRACT PROFESSIONALS SHALL ELECT TWO (2) REPRESENTATIVES FROM THEIR CONSTITUENCY; 4) STUDENTS SHALL DETERMINE FIVE (5) REPRESENTATIVES FROM THE STUDENT BODY; AND 5) THE PRESIDENT SHALL APPOINT ONE (1) RETIRED FACULTY MEMBER.

In the section entitled Diversity (VII, C), the proposal is to delete the final sentence: "In no case is this procedure to result in the increase of the size of voting membership of the Senate beyond 55 members." If the other amendments are adopted, membership would increase beyond 55 so that sentence is inappropriate.

Dr. Bee continued by saying that the next amendment would delete the Electorate section (VII, D). If the amendments pass, the electorate for the faculty senate would include all regular faculty and contract professionals and students and part-time faculty. These amendments are basically amendments to bring other language in line with the change in constituency.

Under Terms of Office (VII, E), the proposal makes provision for the fact that students could probably not safely be assumed to serve out a three-year term. The terms of office would be 3 years for members of the Senate other than students. Student membership on the body would probably change each year, as it does currently.

The amendments under elections are again intended to bring the electoral process in line with the added constituencies. Thus, VII, F would read: "CONDUCT OF THE NOMINATION AND ELECTION TO THE SENATE FROM INDIVIDUAL COLLEGES AND CONSTITUENCIES WILL BE THE RESPONSIBILITY OF THE DEAN OF THE RESPECTIVE COLLEGES AND CONSTITUENCIES ACCORDING TO THE BYLAWS OR PROCEDURES OF EACH COLLEGE OR CONSTITUENCY SUBJECT TO THE FOLLOWING REQUIREMENTS." The rest of that section on elections would remain.

In Section X, Rules, the document proposes that the parliamentary authority be Robert's Rules of Order. The suggested amendment specifies the most recent, complete, and authoritative volume on that subject which is Robert's Rules of Order, Newly Revised.

Dr. Bee directed attention to section VI, section G, which reads: "For purposes of conducting business a quorum of the Senate shall be defined as 30 Senators present and voting." If additional members are added, the number 30 would no longer make sense. The proposal would have that section read: **FOR PURPOSES OF CONDUCTING BUSINESS A QUORUM OF THE SENATE SHALL BE DEFINED AS A MAJORITY OF THE VOTING MEMBERSHIP OF THE BODY.**

Should these proposals be adopted, the shared governance council and the liaison committee would no longer be needed so those sections could be deleted. Part of the original rationale for their creation was that some of the individuals on these committees did not have voting representation in the Senate. Should these amendments pass, these constituencies; contract professionals, part-time faculty, and students would all be represented by voting members. Hence, the rationale for the committees would be eliminated.

Dr. Bridgie Ford commented that the original document provided a means for other organizations to apply for positions on the liaison committee. Such a mechanism is not included here. Those organizations do not have an opportunity to participate. Dr. Bee responded that that issue would have to be addressed.

Dr. Stephen Aby asked for a point of clarification. The sections on eligibility for the Council of Deans specifies Deans from degree-granting colleges. Since the University Libraries have a Dean, the wording would need to be altered. Dr. Auburn said that it is the language of the document before the body. It could be amended in some way.

Dr. Bee continued by saying that should the amendments be adopted, the section on Transition, Shared Governance Council would not be needed and that section could be deleted (page 24). Further, the word "CONSTITUENCY" should be inserted after the word "Dean" in the section on Elections.

He thanked Council for listening to the particulars. The substantive thrust of this set of amendments is to formally incorporate eligibility of department heads for election, representation for part-time faculty, representation for contract professionals, representation for students, and representation for retired faculty as voting members of the faculty senate. The other changes are mechanical changes that would be pursuant to the adoption or incorporation of those groups.

Mr. Elton Glaser said that his allegiance was to the document that has been set aside, the document of February 16. What attracted him originally to that proposal was that it put academic responsibility in the hands of those who actually had academic responsibility. It seemed to him that with every subsequent revision there has been a dilution of that guiding principle until Dr. Bee's proposals make the Faculty Senate look very much like the present body. If that is what is happening with the omission of a few people who have administrative positions, he is inclined to vote against the whole thing.

Dean Petersen asked for a definition of "primarily administrative". Dr. Marquette answered that the Ad Hoc Committee was primarily thinking of contract professionals whose positions are essentially administrative assignments as opposed to contract professionals whose positions are instructional support.

Dr. Oller disagreed with Mr. Glaser's statement that the new amended proposal would create a body exactly like the present one. It still would be basically a faculty senate if all of the administrators are removed. There will be a body of at least 48 full-time faculty with the addition of 9 or 10 other elements; students, contract professionals, and part-time faculty. It is basically a faculty body; it will not be like university council as it now is constituted in which some 20 people are administrators. The original proposal and the Oller proposal were, as far as possible, merged. There are still areas of disagreement, one of which is the membership of the body. He said he prefers the arrangement of the Oller proposal which basically is contained in Dr. Bee's amendment.

Dr. Karin Billions requested a point of clarification. At Wayne College, there are no departments, only areas. Would area coordinators be considered as department heads in terms of election? Dr. Auburn responded with his interpretation. At present, with department heads eligible to stand for election to this body, such persons as area coordinators are eligible. If department heads were not eligible to stand for this body, the new body would have to answer specifically that question, whether an area coordinator is considered a department head because practice on this campus varies from college to college.

Dr. Michael Cheung supported Dr. Glaser's notion that the process began by creating a body for faculty, and that is something that is really lacking on this campus. Actually it is nonexistent. This proposal moves back to a body that is a little of something for everybody. It is not that contract professionals or students do not deserve a voice in the destiny of the university. Far from it. But the faculty need a voice, so that the university as a whole knows what the faculty feels. The students should have a voice but their voice should not be mingled with the faculty's voice on matters of importance. They should have their input but not in what is to be called a faculty senate. If these proposed amendments are accepted, this body should be renamed. Call it a university senate or, perhaps more properly, call it the university council, since it basically is a university council.

Dr. Cheung said he had problems with the Budget and Planning Coordination Committee. First by having department heads on the faculty senate, they are given two shots or more, actually; three academic department heads elected by the council of department heads plus whomever would be amongst the numbers of the faculty senate who could be department heads and serve on this committee. Some circular routes for a stacked committee are thus built in. He stated that he had a more global problem with the structure. It insufficiently recognizes the need for a faculty body to make budget recommendations in and of itself, unmingled by deans, unmingled with the opinions of department heads. Whether or not those recommendations are acted on is up to the Board of Trustees. It does not do enough for the faculty and it builds apparatus that dilutes the impact of faculty opinion. Faculty cannot take authority because the responsibility for the budget is not theirs. It is the President's and it is the Board of Trustees'. But faculty advice can be undiluted so that what the faculty as a group feels is well known. The President and the Board of Trustees may do as they please but they will know how the faculty feels about things.

Dr. Marquette said that he wanted to address two components of this. First of all, he is opposed to the amendments because he also feels that a place is needed not for the faculty per se, but for the academic mission of the institution to come to a single point. That is basically carried by the faculty. So a faculty senate is needed because there is no place right now where the academic mission of the university is, in fact, clearly specified by the people that are responsible for carrying it out. He also wanted to make clear why the shared governance structure is placed in the document. The Ad Hoc Committee believed that these other constituencies are important in terms of input. But there is a point at which a vote must be taken and the blunt fact of the matter is that the committee did not believe that the contract professionals or the staff, which was also a proposal and would be represented under the governance structure as we proposed it here, or the students, or other groups should vote on these issues. There is a difference between placing a concern before a group competent to make a decision about that concern, and having a voting voice in that body.

What the committee has attempted to do is create a body that represents the coherent academic mission of the institution. It provides a voice for other groups who have a legitimate concern but when it comes down to the point of actually voting on a decision about curriculum, about voting on the graduation list of the university, about changing a policy for how students are governed; a drop/add policy, or whatever, the academic mission of the institution is represented by those people who have to carry it out and make it work. And right now that is not what is going on. The committee had a problem with the contract professionals not because they had a problem with Dan Buie because Dan is directly related to the instructional support component of the contract professionals. But an awful lot of the contract professionals, a substantial majority of contract professionals, do other things that are not instructional support. It could be that next time somebody from the accounting office of the university will be sitting in Dan's seat and voting on curriculum proposals. So what the committee is trying to do is create a clear place at which there will be a discussion of what has to go on for the academic mission of the institution, while at the same time, providing a mechanism for the other groups who have legitimate interest to bring those interests forward.

The other issue concerns the Long Range Planning Committee and the Budget and Planning Coordination Committee. Those two committees are an attempt to create a consensus plan and budget; to bring together the faculty, department heads, the deans, and other groups to create a consensus on a plan. That plan, in fact, goes back to the senate for a vote. The purpose of those committees is to try and create a plan and a budget document that the university feels best represents itself in terms of where it wants to be at some point in the future. The Senate has a direct ability to speak to that document if it turns out not to be a consensus. What the committee was after was to create some way of governing the university that will bring together the various groups in a reasonable manner. But at the same time, there has to be a place where the faculty have a clear voice because that is where the academic mission of the institution has to be formed. He said he was opposed to the set of amendments to the document as presented.

Dr. Bee said that as might be gathered, he supported the amendments. He thought it would be a grave error to call this document "those damnable Bee amendments" as if they were something he was personally responsible for. Most of the proposals that are in here are proposals that he took to be the expressed wish of this body, the result of the last two meetings that were held. The issue of department head eligibility for membership was discussed specifically at some length and it was the thumping vote of the group that department heads should be eligible. He thought there was good reason for that. Department Heads are, in fact, regular members of the faculty and there is no department head on this body who was not elected by their college faculty colleagues. The second matter, the issue of part-time faculty representation, was another subject that was discussed extensively in committee of the whole. While there was no official vote, there was a fairly clear poll taken and the results of that poll again was a thumping vote favoring some voting representation on whatever body we have, by part-time faculty. The number given was somewhere in the range of 1-3; the number proposed is 2.

He said that at the last special meeting the Oller document was discussed which by implication included the other constituencies--the retired faculty, contract professionals. We spent some time in that meeting discussing that portion of the document which dealt with representation. To his recollection, there was no one who spoke in opposition to including retired faculty or contract professionals. Thus, the first point he wanted to make was simply that he hoped this is not viewed or voted against simply because it is perceived as being the Bee Amendments. Bee probably had very little to do with it. Bee put them on paper because he thought they reflected the overall wishes and sentiment of this body.

He continued by agreeing that faculty should have a decisive voice. But how to define decisive voice. He thought 49-8 or 49-9 sounded decisive. Other constituencies are included and to that extent the concept of a purely faculty senate is diluted. He said he understood that there are other places that give degrees who have faculty senates that include others besides just faculty. But the question is, is the dilution of such a magnitude that it is dangerous? On the other hand, by eliminating 20 specifically administrative members, does that not represent a substantial change in the tone and tenor and membership of the group? He did not think it was an exaggeration to suggest that it does. Certainly, if a pure concept is the goal, if it is necessary that the full-time faculty alone be permitted to vote on the issues that come before the group, by all means, he would say vote Bee's Amendments down, and vote for the alternative version of the document as it was presented. If, on the other hand, there is merit in having some representation of the full university community as represented by these other constituencies, even though there may be some imperfections in the proposals, then vote in favor of these proposed amendments.

Dr. Linda Sugarman said she wanted to point out two things. Number one, the consensus of this body last time was at 5:00 and many of the people had wandered out; it was during a long snowstorm. Second, it was an amendment that was proposed by administrators, spoken to by administrators, and voted on in an open body. Additionally, looking at the present makeup of the faculty, as was pointed out to be 10 department chairmen, with Dr. Bee's amendment, the new body would only consist of 66 percent faculty. She would speak against this amendment because it does not change completely this university senate.

Dean Petersen gave voice to his uneasiness about the process. He thought the proposed amendments were extensive and he suggested taking more time to understand them and their implications. Further, referring to his experience at 6 different universities in almost 30 years, he said he had seen both

forums and both worked. It was his view that this university needs to empower its faculty especially at this stage of its development. He wanted to see the faculty have a governance body that would be constituted of the qualified faculty to discuss, debate, and resolve important academic issues of the university. Therefore, he strongly supports Professor Marquette's earlier position. He thought that would be good for the University now and he also felt that some type of fairly significant change is necessary. He wanted to try an alternative form that enabled and empowered the various constituencies of the university through the shared governance council and still allowed the faculty to function independently. See how well that works and how well the University gets to where it should be academically.

Ms. Peggy Richards pointed out that part-time faculty have representation under the governance structure proposed by the ad hoc committee. She asked why the Rules of Order are being addressed. Dr. Auburn said that if there were no objections, he would ask the Parliamentarian to address that issue.

Parliamentarian Don Gerlach said that Robert's Rules of Order, Newly Revised is a quagmire. It involves a more complicated set of rules than this body, or any other one that he was equipped to serve in or be associated with, needs. The original version of Robert's is adequate. He urged simplicity. Having said that he requested permission to address this body on a couple of other points that are on the floor. Hearing no objections, Dr. Auburn granted permission.

Dr. Gerlach observed that positions of the committee of the whole are never binding on the body. Further, he deemed highly irregular and contrary to Robert's the submission of a whole series of amendments en masse. The proper way to receive is seriatim, going through the document point by point, separate amendment and separate amendment. He appreciated that the group of amendments made sense to see how they all fit together. But when the body votes on them, there were certain parts here which he hoped would be divided so that one might be voted on and voted down and another one voted on and voted up, and that would accomplish the will of the body. As to the question of excluding department and division heads, he felt very strongly about this. It was observed previously that department heads were allowed to be elected in 1969 when the first elected faculty members entered this body. He had always surmised that that was permitted because they previously had been the only persons on the council who were in any way, degree, or shape, associated with the faculty and there would have been too much of a wrench out of experience to exclude them then. He thought that after these years the body should have learned a few things or two. He has long thought that too often, not in all cases, but too often, there have been evidences that the presence of department heads, like the presence of deans, has worked an undue influence on the free flow of discussion and points of view of the faculty.

He continued by explaining that department heads have at present their own group through which they can operate to express points of view and influence. That ought to be sufficient. He would like to support the idea of making the revised Council, call it what you will, as thoroughly going a faculty body without any kind of question or dilution, and that means excluding the department heads. He added that the Faculty Manual states on page 9 that department heads hold office at the discretion of the President. Faculty members do not hold appointments at the discretion of the President. They are faculty with a difference, point one. Two, they are responsible to the Deans of their colleges. They are not responsible to their faculty. In the previous administration under President Muse, this body tried to put words in the Faculty Manual saying the department heads should be regarded as being both responsible to their deans and to their faculty. President Muse would not hear of it. And finally, they are charged with the general supervision of all departmental interests. They are faculty with a great difference and given that general supervision of departmental interests, he proposed excising that supervision in a body like this.

Dr. Robert Holland moved to divide the question and to take up the items seriatim: department head eligibility, contract professional eligibility, student eligibility, retired faculty eligibility, and diversity. Seconded. The motion was defeated, 17 - 22.

Mr. Matt Weaver referred to the document "Questions and Answers, Faculty Senate", one subsection of which is "Well, then, what about the students?" It explains that the relationship to the student body is fiduciary, that the faculty has a moral responsibility to use their expertise and judgment to insure that the students are properly provided the best possible education given available resources, and that the students'

only concerns are parking and Presidents' Day. He felt compelled to speak in favor of the amendments for one reason and one reason only: because the proposal takes the students out of any type of representation in university governance. What is trying to be accomplished is creating a fair, representative body. He did not think the proposal accomplishes this. Further, the shared governance council allows three students to represent 28,000 students. And since three members of the shared governance council will be elected to sit on the long range planning committee and the budget committee, he thought that the likelihood of a student getting selected from the shared governance council to serve on one of those committees is about zero. He believed that students need to have representation on the faculty senate because faculty do not come to students asking their opinion. The only time student opinion is really placed out there is when the students stand up and really force their opinion on the body itself.

He stated that three students on a shared governance council is not a good representation of the student body here at the University. Students voting power within council itself is very positive simply because what we just did about dividing the question. Three students voted and the measure failed. Students do have a voice; students do have a say; but students do not have the majority rule. Student opinion needs to be heard and not shoved off to the side. He was upset about the attitude that students are not qualified or not educated enough or that there is a moral responsibility to insure that they are taken care of. There are many students on this campus who are quite qualified to do many things. What he sees and the students that he represents see is that the purpose of the faculty and of the administration here is to serve the student body. Students pay a lot of money to come here. Students pay a lot of money to be educated. Students should have the right to have a say in the governance process in the university, the policies in the university, the planning of the university, the budgeting of the university, etc., etc. So he had to speak in favor of the amendments proposed.

Mr. Bule expressed feelings of deja vu. He said this body had been through these arguments about representation before. After observing this body in a number of different situations, his vision and a lot of people's vision on this campus was that governance should be shared. He was not talking about equal representation. He was not talking about having a decisive vote. What contract professionals want is a direct vote. They do not want to be put off into committees somewhere where they do not get that input. He feared that an adversarial relationship will be created; a we/they type situation that is not needed at this point in time at the university. All of our collective energies and creative talents working together are needed. Regarding the instructional and administrative contract professional issue, he said he understands that there are people that are tied more intricately to the instructional side of things. However, with the recent reorganization, those lines are a bit blurred. He said he was a little uncomfortable with any kind of proposal that would allow just instructional rather than all contract professionals, because the reporting lines that were used as the definitional points are not clear anymore. It would preclude people like Bud Houston, who has marvelous experience and background from the teaching side of the institution, but who is now clearly on the administrative side, from participation.

Dr. Ford said that it was her understanding that one of the current goals of the university is to enhance diversity. As she read the document that is on the floor now plus the one that Dr. Oller submitted at the last meeting, neither adequately nor efficiently addresses the issue of the lack of representation of the under-represented groups. On page 15 there is a very ambiguous and vague statement about diversity. "Should the senate determine that there is a..." (meaning that they do not have to determine anything) "...a significant lack of diversity..." (what does "significant" refer to?) "...in the membership of the senate, the senate may appoint..." (it does not say "shall" appoint; it says "may") "...up to three additional members." There are three instances in this document where the issue of diversity is mentioned, and it is always very tentative. She said she is not in favor of this document or any of the documents until there is much stronger language regarding the enhancement of diversity.

Dr. Liz Erickson stated that she thought the arguments regarding student and contract professional membership in the senate had been eloquently put. However, she believed that these groups would have a voice through the shared governance council. Part of the problem is that because this council does not presently exist, there is reluctance for groups to limit their voice to that body. Once the shared governance council is operating she thought these groups would be adequately represented.

Dr. Auburn asked if there were objections to permitting the chair of the ad hoc governance committee to speak.

Dr. Rita Saslaw said that the intent of the committee from the very start was to enhance representation, not to negate it. The committee saw that in this body the contract professionals, the part-time faculty, and the students, really do not have an adequate voice. The shared governance council is an attempt to enhance that voice. Certainly the intent of this document from the Ad Hoc Committee is to enhance the representation of all of those groups that are important to a university. Students are important to a university. Contract professionals serve a wide area in this university. But the faculty senate is getting larger and larger and any body that is too large cannot do the kind of discussion that the committee anticipated would take place in an academic body. Further, the committee felt that department heads have another way to express themselves. Regarding the question of diversity raised by Dr. Ford, it was certainly the intent of this document to include a diverse population in the senate. The committee hopes very strongly that the colleges will elect a diverse population and that correction would only be necessary if that did not take place.

Dr. Ford asked why the language in that part of the proposal is permissive. Dr. Saslaw said that was because the committee did not want it to be done officially unless necessary. Diversity should come from the colleges. Dr. Ford said she thought diversity was a very serious concern on this campus that should not be taken lightly. It is an issue that is not being addressed in an efficient manner.

Dr. Cheung, speaking to the student members, said that Council cannot throw the baby out with the bath water. If this proposal is voted down en masse, it does not mean that various ideas that are expressed here cannot then be used to modify the other document. As to the issue of the diversity, he said he recognized that it is very serious, but Council must move past this step so that the issue may be addressed in and of itself.

Dr. Eric Birdsall called for the question. There was an objection to the call for the question. A vote was taken on closure of debate and it did not pass by the requisite two-thirds; 19 to limit debate, 17 not to limit debate.

Dr. Bee moved to consider the amendments seriatim. Seconded.

Dr. Auburn said that he was informed by the Parliamentarian that even though such an amendment was defeated previously the body can vote on it again. Dr. Bee raised a point of order, saying that that motion was not defeated. The body defeated a motion to divide the question. He did not know if Robert's Rules of Order contains that motion but Robert's Rules of Order, Newly Revised does. Dr. Auburn said there is a motion to consider it seriatim, which also does not consider debate. Seriatim means that the body will take points one by one and he would take the advice of the Parliamentarian as to which of those points constitute separate points. The motion failed, 19 to 20.

Dr. Holland moved to convene as a committee of the whole. Seconded. He thought that Council was at a point where it was getting caught up in trivial parliamentary matters. However, there are questions of principle at issue and the body will have to address them sooner or later. To gather all of these matters into one and vote up or down these amendments at this point did not strike him in the best interest of arriving at a prudent judgment. In a committee of the whole, the body can do the kind of polling that was done on the part-time issue to see what the sense of the body is about diversity, about department heads, about contract professionals, about students. These issues will have to be decided at some point. It would be better to know where the body is on them rather than vote the whole thing down or the whole thing up based upon concerns on part of it. In committee of the whole, the body could get a sense about where it is on these various matters.

Dr. Frank Griffin said that there is a principle here for what has been referred to as the pure voice of the faculty. In the minds of many, that is not a negative feeling against representation of any of the bodies that are mentioned. Because of this, he was speaking against going into committee of the whole for the purpose of making an expression of that principle.

Dr. Cheung spoke against the motion to go into a committee of the whole. He thought that the body had essentially been in a committee of the whole for the last 90 minutes and he saw no purpose in starting over again.

Mr. Glaser said he had two points. One is that taking the document as a whole, voting it up or down rather than going into a committee of the whole, seems proper because there is a difference between models. The body is voting on its preference between the model presented by the ad hoc committee and the model presented by Dr. Bee. The other point is that this document is scheduled to come up at the regularly scheduled meeting and at that point there will be a final vote on it. Correct? Dr. Auburn said that the standing rule adopted by this body is that it must be voted on. That does not, however, mean that it is the final vote.

Mr. Neil Sapienza opposed going into a committee of the whole. This body has already voted twice not to look at this section by section, and he thought that going into committee of the whole would just extend that.

The motion to convene as a committee of the whole failed.

The question was called on the amendment, a 5-page document which proposes amendments to the University of Akron Proposed Governance Structure and Bylaws, March 15, 1993. Motion failed.

Dr. Cheung said he had a motion which would take the form of several motions. (Appendix C) They are summarized on a sheet of paper which is being distributed. He said that he had been bothered for some time by such things as quotas which do not do the job of obtaining diversity. What he proposed was a series of amendments that taken into their entirety do the following: they guarantee that on a statistical basis the new faculty senate, by definition, will reflect the people who are eligible to serve and who are to be represented. He was recommending a jury system. People from the eligible body from the various units will be randomly selected. That way, statistically, there is no other thing that can happen than women and minorities will be represented in proportion to which they exist amongst the eligible body. What this does is that it removes the sentence about trying to do something about minority views and representation of women without putting any effect to it and that is in section A, Eligibility. The change in part B is to reflect the fact that no election will take place; the computer will decide. There is no need to discuss the section on diversity since we will statistically guarantee it; there is no electorate therefore we do not need to make a provision for that. A new section C sets up the random drawing procedure; it establishes the eligibility specifications in section A, the number of random selections per unit as specified in Section B. The terms of office have been re-identified because some sections have been deleted. And Section F is deleted. The sense he wished to carry forward is that this system guarantees that the good will of the voting members is not needed to do the right thing and somehow elect women and minorities. Quotas are not needed. It dispenses with both of those issues and it is astoundingly simple and would save a great amount of paper.

Dr. Pat Edwards said that if the eligible body is not representative to begin with the computer cannot choose a representative body from it.

Dr. Oller said that as a classicist, he was intrigued with the idea, because the electing system Dr. Cheung was describing happens to be what the Athenian democratic system consisted of, a lottery system whereby citizens were chosen for almost every major office they had. However, he was a little concerned that maybe given the lateness of the hour the idea might be put aside without really being properly thought through. He moved that a decision on it be postponed until the next meeting of Council. Seconded.

Dr. Marquette spoke against postponement because he was opposed to this idea. He said that if the single purpose is to address the issue of diversity, a point which was raised earlier that the faculty as it currently exists is not diverse, random selection will not produce a non-diverse outcome. If the issue is to address a concern about diversity then what is needed is to modify the mechanism. If the body finds the

proposed mechanism unacceptable, then change it. But he did not think that this mechanism will address that point. He thought that what the body should do is address this proposal now so that it can then move as quickly as possible to dealing with the diversity issue in a meaningful manner.

The motion to postpone was called for question, and it failed. The question was called on Dr. Cheung's package of amendments, and it failed.

Dr. Auburn said that he had heard a quorum call, but that he was going to postpone it to allow the President to address the body.

President Elliott urged members not to withhold their support for one of these documents because there is some slight nuance in it that does not quite meet their standards or there is something that is not exactly as they may want it. Documents can be amended; they can be adjusted. The larger issue is determining if necessary change is burdened by one or the other documents, voting and then working on that to make it the perfect document. She urged Council to do that.

Her second point was that she had once again discovered something that exists of which she cannot find the source so she requested a will of the body. She explained that it is very small compared to what was being discussed now but there are a variety of practices that were dropped last year that she felt enhanced the campus for our own well being as well as the recruitment of students. One was Christmas lighting which Council said go ahead and do. Another is the planting of flowers. Flowers must be planted now if they are to be in bloom this summer. She asked Council if it was alright to proceed. Council gave voice approval.

Dr. Auburn said that he had been asked to make a quorum call. But first he wanted to tell the body what was going to happen next in this discussion. Namely it is going to appear on the agenda of the April 1 meeting. An appeal that committee chairs submit written reports unless they are accompanied by business will be put out. He would also ask that this matter be the last item on the agenda so that the bulk of Council's time can be spent on it. He would welcome individual amendments on the questions that still seem to be up in the air as the first item of business. But what will be addressed is the document that is dated March 15. That is the business before Council and if there is no longer a quorum, that business will be awaiting Council on April 1.

Dr. Auburn determined that there was not a quorum. Council was adjourned at 5:00 p.m.

APPENDIX A

**UNIVERSITY OF AKRON
PROPOSED
GOVERNANCE STRUCTURE AND BYLAWS**

MARCH 15, 1993

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UNIVERSITY OF AKRON GOVERNANCE STRUCTURE AND BY LAWS

Successful governance of a mature, comprehensive University requires that the regular faculty hold the central role in the decision-making process. For effective academic direction this role in the governance of the institution must include responsibility for the academic policies of the institution as well as the involvement necessary to sound distribution of resources to institutional goals. In keeping with these principles, the governance structure of the University of Akron shall consist of the following components: 1) a Faculty Senate, 2) a Shared Governance Council, 3) a Long Range Planning Committee and 4) a Budget and Planning Coordination Committee.

FACULTY SENATE: Duties, Organization and Membership

I. Duties

As delegated by the Board of Trustees of the University, the Faculty Senate is the legislative body of the University and is empowered to:

- A. Formulate suitable rules, requirements and procedures for the admission, government, management and control of the students, courses of study, granting of degrees and certificates, and other internal affairs of the institution necessary to meet the objectives of the University in accordance with the established policies of the Board.
- B. Develop, in consultation with the Long Range Planning Committee the mission and goals statement for the yearly planning and budgeting process of the University.
- C. Transmit to the Long Range Planning Committee or the Budget and Planning Coordination Committee recommendations for various planning or budgeting priorities the Senate deems appropriate.
- D. Review the Long Range Plan of the University and transmit to the President of the University the comments and recommendations of the Senate.
- E. Review the yearly plan and budget formulated by the Budget and Planning Coordination Committee and transmit to the President of the University the comments and recommendations of the Senate.
- F. Review and offer recommendations concerning proposals for the creation, abolition, or rearrangement of colleges, departments, schools, or divisions of instruction, proposals from university-wide committees and such other matters as may be referred to the Senate by the President of the university. Such proposals shall be forwarded to the Executive Committee for inclusion on the agenda of Senate meetings.

- G.** University-wide committees which are created by the Senate shall report to the Senate unless otherwise indicated by the Senate; other University-wide committees shall report to the parties or body creating them and shall file an information copy of such report with the Executive Committee, except that the President's Advisory Committee, the Provost's Advisory Committee, Grievance Committee, committees dealing with confidential personnel matters, and other committees where the President of the University determines confidentiality is required shall not file such information reports with the Senate. The Executive Committee will include the report on the agenda of the Senate meetings.
- H.** All legislation introduced in the Faculty Senate shall be designated as such and if passed shall be forwarded to the President. Within 45 days of receipt of the legislation, the President shall: (a) forward the legislation to the Board of Trustees, or (b) put the legislation into effect if the President deems it unnecessary to send the matter to the Board, or (c) disapprove and return the legislation to the Senate with explanation for the President's rejection.
- I.** Legislation sent to the Board of Trustees becomes effective 90 calendar days after receipt by the President unless the Board of Trustees disapproves, or notifies the Senate that it requires additional time. In the latter event, it shall designate a date by which it shall finish its deliberations. Such postponed legislation becomes effective upon such designated date unless previously disapproved by the Board of Trustees.
- J.** The President of the University shall notify the Senate of the disposition of its legislation within 45 days of its passage indicating whether the legislation has been approved, referred to the Board of Trustees, or returned to the Senate for reconsideration or amendment.
- K.** The Senate shall elect the Senate Representative to the Faculty Advisory Committee to the Chancellor, Ohio Board of Regents

 - 1. Senate members who are full-time teaching members of the faculties of the colleges are electors of the Senate representative. Those eligible for election are full-time teaching members of the faculties of the colleges who may or may not be members of the Senate.
 - 2. The election shall be by normal democratic procedures, utilizing the secret ballot.
 - 3. The representative shall be elected at the May meeting of the Senate. The term of office shall be for two years. There shall be no limit on the number of terms a person may serve.

4. An alternate shall also be elected by the same procedures described above.
5. The representative, if not already a member of the Senate, shall become an ex officio non-voting member. II. Officers and Executive Committee

A. Officers

The Faculty Senate shall elect a Chair, Vice-Chair and Secretary biennially from among the membership of the Faculty Senate. Election shall require a majority vote of the membership of the Senate. The election of officers of the the Senate shall be by normal democratic procedures utilizing the secret ballot. The elected officers of Faculty Senate shall serve from time of election in September until new officers are elected in two years.

B. Duties of the Chair

The Chair of the Senate presides over regular meetings of the Senate, calls special meetings of the Faculty Senate, acts as or designates the official spokesperson for the Faculty Senate in all of its external communications, administers the budget of the Senate, serves as Chairperson of the Executive Committee of the Senate and undertakes such tasks as are directed by the Senate.

C. Duties of the Vice-Chair

Assists the Chair in such ways as the latter may request and in the absence of the Chair, the Vice-Chair presides over the meetings of the Senate.

D. Duties of the Secretary

The Secretary of the Senate records, transcribes and distributes the proceedings of the Senate to all Departments and interested members of the University, assists the Chair in such ways as the latter may request, has custody (jointly with the Chair) of the books, records, physical facilities, and tangible property of the Senate, supervises the clerical staff of the Senate and arranges for the orderly conduct of the business of the Senate. In the absence of the Chair and the Vice-Chair, the Secretary presides over meetings of the Senate.

E. Executive Committee

The Chair, Vice-Chair, Secretary, and four elected members of the Senate will serve as the Executive Committee of the Senate. The Executive Committee of the Senate will have the following responsibilities:

1. Appoint members to appropriate Faculty Senate committees
2. Prepare the agenda for each meeting.
3. Serve as an advisory committee to the Senior Vice President and Provost on governance matters.
4. Ensure that the business of permanent and ad hoc committees is completed in timely fashion.
5. Bring matters to the Senate or assign matters to committees.
6. Consider any questions and complaints regarding elections of members to the Senate and make recommendations concerning these complaints to the Senate. The Executive Committee shall further certify the validity of all Senate elections.

III. Committee Structure

- A. The Faculty Senate shall create such committees as it deems appropriate to the conduct of its business.
- B. The Senate, at its discretion, may invite non-members of the Senate to serve on Senate committees.
- C. In special cases the Senate may choose to make part or all of the membership on a committee elective rather than appointed by the Executive Committee.
- D. In all cases the Chairperson of Senate committees will be a member of the Senate.
- E. For organizational purposes the committees of the Senate will have either of two forms:
 1. University committees, which shall have elected membership from specified constituencies, or
 2. Permanent committees, whose membership will be drawn from the elected members of the Senate and those invited members the Senate deems appropriate.

IV. University Committees

A. The Faculty Rights and Responsibilities Committee

1. This Committee shall have jurisdiction over grievances relating to faculty assessment or evaluation, appointment, retention, tenure and promotion. This Committee shall be composed of one member from the tenured faculty of each degree-granting college, elected by its full-time faculty and one full-time faculty member from the University Libraries, elected by its full-time faculty.
2. For each grievance case submitted by a part-time faculty member three members of the part-time grievance pool shall be selected to be members of the Faculty Rights and Responsibilities Committee (FRRC) for the duration of that case. These members will only participate in FRRC business involving the grievance case in question. These members will be selected by lot by the chair of the FRRC but part-time faculty members from the same department as the grievant shall not be eligible to serve.
3. A part-time faculty grievance pool shall be established by each college every fall. The pool will consist of part-time faculty members who have taught at least four semesters at The University of Akron and who have been nominated by the part-time faculty members of that college and who have subsequently confirmed to the college dean their willingness to serve.
4. Deans, associate deans, assistant deans and persons of similar decanal rank are ineligible to serve on the committee. Members shall serve overlapping three-year terms so that during two years three are elected, while four are elected during the third year. The Committee shall elect its own chair who, if not already a member of the Faculty Senate, shall become an ex officio nonvoting member.

B. The University Well-Being Committee

1. This Committee shall have jurisdiction over matters relating to health and well-being, such as fringe benefits, insurance, pensions and leaves. The Committee shall be composed of one member of the full-time faculty from each of the degree-granting colleges, elected by its full-time faculty and one full-time faculty member from the University Libraries, elected by its full-time faculty, one member of the contract professionals, elected by their members; one member from the part-time faculty currently employed by the University elected by members of the part-time faculty.

2. Deans, associate deans, assistant deans and persons of similar decanal rank are ineligible to serve on the committee. Members shall serve overlapping three-year terms so that during two years three are elected, while four are elected during the third year. The Committee shall elect its own chair who, if not already a member of the Faculty Senate, shall become an ex officio nonvoting member.

C. Graduate Council

1. The Faculty Senate delegates to the Graduate Council operational responsibility over all matters concerning graduate education, but reserves to itself the right to take up any matters it deems necessary. All action taken by Graduate Council shall be reported to the Senate for final approval. Graduate Council shall be composed of two members of the Faculty Senate who have at least Category II Graduate Faculty status and the elected members of the Graduate Council.

V. Permanent Committees

- A. Permanent committees of the Senate shall be Academic Policies, Curriculum and Calendar; Athletics; Campus Facilities Planning; University Libraries; Reference; Research; Student Affairs; Computing and Communication Technologies.
- B. Members of the Executive Committee shall, in May, and after considering preferences of Senate members and then non-Senate members, appoint all permanent and ad hoc committees of the Senate, with the exception of the Faculty Well-Being Committee, the Faculty Rights and Responsibilities Committee, and the Academic Planning and Priorities Committee. To provide some continuity of membership for each committee, the Executive Committee shall appoint committee members so that, if possible, only one-third of the membership of any committee is terminated each year and members serve a three-year term. At the first meeting of each committee, the committee shall elect its chair, with the exception of the Academic Policies, Curriculum and Calendar Committee and the Academic Planning and Priorities Committee, which shall be chaired by the Senior Vice President and Provost or said designate.
- C. The following permanent committees shall have ex officio members as indicated: Academic Policies, Curriculum and Calendar, the Senior Vice President and Provost or said person's designee; Athletics, the Athletic Director or said person's designee and the NCAA Faculty Athletics Representative (appointed by the President); Campus Facilities Planning, the Vice President for Administrative Services or said person's designee; University Libraries, the Dean of University Libraries, or said person's designee; Research (Faculty Projects), the Associate Vice President of Research and Graduate Studies or said person's designee; and Student Affairs, the Associate Provost and Dean of Student Services or said person's designee the

Associate Vice President of Information Services or said person's designee. If not already a member of the Senate, the chair shall become an ex officio nonvoting member for reporting purposes only. Ex officio members shall be nonvoting unless they are members of the Senate. Additional nonvoting members may be appointed to any permanent committee by committee approval.

D. Academic Policies, Curriculum and Calendar Committee.

1. Reviews curricula and course recommendations of the several colleges and divisions and submits them, with recommendations, to Faculty Senate for action.
2. Establishes and interprets policy on various academic matters such as admission, retention, and graduation requirements, etc., when the legislative action of Faculty Senate empowers it to do so.
3. Recommends to Faculty Senate changes for the improvement of the academic program of the University.
4. Considers such items as the mechanics of the academic program, adjustments in admission, retention, and dismissal requirements, changes in the General Bulletin description of academic procedures.
5. Reviews course changes, proposals, new programs, and recommends such changes and revisions for inclusion in the General Bulletin.
6. Proposes a calendar for each academic year beginning with the first summer session and concluding with the following Spring Commencement.

E. Athletics Committee.

1. Advises Faculty Senate on all University activities relating to intercollegiate athletics including, but not limited to, conference affiliations and the National Collegiate Athletic Association.
2. Coordinates with other Faculty Senate committees matters of joint concern relating to Intercollegiate Athletics.
3. Provides advice and counsel to the Director of Athletics concerning individual player eligibility, interpretation of policy and other matters relating to the athletic program.

4. The Registrar decides questions of academic eligibility of student athletes. If conflicts arise between the Registrar, student athlete, and/or athletic department, the following procedures shall be followed:
 - a. Appeal could be made by any of the grieved parties to the Athletics Committee;
 - b. Upon reviewing the facts, the committee would make a recommendation to the Senior Vice President and Provost.
5. Promotes academic achievement among student athletes.
6. Reviews team game schedules, seasonal game limitations and participation in post-season events.
7. Reviews the proposed budget with respect to athletic programs.

F. Campus Facilities Planning Committee.

1. Reviews the future construction needs of the University, the status of current capital projects, and the status of space assignments.
2. Provides faculty and student advice and information to the Planning Department on:
 - a. The priorities assigned to the construction and facilities needs of the University.
 - b. The changes in space assignments for academic, research and residential facilities.
 - c. The utilization of current facilities.
 - d. The naming of campus buildings.
3. Reports findings and actions to the Faculty Senate along with necessary and appropriate recommendations.

G. University Libraries Committee.

1. Serves as an advisory group to the Dean of University Libraries to express the faculty will in the growth and development of the academic support which the Libraries supply.

2. Provides the Dean of University Libraries with guidelines and advice on acquisitions, budget, policy and other matters affecting academic areas.

H. Reference Committee.

Reviews legislation referred to it by Faculty Senate to ascertain if it is drafted properly and does not conflict with existing rules and regulations or practices. Reviews the Faculty Manual annually and submits any suggested revisions by the February meeting of the Faculty Senate.

I. Research Committee (Faculty Projects).

1. Reviews research proposals submitted by faculty members and grants University funds in support of those proposals deemed worthy.
2. Recommends the budgeting of sums of the University's support of faculty research proposals to be funded by this committee.
3. Establishes policies for funding proposals and guidelines for expenditures of those funded.

K. Student Affairs Committee

1. Makes policy, subject to approval of Faculty Senate, regarding the granting of scholarships, awards, grants and loans to University students.
2. Proposes regulations concerning all extracurricular activities (except Athletics) to Faculty Senate. Recommends to the Senate the extension of official recognition of student organizations.

L. Computer and Communications Technology Committee

1. Provides recommendations to the Senate on policy matters concerning utilization of information technology and resources related to academic systems, computing data and voice communication.
2. Provides advice and counsel to the Associate Vice President of Information Services concerning guidelines on electronic information acquisition, budget, processing, policies, and other matters affecting academic areas.

M. Subcommittees

Each committee has, under "Robert's Rules of Order," the discretion to establish and abolish whatever subcommittees it sees fit, and no person who is not a member of a standing (permanent) committee may serve as a member of a subcommittee. It is each committee chair's responsibility to maintain minutes and pass them on to the incoming chair.

VI. Meetings

- A.** The number of meetings of the Faculty Senate shall be determined by the Faculty Senate as appropriate for the conduct of its business, but at least two general meetings will be held each semester. All reasonable efforts will be made to schedule regular meetings at a standard time and day to permit coordination of Senators' teaching schedules with meeting times.
- B.** All meetings of the Faculty Senate shall be open to members of the University community. Non-members of the Senate may make a request to address the Senate. Such requests to speak will be granted subject to a vote of the Senate.
- C.** All meetings of the Senate will be announced at least two weeks prior to the scheduled meeting unless the Senate declares itself to be meeting in emergency session.
- D.** All announcements of meetings will contain a detailed agenda. Requests to have items placed on the agenda of the Senate must be submitted in writing to the Secretary of the Senate at least two weeks prior to the scheduled meeting of the Senate.
- E.** Items referred to the Senate by the President of the University, or the President's designee, for the good of the University will be automatically placed on the agenda of the Senate.
- F.** A petition of 10 members of the Senate may force an item on the agenda of the Senate.
- G.** For purposes of conducting business a quorum of the Senate shall be defined as 30 Senators present and voting.
- H.** A roll call vote will be conducted if requested by any Senator.
- I.** One permanent item on the agenda shall be "Presidential Remarks"

- J. Special meetings may be called at any time by the presiding officer, or by the Executive Committee, or upon petition by any seven Council members who present their request to the chair of the Executive Committee in writing.
- K. Council members are expected to regard attendance at all meetings as a primary obligation to their colleagues and to the University. When conflicting professional duties, imperative personal affairs, or illness make attendance at a given meeting impossible, Council members are expected to notify the Secretary in advance of the meetings. Such absence will be separately listed in the minutes as absences with notice.

VII. Membership

A. Eligibility

Members of the Faculty Senate shall be elected from the members of the regular faculty of the University of Akron, excluding Deans, Department and Division Heads, Directors of Schools and other primarily administrative officers with faculty rank. To ensure the representation of diverse views all reasonable efforts should be made at the College level to elect women and minority faculty to the Senate.

B. Apportionment

1. The Senate shall consist of 49 members of the regular faculty, apportioned on the basis of the number of regular faculty currently appointed to the individual degree granting colleges of the University. The formula would be one Senator for 1-15 faculty, two senators for 16-30 faculty. Plus one additional Senator for each additional 15 faculty members or fraction thereof, provided that the membership of the Senate does exceed 49. Each college shall have at least one member. For the purposes of apportionment the Wayne College and University Libraries will be considered as units.
2. The part time faculty shall elect 1 to 3 representatives based on the percentage of the total course credit hours of the University. One representative shall be elected for every 10% of the Total credit hours taught by the part time faculty. The Senate shall certify the proportion.

C. Diversity

Should the Senate determine that there is a significant lack of diversity in the membership of the Senate, the Senate may appoint up to three additional members of the Senate from under-represented groups. In no case is this procedure to result in an increase in the size of the voting membership of the Senate beyond 55 members.

D. Electorate

The eligible electorate of the Faculty Senate will be all regular faculty of the University of Akron. For the purposes of election to the Faculty Senate, academic deans, department heads and administrative officers holding regular faculty rank will be considered part of the electorate.

E. Terms of Office

1. The terms of office for members of the senate shall be three years with one-third of the membership being elected in each year. The initial assignment of length of term shall be done by lot, 17 of the initial class being assigned a three-year term, 16 assigned a two- year term, and 16 assigned a one-year term. Thereafter, all terms of office will be three years.
2. *Senators are limited to two consecutive terms of office, but former Senators may again stand for office after an hiatus of one year.*
3. Should any elected member of the Senate become an administrative officer either on an acting or permanent basis during the term for which the member was elected to the Senate, the person's seat shall be deemed vacant.
4. Should a member of the Senate be unable to discharge the duties of the office, the Senate may declare that seat vacant.
5. In the event of a vacancy, the Senate will so notify the appropriate unit to initiate a special election.

F. Elections

Conduct of the nomination and election to the Senate from individual colleges will be the responsibility of the Dean of the respective colleges, subject to the by-laws of the College and the following requirements:

1. All nominations and elections are to be by secret mail ballot.
2. Each winning candidate must secure at least a majority of the votes cast. In the event no candidate receives a majority there will be a run off election.
3. In elections with more than one seat at stake the winning candidates will be decided in order of total votes cast for each candidate until all seats are filled. In the event there are seats unfilled and the remaining candidates did not achieve at least a majority of votes cast there will be a run-off election among the remaining candidates.

4. In the event of a tie vote there will be a run-off election among the tied candidates.
5. All run-off elections are subject to the same procedural requirements as the general elections.
6. In case of a vacancy it shall be the responsibility of the appropriate collegiate Dean to initiate a special election to fill the vacancy.
7. The elected part-time faculty representatives shall be elected by members of the part-time faculty utilizing a secret, mail ballot, by procedures adopted by the Senate.
8. Elections in the individual colleges shall be scheduled so that they are completed by May 1 of each year and the manner of election shall be determined by each individual college.
9. New members shall take office at the regular September meeting of the Senate.

G. Election to LRPC

Four members of the Faculty Senate elected annually by the Faculty Senate will serve as members of the Long Range Planning Committee of the University. The term of appointment to LRPC will be for two years. The Senate will take care to stagger LRPC terms to ensure continuity of membership. No college may have more than one Senator elected to serve on LRPC concurrently. No Senator may serve on the LRPC and BPCC concurrently.

The responsibilities of the members so elected will be to serve on the Long Range Planning Committee as the representatives of the University faculty during the planning process. The senators so elected will report on a regular basis to the full Faculty Senate as to the progress and activities of the Long Range Planning Committee.

H. Election to BPCC

Eight members of the Faculty Senate elected by the Faculty Senate will serve as members of the Budget and Planning Coordination Committee of the University. The term of appointment to BPCC will be for two years. The Senate will take care to stagger BPCC terms to ensure continuity of membership. No college may have more than one Senator elected to serve on BPCC concurrently.

The responsibilities of the members so elected will be to serve on the Budget and Planning and Coordination Committee as the representatives of the University faculty during the planning and budgeting process. The senators so elected will report on a regular basis to the full Faculty Senate as to the progress and activities of the Budget and Planning Coordination Committee.

VIII. Amendments

A. Proposal

Amendments to this Constitution may be placed on the agenda of a regular or special meeting of the Faculty Senate by a member of the Senate or by petition of 20 percent of the voting members of the Faculty.

B. Procedure

A vote by the Senate on a proposed amendment may be taken only after at least 30 days have elapsed from the date on which the proposal was formally presented to the Senate. If a majority of the Senate concurs with the proposed amendment it will be submitted to the faculty for ratification. A faculty vote on the amendment will be held by mail ballot no earlier than 30 days from the date on which a copy of the proposed amendment was sent to each of the members of the regular Faculty.

C. Majority

Amendments require the concurrence of a 60% of the ballots cast by the faculty.

IX. Support

A. Material Support

The Faculty Senate shall have suitable office space, a budget for appropriate expenditures and at least one full-time secretary for support of its activities.

B. Assigned Time

The officers of the Senate will receive at least one three-credit course equivalent per semester assigned time for support of their service.

C. Schedules

Collegiate Deans and Department Heads are to use all reasonable efforts to provide members of the Senate with course schedules permitting attendance at regular meetings of the Senate.

D. Records

All inactive documentary material and related records of the Senate will be deposited in and catalogued by the University Archives.

X. Rules

The parliamentary authority for the Faculty Senate shall be Robert's Rules of Order. In any conflict between the Faculty Senate Bylaws and Robert's Rules of Order, the Senate Bylaws take priority. A person who is not a member of the Faculty Senate shall be appointed parliamentarian by the Chair of the Faculty Senate.

SHARED GOVERNANCE COUNCIL AND LIAISON COMMITTEES: Duties, Organization and Membership

I. SHARED GOVERNANCE COUNCIL

A. Duties

The Shared Governance Council is responsible for the formulation of recommendations for University policies on issues that affect one or more of the major campus constituencies and coordination of those recommendations with the Faculty Senate and the appropriate Planning Committees.

The Shared Governance Council will elect two members to the Long Range Planning Committee and two members to the Budget and Planning Coordination Committee. The members so elected may not be an officer of the Faculty Senate.

B. Membership

The Shared Governance Council is composed of representatives of the organizations representing the major campus constituencies, including the Faculty Senate and each of the constituencies formally recognized in the Liaison Committee structure.

Each organization will be limited to three representatives to the Shared Governance Council.

C. Organization

1. Officers

The Shared Governance Council will have a Chair, Vice-Chair and Secretary elected from among the members of the Council. Officers of the Faculty Senate are barred from election as officers of the Shared Governance Council.

2. Duties of the Chair

The Chair of the Council presides over regular meetings, calls special meetings of the Council and acts as or designates the official spokesperson for the Council.

3. Duties of the Vice-Chair

Assists the Chair in such ways as the latter may request and in the absence of the Chair, the Vice-Chair presides over the meetings of the Council.

SHARED GOVERNANCE COUNCIL AND LIAISON COMMITTEES: Duties, Organization and Membership

I. Organization (cont.)

4. Duties of the Secretary

The Secretary of the Council records, transcribes and distributes the proceedings of the Council to all interested members of the University.

D. Meetings

The number of meetings of the Council shall be determined by the Council as appropriate for the conduct of its business. Meetings of the Shared Governance Council may be called at the request of the representatives of any of the constituent organizations. All reasonable efforts will be made to schedule meetings at such times as to permit coordination of members work schedules with meeting times.

II. Governance Committee Structure

A. Committee Structure and Role

1. Except as noted below, each liaison committee will consist of five members, two appointed from the Faculty Senate, and three elected from the appropriate constituent organization(s).
2. The Chairperson of the committee will be elected from among the elected members of the committee.
3. The Chairperson of each liaison committee will be an ex-officio but non-voting member of the Faculty Senate.

B. Governance Committees

1. Committee on Student Affairs

Has jurisdiction over all matters concerning student affairs. Elected members will be three members of the University Student body, two elected by Associated Student Government and one elected by Graduate Student Government. For purposes of representation, Law School students are considered part of the graduate student body.

B. Governance Committees (cont.)

2. Committee on Contract Professionals' Affairs

Has jurisdiction over all matters concerning contract professionals. Elected members will be three contract professionals elected by the Contract Professionals Advisory Committee. Note: Contract professionals who are also part-time instructors may not vote or seek office under part-time faculty auspices.

3. Committee on Staff Affairs

Has jurisdiction over all matters concerning the rights and responsibilities of the staff of the University. Elected members will be three staff members elected from the Staff Employee Advisory Committee.

4. Committee on Diversity

Has jurisdiction over all matters pertaining to University efforts to foster diversity on campus. Elected members will be three individuals elected from the University of Akron Diversity Council.

III. Enlargement of Shared Governance Structure

Formal recognition of additional campus constituencies may be made by recommendation of the President of the University with the majority approval of the Faculty Senate.

**LONG RANGE PLANNING COMMITTEE:
Duties, Organization and Membership**

The Long Range Planning Committee is responsible for developing a University plan with a 10 to 15 year time horizon. This plan provides the basis for the intermediate term planning and budgeting undertaken by the Budget and Planning Coordination Committee and the various units of the University.

I. Duties

- A. Develop or revise the mission statement and long term plan of the University.
- B. Develop appropriate intermediate term goals to form the basis of planning by the individual colleges and administrative support units.
- C. Produce and publish a University long term plan, after receiving the advice of the Faculty Senate.

II. Membership

- A. Ex Officio: President and Vice-President for Administrative Services
- B. Elected:
 - 1. Four members of the Faculty Senate.
 - 2. One members of the Board of Trustees elected by the Board.
 - 3. One Dean of a degree granting college elected by the Council of Deans.
 - 4. One academic department head elected by the Council of Department Heads.
 - 5. Two members elected by the Shared Governance Council
- C. To insure the representativeness of the Committee membership the President, in consultation with the Executive Committee of the Faculty Senate, may recommend the appointment of up to two additional members to the LRPC. Any additional expansion requires concurrence of a majority of the Senate.

III. Officers

- A. The President will serve as Chair of the LRPC.
- B. The Vice-Chair will be elected by the membership of LRPC and will serve as Chair in the absence of the Chair.

IV. Voting

A roll call vote will be conducted if requested by any member.

BUDGET AND PLANNING COORDINATION COMMITTEE:

Duties, Organization and Membership

The Budget and Planning Coordination Committee is the University-wide Planning and Budgeting body of the University and is responsible for the entire budget of the University. All resource allocations recommended to the President and Board of Trustees will require review by BPCC.

I. Duties

- A. Coordinate and set priorities for the yearly plans of the individual colleges and administrative support units with the intermediate range goals and objectives established by the Long Range Planning Committee.
- B. Produce and publish University plan for the next fiscal year.
- C. Recommend budgetary authorization as required by the University plan.
- D. Transmit plan and budget recommendations to the President.
- E. Transmit plan and budget recommendations to the Senate for review and comment.
- F. Make recommendations to the Faculty Senate for appropriate legislation suggested as a result of committee research.

II. Membership

- A. Ex Officio: President, Senior Vice President and Provost, Vice President for Administrative Services
- B. Elected:
 - 1. Eight members of the Faculty Senate.
 - 2. Two Deans of degree granting colleges elected by the Council of Deans.
 - 3. Three academic department heads elected by the Council of Department Heads.
 - 4. Two members elected by the Shared Governance Council.
- C. To insure the representativeness of the Committee membership the President, in consultation with the Executive Committee of the Faculty Senate, may recommend the appointment of up to two additional members to the LRPC. Any additional expansion requires concurrence of a majority of the Senate.

III. Officers

- A. The Senior Vice-President and Provost will serve as Chair of BPCC.
- B. The Vice-Chair will be elected by the membership of BPCC and will serve as Chair in the absence of the Senior Vice President and Provost.

IV. Voting

A roll call vote will be conducted if requested by any member.

TRANSITION

Upon adoption of the revised governance by Faculty Senate, the following transition calendar will apply:

I. Faculty Senate

Elections to the Senate will be held in the Spring semester of 1993 and the Senate will commence to function in the first week of the Fall Semester, 1993.

II. Shared Governance Council

Will commence functioning in Fall of 1993. The election calendar for the Council will be determined by the existing practices of the respective constituency organizations.

III. LRPC and BPCC

These committees will replace the Task Force for the Twenty-First Century and the Interim Budget and Planning Committee, respectively. The planning and budgeting responsibilities will commence with the President's decision, at which point the Task Force and IBAC will cease functioning.

IV. Planning Procedure and Sequence

The planning procedures and calendar will be developed by the Task Force for the Twenty-First Century.

Revised March 15, 1993

APPENDIX B
Proposed Amendments

to

"University of Akron Proposed Governance
Structure and Bylaws"

Pursuant to discussion and recommendations from Committee of the Whole sessions, the following changes are proposed.

VII. Membership

A. Eligibility

Strike from lines 2-3 "Department and Division Heads, Directors of Schools"

With this amendment the section would read as follows:

(p. 11) Members of the Faculty Senate shall be elected from the members of the regular faculty of the University of Akron, excluding Deans and other primarily administrative officers with faculty rank. To ensure the representation of diverse views all reasonable efforts should be made at the College level to elect women and minority faculty to the Senate.

B. Apportionment

Add the introductory line, "The Senate shall be constituted as follows:"

1. Strike from 1. "The Senate shall consist of"
Insert in line 1 after "regular faculty," the words
"elected by their constituencies, and"

Strike lines 5-6, "provided that the membership of the Senate does exceed 49."
Insert "to a maximum of 49."

2. Strike "1 to 3" and "based on ..." to the end of the section.

Insert after the word elect "two (2)"

Add:

3. Contract Professionals shall elect two (2) representatives from their constituency.
4. Students shall determine five (5) representatives from the student body.
5. The President shall appoint one (1) retired faculty member.

With these amendments the section would read as follows:

(pp. 11-12) The Senate shall be constituted as follows.

1. 49 members of the regular faculty, apportioned on the basis of the number of regular faculty elected by their constituencies, and currently appointed to the individual degree granting colleges of the University. The formula would be one Senator for 1-15 faculty, two senators for 16-30 faculty. Plus one additional Senator for each additional 15 faculty members or fraction thereof to a maximum of 49. Each college shall have at least one member. For the purposes of apportionment the Wayne College and University Libraries will be considered as units.
2. The part time faculty shall elect two (2) representatives.
3. Contract professionals shall elect two representatives from their constituency.
4. Students shall determine five (5) representatives from the student body.
5. The President shall appoint one (1) retired faculty member.

C. Diversity

Line 3 Delete last sentence, beginning "In no case ..."

With this amendment the section would read as follows:

(p. 12) Should the Senate determine that there is a significant lack of diversity in the membership of the Senate, the Senate may appoint up to three additional members of the Senate from under-represented groups.

D. Electorate

Delete entire section

E. Terms of Office

1. Insert in line #1 after "senate," the words "other than students".

In line #3, after "lot" insert a period and delete the rest of section #1.

With these amendments the section would read as follows:

(p. 12)1. The terms of office for members of the senate other than students shall be three years with one-third of the membership being elected in each year. The initial assignment of length of term shall be done by lot.

F. Elections

Line #1 insert after "colleges" the words "and constituencies"

Line #2 delete after "colleges" the word "subject"

insert after "colleges" the words "and constituencies according"

insert after "by-laws" the words "or procedures"

delete after "of" the word "the"

insert after "of the word "each"

Line #3 after "College" delete the words "and the"

insert "or constituency subject to the"

With these amendments the section would read as follows:

(p. 12)Conduct of the nomination and election to the Senate from individual colleges and constituencies will be the responsibility of the Dean of the respective colleges and constituencies according to the by-laws or procedures of each College or constituency subject to the following requirements:

X. Rules

In lines #1 and #3, add "Newly Revised" to the title Rules of Order

With this amendment the section would read as follows:

(p. 15) The parliamentary authority for the Faculty Senate shall be Robert's Rules of Order, Newly Revised. In any conflict between the Faculty Senate Bylaws and Robert's Rules of Order, Newly Revised, the Senate Bylaws take priority. A person who is not a member of the Faculty Senate shall be appointed parliamentarian by the Chair of ~~the~~ Faculty Senate.

VI. Meetings

- G. Delete from "30" to the end in section G and insert the words "a majority of the voting membership of the body."

With this amendment the section would read as follows:

- (p. 11) G. For purposes of conducting business a quorum of the Senate shall be defined as a majority of the voting membership of the body.

SHARED GOVERNANCE COUNCIL AND LIAISON COMMITTEES

Delete entire section, pp. 16-18

LONG RANGE PLANNING COMMITTEE

II-B Membership, Elected

Delete line # 5

With this amendment the section would read as follows:

(p. 19) II-B Membership

1. Four members of the Faculty Senate.
2. One member of the Board of Trustees elected by the Board.
3. One Dean of a degree granting college elected by the Council of Deans.
4. One academic department head elected by the Council of Department Heads.

BUDGET AND PLANNING COORDINATION COMMITTEE

II-B Membership, Elected

Delete line # 4

With this amendment the section would read as follows:

(p. 20) II-B Membership

1. Eight members of the Faculty Senate.
2. Two Deans of degree granting colleges elected by the Council of Deans.
3. Three academic department heads elected by the Council of Department Heads.

University of Akron Governance Structure and By Laws

Line 7 delete "2) a Shared Governance Council,

Transition

II. Shared Governance Council

Delete entire section

F. Elections

6. After the word "Dean" insert the words "or constituency"

APPENDIX C

changes proposed to section VII. Membership

A. Eligibility delete last sentence

B. 2. The part time faculty shall be represented by 1 to 3 Senators based on the percentage of the total course credit hours taught by part time faculty. second sentence: replace elected with selected.

C. Diversity - delete

D. Electorate - delete

new section C. Selection of Faculty Senators

Faculty Senators shall be selected by random drawing from a pool composed of all eligible members of each unit. Eligibility for selection is specified in section A above. The number of random selections for each unit is determined by the apportionments specified in section B above.

E. Terms of Office - re-identify as section D and modify as follows:

- substitute selected for elected in the first sentence of subpart 1
- delete subpart 2
- delete the first occurrence of elected in subpart 3
- replace the phrase "during the term for which the member was elected to the Senate" with "during their term" in subpart 3
- replace election with selection in subpart 5

F. Elections - delete

G. Election to LRPC - re-identify as E.

H. Election to BPCC - re-identify as F.

