Year End Report from the 2016-17 By-Laws FAM Committee

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Year End Report from the 2016-17 By-Laws FAM Committee

The following were presented to the Senate during the 2016-17 academic year

**Reports:**

**September:**
- Report on Motion to Increase the Number of Years Faculty May Serve on Committees
- Motion to Form a New Standing Committee: Adjunct Oversight Committee.

**October:**
- Report on the Motion to Alter Composition of the Faculty Advisory Committee to the President

**April:**
- Report on Motion to Change the Order of Senate Business

**Motions:**

**October:**
- Change FAM for Composition of Faculty Advisory Committee to the President (*Article V, Section 3.B.9.a, motion passed*)

**January:**
- Change FAM for Duration that Faculty May Serve on Committees (*Article V, Section 1.B., motion passed*)

**March:**
- Change FAM to Split the Committee on Graduate Education, Continuing Education, and Special Programs into Two Committees: The Committee on Graduate Education and the Committee on Continuing Education (*Article V, Section 3.B.2.a-b, motion passed*)
- Change FAM to Form a New Standing Senate Committee: Adjunct Oversight Committee (*Article V, Section 3.B.20.a-b, motion passed*)

**April:**
- Change FAM for Order of Senate Business (*Article IV, Section 4.L.1-8, motion failed*)

**Notices of Intent:**
- None
Other administrative work during the 2016-17 academic year

Review of the 2016-17 Faculty Administrative Manual
- Change log
- Footnotes
- External References to College Policies

Review of Report from Ad Hoc Committee on Hearings on Suggested Changes to FAM

Unresolved issues, pending for discussion and possible action by the 2017-18 committee

Review of FAM/By-Law Committee recommendation (April 2017) to modify Standing Rules of the Senate to include, "At the start of the Faculty Senate meeting, the Speaker of the Faculty will ask whether there are any objections to the agenda as presented".

Review of Report from Ad Hoc Committee on Hearings on Suggested Changes to FAM, and present report before the Faculty Senate at the September 2017 meeting.

Review of Report and Suggestions from Ad Hoc Committee on Grievances regarding Faculty Assistance Pool and mediation training, determine whether any changes to FAM are necessary to implement these suggestions.

Review of Report from Post-Tenure Review Committee. Several suggestions were made to clarify language in the FAM, however no formal Motion was remanded to FAM/ByLaws. Continue discussion with Post-Tenure Review Committee to formalize Motion to present before Senate in 2017-18.

Consensual Relationships
Rationale: Briefly discussed by 2015-16 and 2016-17 FAM/By-Laws Committees, but deemed to require the guidance of Academic Affairs and Legal Affairs before any significant effort is devoted to this topic by the committee.
On September 1st, 2016 the Bylaws/FAM Committee reviewed the Motion to Increase the Number of Years Faculty May Serve on Committees, a proposal introduced to the Faculty Senate at the April 5th, 2016 meeting by Dan Greenberg. The following is a summary of comments and concerns that were raised in the review of this Motion, both by the Faculty Senate and the Bylaws/FAM Committee:

- Committee function and contribution may improve by allowing members additional time to develop competence and expertise.
  - Participation from committee members who want to serve longer should be advantageous.
- Extended service is not compulsory, is permissive and offers flexibility.
  - Does the mandatory 3-year hiatus only apply to those who’ve served 5 consecutive terms, those who’ve served 5 non-consecutive terms without any 3-year hiatus from service, or apply to the non-renewal of service regardless of number of terms served?
    - Will a 3-year hiatus over any number of accumulated terms reset the timeline?
  - Should Tenure and Promotion Committee members who performed a colleague's 3rd Year Review also be allowed to perform Tenure review? Are mechanisms in place to prevent this from occurring under the current policy?
- Would increasing the minimum appointment (from 1 year to 2 years, or 4 years) accomplish the same result?
  - Establishes a stronger expectation of service which may facilitate better representation across schools.
  - Overlap could prevent large-scale turnover within a given committee.
  - Logistically difficult, still depends on Nominations and Elections Committee to coordinate carryover of participation across FYs.
  - Does not ensure that all membership serves the minimum appointment.
- Pre-tenure faculty serving on a single committee, instead of expanding service to multiple committees, may not be preferable.
  - In some departments, junior faculty do not serve on college-wide committees prior to 3rd year review; expanding term limits would not otherwise change this situation.
  - Unknown whether Tenure and Promotion Committee views extended participation on a single college-wide committee with less favor than single-term participation on several committees.
On September 1st, 2016 the Bylaws/FAM Committee reviewed the Motion to Form a New Standing Senate Committee: Adjunct Oversight Committee (AOC), a proposal introduced to the Faculty Senate at the April 12th, 2016 meeting by Elizabeth Baker. The Bylaws/FAM Committee finds the proposal to have merit, however revisions and reformatting are required before the Motion is suitable for further discussion before the Senate.
On September 29th, 2016 the Bylaws/FAM Committee reviewed the Motion to Alter the Composition of the Faculty Advisory Committee to the President (FACP), a proposal introduced to the Faculty Senate at the September 13th, 2016 meeting by Alex Kasman. The following is a summary of comments and concerns that were raised in the review of this Motion, both by the Faculty Senate and the Bylaws/FAM Committee:

- Revising committee composition will strengthen shared governance by facilitating communication across several committees.
  - Inherently reduces committees functioning as separate, unrelated modules, and may reduce redundancy across committees.

- Ensuring consistent committee representation will build rapport and accountability between the President and FACP across academic years.
  - This could further be strengthened by the pending Motion to Increase Duration of Faculty Service, where increasing consecutive service will increase continuity of addressing major issues that span multiple FYs.

- Challenges to seat the Committee:
  - Faculty may only serve on two standing committees, thus it may be difficult for Nominations and Elections to seat a committee when Committee Chairs have other ex officio or elective participation elsewhere.
    - We suggest revising language to reflect "Committee Chairs or designated Committee Members"

- Are the 6 committees identified in the proposed composition the most logical or strategic to be represented on the FACP?
  - The General Education Committee may have more influence on policies that affect faculty and departments than the Curriculum Committee.
    - What about Academic Standards and Admissions?
  - 6 other committee members are appointed by N&E; these appointments could be strategic if those committees not represented in the proposed composition were to request N&E to consider representation.
Report: Motion to Change the Order of Senate Business

During the March, 14 Faculty Senate meeting, Meg Cormack presented a Motion to Amend the Standing Rules to require the Faculty Senate end at 7:00pm. The rationale for this motion included:
"Senate meetings begin at 5 PM which is, for most senators, at the end of a long day;
Tired people do not think as clearly as usual;
The effects of a long day are likely to be increased by the effects of a long meeting;
It is a well-known observation that tasks expend to fill the time available;"

The ensuing discussion identified that mechanisms exist to call for a quorum or motion to adjourn, and it may not be wise to force an automatic cease of the Senate meeting at 7:00pm if there is important business that remains to be completed (e.g. curriculum). It was further discussed that flipping the order of business might address some of the concerns raised by Senator Cormack in that a quorum is needed to conduct business, but is not needed to listen to reports and comment. Cormack's motion did not pass, and Senator Roxane DeLaurell made a motion from the floor for the FAM/By-Laws Committee to recommend amending the Bylaws to change the order of Faculty Senate Business, putting Business ahead of Reports. That Motion was seconded and passed.

On March 29, 2017, the FAM/By-Laws Committee convened to discuss the Motion to Change the Order of Faculty Senate Business; Committee Chair Vance also consulted Faculty Senate Parliamentarian George Pothering on March, 31. The following report summarizes these discussions:

With respect to the current By-Laws:

Article IV, Section 4.L defines the order of regular meetings of the Faculty Senate. This order is consistent with that defined by Robert's Rules of Order (Article IV, Section 4.D). Article IV, Section 4.H empowers the "Speaker of the Faculty [to] modify the agenda in order that the Senate may address concerns in a timely fashion", and Article IV, Section 4.L declares that the order of business may be "subject to change by the Speaker of the Faculty as per Article IV, Section 4H or by a simple majority vote of the Senate."

Furthermore, the Parliamentarian (Pothering) questioned whether motions coming from Committees should be considered "Committee Reports" instead of "New Business". Robert's Rules describes resolutions/motions that are presented within committee reports (Art. IX.54); e.g. a curriculum change is a recommendation from the Curriculum Committee that the Senate is voting on whether to adopt. Could Committee motions be presented as Committee Reports, placing these items before New Business? Would New Business then be just those motions that originate from outside of Committees?

With respect to the Motion to Change the Order of Faculty Senate Business:

Changing the order of the Faculty Senate agenda would address the concerns of 1) maintaining a quorum throughout the deliberation of new business, and 2) allow the Faculty Senate to deliberate over business with less mental fatigue. It is not clear whether the overall duration of Senate meetings would change, as it may be argued that the discussion of business may be more efficient and less prone to confusion if addressed earlier in the Senate meeting; whereas, the presence of more Senators, and with more energy, may prolong discussions of business.

However, numerous concerns of the Motion were raised. With respect to the order of importance, reports, especially from the Administration, may be as, or more, important than business issues. Even as recent as 4-5 years ago, there were complaints that the Senate was a reactive body, that the Administration did not effectively communicate changes or intentions to the Faculty, that the Faculty were not involved in the decision-making, etc.
These reports serve a valuable function to disseminate information and facilitate discussion and debate, in lieu of a memo buried in your e-mail inbox. Moving reports to the end of the Senate meeting, where the Faculty senators may be less attentive and more passive, may be a disservice to shared governance and to our constituents. Furthermore, we would not expect the President to sit through the entirety of the Senate meetings (particularly, April's meeting) to deliver his semi-annual reports; thus, the Speaker of the Faculty would exercise his/her privilege to re-order the Senate agenda. Likewise, non-Senate visitors are often present to attend and/or deliver these reports and would have to sit through the majority of the Senate meeting before their relevant report(s) were delivered.

One 2+ hour meeting per month is not terribly onerous. How important is shared governance if Dept/School representatives are not willing to attend and participate throughout the entire Senate meeting? We have an obligation to our constituents to be well-prepared, present and attentive throughout the duration of the Senate meeting, regardless of the order of business. Changing the order of business will not address apathy or leaving the meeting early. Although a quorum has been called in several Senate meetings over the past few years, a meeting has ended on a quorum-call only twice since 2014 (Nov. 2014: "[Senator] Shaver asked "How many of us does it take to leave before we no longer have a quorum?" On the Speaker’s reply, "one," Shaver quickly riposted, "I am leaving."). However, the problem may be rooted in the number of senators in attendance to begin with (see figure). Our perception that many senators are leaving early meeting may actually be those non-senator visitors who were present for reports or specific business (e.g. to be present during a discussion of a curriculum motion). Arguably, few senators may be leaving early; rather, meetings held later in the fiscal year have fewer senators in attendance to begin with.

The FAM/By-Laws Committee acknowledges the importance of the timely and competent completion of Senate business. However, in considering that 1) the proposed Motion to Change the Order of Senate Business may not address the root of the problem, and 2) may impact the efficacy of how information in reports are disseminated to the senators and their constituents; and, 3) the By-Laws provide mechanisms by which the Speaker of the Faculty and/or senators may change the order of business to accommodate any given meeting's agenda; the FAM/By-Laws committee does not recommend the Motion to Change the Order of Senate Business. Furthermore, it is the Committee's recommendation that the Standing Rules be modified to include, "At the start of the Faculty Senate meeting, the Speaker of the Faculty will ask whether there are any objections to the agenda as presented". Doing so will not bestow any new privileges to the senators, but remind them of their existing privilege to change the order of Senate business if necessary.
TITLE: Motion to Alter the Composition of the Faculty Advisory Committee to the President

*With specific changes to the FAM Bylaws*

*Article V, Section 3.B.9.a*

**INTENT:** The change in bylaws would alter the composition of the Faculty Advisory Committee to the President. The Committee would comprise the chairs of the Academic Planning, Budget, Faculty Welfare, General Education, Assessment, and Compensation Committees together with six additional members, at least one of whom shall be an adjunct faculty member. The rationale for the requested changes is that the current dispensation militates against streamlined and concerted faculty input into shared governance. Currently it is possible for committees to be unaware of what other committees are working on, resulting in potential for duplication of effort and/or the potential for committees to be working actively at cross-purposes. At the moment, the advisory committee does its best to collectively represent broad faculty concerns, but its composition does little to allow faculty committees to coordinate their efforts on behalf of responsible shared governance. Including on the committee the chairs of the six Senate Committees with the broadest College-wide remit in relation to planning will aid those committees' coordination and reduce possible redundancy; those committee chairs are more likely to have relevant information to share with and more likely to be in a position to act upon information received from the administration than other faculty members. At the same time, in maintaining 50% representation of “at-large” faculty, the motion honors the original intention of the Advisory Committee’s composition. The proposed change also reduces by six the total number of faculty needed to serve on committees. Together with the proposal to extend the length of term faculty members may serve on committees, this proposal allows faculty to work more meaningfully and in a more reliably collaborative manner with full-time administrators.

For each proposed change **single strike through** text is a deletion; **underlined text** is new language.

9. Faculty Advisory Committee to the President
   a. Composition: **Eleven faculty members and one adjunct faculty member.** At least three of the faculty members serving on the Committee will be tenured. **The chair, or designated member, from each of the Academic Planning Committee, Budget Committee, Faculty Welfare Committee, Committee on General Education, Committee on Assessment of Institutional Effectiveness, and Faculty Compensation Committee; together, with six additional faculty members, at least one of whom shall be an adjunct faculty member.** (Rev. Aug. 2015) (Rev. Pending).
TITLE: Motion to Increase the Number of Years Faculty May Serve on Committees.  
With specific changes to the FAM Bylaws  
Article V, Section 1.B

INTENT: The change in bylaws would allow faculty to serve for up to five years on any given Senate or Standing Committee. The rationale of this motion is that the current dispensation allows faculty members insufficient time to gain real expertise in a given area (e.g., assessment, budget processes, etc.). Committees are thus limited (or may be seen to be limited) in the degree to which they can function as reliable partners in shared governance with the administration. If committee members can develop real competence/expertise in a given area, committees can contribute more meaningfully to the running of the college. This proposal allows faculty to work more meaningfully and in a more reliably collaborative manner with full-time administrators.

For each proposed change single strike through text is a deletion, underlined text is new language.

Article V. Committees

Section 1. General Regulations

A. No faculty member may serve on more than two standing committees.

B. Members of committees (including alternates) serve for a term of one year and may be re-elected twice up to four times and then may serve again on the committee only after a lapse of three years. Commencing with the first year of service, consecutive or intermittent service on a committee during a five year period will require a lapse of three years before a member is eligible to serve again on that committee. Any three year lapse resets the eligibility for another five year period. Terms begin on August 15. Adjunct faculty committee members shall be elected to fill a vacancy that spans an entire academic year, commencing in August at the beginning of the period of contracted employment as an adjunct faculty member. An elected adjunct faculty committee member can only serve during times of active employment as an instructor of record, so her (his) status as an adjunct faculty committee member lapses at the conclusion each contract period but is automatically renewed at the start of the ensuing contract period in the academic year. Service in any combination of semesters over a three year service period requires that a full calendar year must pass.
before he or she is again eligible to serve on a committee. (Rev. Aug. 1999; Rev. Aug. 2015; Rev. Pending)
DRAFT TITLE: Motion to Split the Committee on Graduate Education, Continuing Education, and Special Programs into Two Committees: The Committee on Graduate Education and the Committee on Continuing Education

With specific changes to the FAM Bylaws
Article V, Section 3.B.2.a-b

INTENT: The intent of this motion is to split the Committee on Graduate Education, Continuing Education, and Special Programs [hereafter The Committee] into two committees: Committee on Graduate Education and Committee on Continuing Education. In support of this request, we provide background on the origins of The Committee, contextualize the current governance of graduate education and continuing education, and provide a proposed description of the composition and duties of the new Committee on Graduate Education and Committee on Continuing Education.

The Committee, having consulted with the Provost/Dean of the Graduate School and Associate Dean of the Graduate School, believes that the responsibilities associated with graduate education are sufficiently critical and numerous to necessitate a committee devoted solely to monitoring and advancing graduate education and that the same holds for continuing education.

The current Committee charge and structure was created in a period when the College of Charleston was much smaller and few graduate programs existed. In 1981 the Faculty (pre-dating the Faculty Senate) approved an agreement between the Committee on Continuing Education and Special Programs and the Graduate Faculty Committee that the Graduate Faculty Committee be abolished and its duties merged with those of the Committee on Continuing Education and Special Programs. In the ensuing 35 years, numerous changes have occurred at the College of Charleston, especially the expansion of graduate programs from two to 21 (plus 10 graduate certificates) under the auspices of the University of Charleston, South Carolina, and the establishment of the School of Professional Studies. Such expansion renders the current committee composition and charge inadequate to support graduate education and continuing education. In addition, oversight of special programs by relevant administrative offices removes them from review by The Committee.

A review of peer and aspirational institutions’ governance in relation to graduate education, continuing education, and special programs shows no other institution combines responsibility for oversight into a single faculty committee. The four institutions reviewed (Appalachian State, James Madison University, University of North Carolina Wilmington, and the College of William and Mary) all have graduate councils or committees on graduate studies devoted solely to graduate education.
2. Committee on Graduate Education, Continuing Education and Special Programs

a. Composition: Five faculty members, at least one of whom is also a member of the Graduate faculty. The Dean of the Graduate School, the Registrar, the Provost or designee, and the Director of the Center of Continuing Education and Professional Development are non-voting ex-officio members. (Rev. Apr. 2013)

b. Duties:

(1) To receive or initiate recommendations and suggestions concerning graduate education, continuing education, and special programs;

(2) To review or initiate policy issues related to continuing education programs, and to evaluate proposed graduate programs and courses and, via the Graduate Council, to advise the Graduate Faculty relative thereto;

(3) To review and suggest non-credit and outreach programs;

(4) To serve as the faculty liaison for continuing education program planning of an academic nature; and

(5) To assist in planning and to provide advice on faculty development programs related to graduate education and continuing education.

(6) To review and make recommendations concerning proposals for the termination of programs brought to the committee by the Provost. (Rev. Jan. 2011)
2. Committee on Graduate Education

a. Composition: Five regular faculty members, at least three of whom are also members of the Graduate Faculty. The Dean of the Graduate School, the Registrar, the Provost, and Associate Vice President of Institutional Effectiveness and Strategic Planning, or their designees, are non-voting ex-officio members.

b. Duties:

(1) To review or create recommendations and suggestions concerning graduate education policy, such as programs’ student admissions policies and program review policies;

(2) To review proposed changes in graduate programs and courses and, via the Graduate Council, to forward approvals to the Faculty Senate;

(3) To provide faculty review for credit-bearing graduate level education programming of an academic nature that is not applicable to any College of Charleston graduate degree or certificate, such as the non-catalog offerings of the Office of Professional Development in Education;

(4) To plan or review faculty development programs related to graduate education;

(5) To review and make recommendations concerning proposals for the termination of graduate programs brought to the committee by the Provost.

3. Committee on Continuing Education

a. Composition: Five regular faculty members. The Dean of the School of Professional Studies, the Registrar, the Provost, and the Associate Vice President of Institutional Effectiveness and Strategic Planning, or their designees, are non-voting ex-officio members.
b. Duties:

(1) To review or create recommendations and suggestions concerning policy for non-credit continuing education;

(2) To review non-credit continuing education offerings and advise the College of Charleston units relative thereto;

(3) To assist in planning and review of faculty development programs related to continuing education;

(4) To review and make recommendations concerning evaluation of non-credit continuing education offerings.
TITLE: Motion to Form a New Standing Senate Committee: Adjunct Oversight Committee

With specific changes to the FAM Bylaws
Article V, Section 3.B.20.a-b

INTENT: There is currently no standing committee charged with monitoring or making recommendations on adjunct policies and practices at the College. Adjunct faculty are responsible for teaching a significant portion of our student credit hours. Their work affects all faculty and students at the College and should be formally monitored and supported through a shared governance structure. This committee’s work will not replace work done by existing committees, but will facilitate a more informed discussion of adjunct policies and a more nuanced, up-to-date understanding of the working conditions and contributions of adjunct faculty at the College of Charleston.

The committee’s work should consist of collecting, interpreting, and publicizing information on current adjunct policies and practices at the College. Using national best practices and prior reports on College practices as a guide, the committee should assess how many best practices the College uses or attempts to use in a given year.

Once the committee’s protocols for collecting information become established, the committee might choose to meet twice a semester and deliver an oral or written report to the Senate once a year. Meetings might occur more frequently if the committee sees fit.

For each proposed change single strike through text is a deletion, underlined text is new language.

20. Adjunct Oversight Committee

a. Composition: Four regular faculty members, designated from each of the Budget Committee, Faculty Welfare Committee, Faculty Compensation Committee, and Academic Planning Committee; together, with an elected adjunct faculty member (as described in Article V, Section 1.B), and an ex-officio non-voting member designated by the Provost.

b. Duties:

(1) Receive and analyze reports: from the Office of Institutional Research, Planning, and Information Management on the number of adjuncts employed by the College, the number of credit hours delivered by adjunct faculty, adjunct faculty members’ rank and status (part-time or full-time), and adjunct faculty compensation;
and, from the Provost’s office on College policies for adjunct faculty.

(2) Solicit additional information on adjunct practices in use in Schools, Departments, and Programs. To obtain this information, the committee may analyze published documents (e.g., department websites or handbooks), interview deans and chairs, conduct surveys of adjunct faculty, and/or do additional research.

(3) Receive and respond to information from the Provost’s office and/or senior leadership regarding future plans for the College that will affect the College’s reliance on adjunct faculty or compensation of adjunct faculty.

(4) Regularly report to Faculty Senate, Provost, and adjunct faculty on the College’s adjunct policies and practices; make recommendations to the Faculty Senate and appropriate committees regarding compensation, working conditions, ongoing professional development, and collegiality for adjunct faculty. With the assistance of the Faculty Secretariat, maintain a permanent record of each year’s minutes and annual reports. (Rev. Pending)

(5) Meet twice each semester, or more frequently, at the committee’s discretion.
TITLE: Motion to Change the Order of Senate Business

With specific changes to the FAM Bylaws

Article IV, Section 4.L.1-8

INTENT: There is growing concern among our faculty colleagues regarding the duration of Faculty Senate meetings. As meetings often approach and exceed 2 hours in duration, it becomes arguably difficult to maintain adequate attention (and desire) to thoroughly discuss Motions that impact the CofC. Likewise, failure to maintain a quorum towards the end of Senate meetings has the potential to impact the timeliness of curriculum changes. It is proposed that the order of Senate business be revised to present Old and New Business early in the Senate meeting, to be then followed by the presentation of reports from College and Senate Committees, and from Administration.

For each proposed change single strike through text is a deletion, underlined text is new language.

L. The order of business for regular meetings of the Faculty Senate shall be as follows, subject to change by the Speaker of the Faculty as per Article IV, Section 4H or by a simple majority vote of the Senate:

1. Call to order
2. Approval of the minutes of previous meeting
3. Announcements and information
4. Reports
   a. College and Senate Committees
   b. President and Provost
5. Old business
6. New business
   a. College and Senate Committees
   b. President and Provost
7. Constituent’s general concerns
8. Adjournment
By-Laws Meeting Minutes Sept. 1, 11:00 AM
Attending: Jason Vance, Chair
Jessica Wolcott, Deanna Caveny-Noecker, Laura Penny, Carl Wise, Jannette Finch

Minutes compiled by Jason Vance, from poor recollection.

- Meeting agenda was presented, and April 27, 2016 ByLaws/FAM Meeting minutes were approved.

- Discussion on Motion to Form Adjunct Oversight Committee
  - The composition of the committee may lead to difficulty for Nominations and Elections to seat a Committee.
    - we suggest that the size of the committee be fixed; e.g. 4 regular faculty members plus 1 adjunct faculty member, and 1 member designated by the Provost.
    - Language is required describing how the adjunct representative is elected or appointed.
    - We suggest that the AOC instead indicate that a current member each from the Budget, Welfare, Compensation and Academic Planning committees serve on the AOC. This would alleviate some of the challenges of seating this committee.
      ▪ This may ensure better integration of AOC’s mission into these related committees.
      ▪ This would require revising the committee charges of these 4 committees to indicate the need to appoint a representative.
  - Language regarding the Provost's representative should indicate that “the Provost will designate a representative.” We suggest that the representative not be ex-officio, but rather appointed at the discretion of the Provost, and should be a non-voting member.
  - In the 1st committee charge, IRP is currently called IRPIM (Office of Institutional Research, Planning, and Information Management).
  - In the 2nd committee charge, there was concern that the Provost’s office should be the primary source for policies on Adjuncts, and that Departmental policies should not be inconsistent with the College’s policies. We understand that the intent of the 2nd committee charge is to solicit additional information from departments and adjuncts themselves. We suggest moving the language regarding “polices” to the 1st committee charge.
  - In the 3rd committee charge, language regarding Academic Affairs should indicate “the Office of Academic Affairs”, or “the Provost’s office”.
  - Will any consideration in the AOC be given to Visiting Faculty, who are also temporary employees of the College but otherwise have no formal representation within standing committees or the Faculty Senate?
  - Significant revision and reformatting of the proposal is required before a meaningful discussion of the Motion can take place before the Senate; it was decided that a thorough report be provided to the sponsor of the Motion (Betsy Baker and Julia Eichelberger), and a brief summary statement be provided to the Senate at the September meeting.
- Discussion on Motion to Increase Duration Faculty May Serve on Committees
  - Committee function and contribution may improve by allowing members additional time to develop competence and expertise.
    - Participation from committee members who want to serve longer should be advantageous.
  - Extended service is not compulsory, is permissive and offers flexibility.
    - Does the mandatory 3-year hiatus only apply to those who've served 5 consecutive terms, those who've served 5 non-consecutive terms without any 3-year hiatus from service, or apply to the non-renewal of service regardless of number of terms served?
      - Will a 3-year hiatus over any number of accumulated terms reset the timeline?
    - Should Tenure and Promotion Committee members who performed a colleague's 3rd Year Review also be allowed to perform Tenure review? Are mechanisms in place to prevent this from occurring under the current policy?
  - Would increasing the minimum appointment (from 1 year to 2 years, or 4 years) accomplish the same result?
    - Establishes a stronger expectation of service which may facilitate better representation across schools.
    - Overlap could prevent large-scale turnover within a given committee.
    - Logistically difficult, still depends on Nominations and Elections Committee to coordinate carryover of participation across FYs.
    - Does not ensure that all membership serves the minimum appointment.
  - Pre-tenure faculty serving on a single committee, instead of expanding service to multiple committees, may not be preferable.
    - In some departments, junior faculty do not serve on college-wide committees prior to 3rd year review; expanding term limits would not otherwise change this situation.
    - Unknown whether Tenure and Promotion Committee views extended participation on a single college-wide committee with less favor than single-term participation on several committees.
  - A formal report will be provided to the Faculty Senate at the September meeting, and sent to the Motion's sponsor (Dan Greenberg).

- Discussion on Changes in FAM for Post-Hearing Procedures for Grievances Before the Faculty Hearing Committee
  - The circumstances surrounding how Post-Hearing Procedures "fell out" of the FAM were briefly recounted. Speaker McNerny provided an update on the review of the Post-Hearing Procedures, as well as the two ad-hoc committees evaluating procedures for hearings and grievances, respectively.

- Discussion on an annual review of the FAM
• The 2016/17 ByLaws/FAM was posted on August 9th. A formal review of the FAM was not conducted during the 2015/16 FY, and Chair Vance stated that it will be the goal of the ByLaws/FAM Committee to perform a review of the FAM this year.
• Associate Provost Caveny-Noecker suggested that it would be prudent to start with a review of the Change Log, and ensure that all ratified changes, and administrative changes, are reflected in the FAM accordingly.
• Speaker McNerny suggested we should then review the numerous references to ByLaws and Policy within and outside of the FAM.
  o Many policy statements were removed from the FAM and replaced with links to the relevant administrative policy; these should also be reflected in the Change-Log.
  o Finally, and time-willing, a review for language, formatting and general errors should be conducted.

- Other Discussion
  • Carry-over business
    o Update: language regarding the School of Professional Studies, and differentiating line schools from non-line schools was addressed by the Office of Academic Affairs.

- Meeting adjorned.
By-Laws Meeting Minutes, Sept. 29, 2016, 2:00 pm
Attending: Jason Vance, Laura Penny, Carl Wise, Todd McNerny, Jannette Finch
Guests: Simon Lewis and Alex Kasman

Minutes compiled by Jason Vance and Laura Penny.

- Meeting agenda was presented, and Sept. 29, 2016 ByLaws/FAM Meeting minutes were approved.

- Committee discussed the Motion to Alter Composition of the Faculty Advisory Committee to the President. Motion author and sponsor Simon Lewis and Alex Kasman were in attendance to discuss the motion. Alex and Simon reiterated that revising the committee composition will strengthen shared governance by facilitating communication across several committees. This would inherently reduces committees functioning as separate, unrelated modules, and may reduce redundancy across committees. Furthermore, ensuring consistent committee representation may help build rapport and accountability between the President and FACP across academic years. Alex and Simon closed with the impact of the pending Motion to Increase Duration of Faculty Service, where increasing consecutive service may further strengthen the relationship between the FACP and President, by maintaining continuity of addressing major issues that span multiple FYs.

The ByLaws/FAM Committee noted that there may be challenges to seat the Committee if the FACP required obligatory membership from selected Committee chairs, since faculty may only serve on two standing committees, and Committee Chairs may have other ex officio or elective participation elsewhere. We suggested revising language to reflect "Committee Chairs or designated Committee Members".

The ByLaws/FAM Committee further questioned whether the 6 committees identified in the proposed composition were the most logical or strategic to be represented on the FACP. For example, the General Education Committee may have more influence on policies that affect faculty and departments than the Curriculum Committee. Likewise, what about Academic Standards and Admissions Committee? However, it was discussed that since 6 other committee members are appointed by N&E, these appointments could be strategic if those committees not represented in the proposed composition were to request N&E to consider representation.

With the approval of Simon and Alex, the pending Motion was revised to identify "The chair, or designated member..." from the six selected Committees, and the Curriculum Committee was replaced by representation from the General Education Committee. A report from this meeting, and comments from the Sept. 13th Senate meeting were compiled and presented at the October 11th Senate meeting.

- The Bylaws/FAM Committee discussed the pending Motion to Increase the Number of Years Faculty May Serve on Committees. The discussion was limited to identifying the language
clarifying how non-consecutive service on the Committee would be counted, with respect to requiring a three-year lapse. Current language in the Bylaws/FAM regarding committee service require a 3-year lapse after 3 consecutive years of service. However, no language presently addresses non-consecutive service, either; e.g. if a faculty member serves 1 year on followed by 1 year off, are they still allowed 3 consecutive years without being required to take a 3-year hiatus? What is the likelihood of this and/or historical occurrence of this? The Committee agreed that language limiting intermittent service would be necessary before the motion would be presented before the Senate.

- Christine Finnan, chair of The Committee on Graduate Education, Continuing Education, and Special Programs contacted Jason regarding a draft Motion that proposed splitting the current committee into two separate committees: Graduate Education and Continuing Education. Based on the draft provided by Christine, the proposal is focused primarily on the Graduate Education and lacks details on the Continuing Education committee. We discussed that Graduate school admissions should be included in the graduate education committee. Questions raised included: Was Continuing Education consulted in regards to this proposal? Is it possible to poll the current committee members on the current load? Jason is scheduled to meet with Christine on Oct. 3rd to discuss our Committee's questions and concerns about the proposal, and to provide information that may help Christine and the Grad. Ed/Cont. Ed Committee craft their proposal.
Meeting agenda was presented, and Sept. 29, 2016 ByLaws/FAM Meeting minutes were approved.

Motion to Alter Composition of the Faculty Advisory Committee was presented before the Faculty Senate on October 11, 2016; the motion was passed. Minor edits to Section 3.B.9.a (referencing full Committee names), per suggestion from Provost during the Senate meeting, were made and presented to the FAM/Bylaws Committee.

The Bylaws/FAM Committee continued to discuss the pending Motion to Increase the Number of Years Faculty May Serve on Committees. The Committee agreed upon language that described how the mandatory 3-year lapse would be applied to both continuous and intermittent service across a 5 year period: "Commencing with the first year of service, consecutive or intermittent service on a committee during a five year period will require a lapse of three years before a member is eligible to serve again on that committee. Any three year lapse resets the eligibility for another five year period." The proposed language was agreed to be fairly conservative, limiting absolute abuse of intermittent service while being fairly easy to implement by the N&E Committee (e.g. one rule for all combinations of intermittent service). We also agreed that the revised duration of service should be applied retroactively; e.g. those faculty who have served 3 years on a committee during the FY when this ByLaw is implemented would have 2 years of eligibility remaining (based on the 5-year timeline). This was deemed acceptable as those faculty who had served 3 years would otherwise be forced to take a 3-year hiatus, based on the original ByLaws.

Christine Finnan, chair of The Committee on Graduate Education, Continuing Education, and Special Programs forwarded a Motion to split the current committee into two separate committees: Committee on Graduate Education and Committee on Continuing Education. Discussion of this Motion was tabled for the January FAM/By-Laws Meeting.

The FAM/ByLaws Change Log was reviewed, and any errors and inconsistencies between the Change Log and the 2016-17 FAM were identified. Academic Affairs would receive a copy of these errors/inconsistencies so that the FAM could be revised.
FAM/By-Laws Meeting Minutes, Jan. 30, 2017, 4:00 pm

Attending: Jason Vance, Todd McNerny, Deanna Caveny-Noecker, Laura Penny, Megan Gould, Carl Wise, Christine Finnan (guest)

Minutes recorded by Laura Penny and compiled by Jason Vance.

- Approval of minutes from Dec. 5, 2016 FAM/By-Laws Meeting was tabled to include a more complete record (e.g. Penny’s minutes). The revised minutes would be presented at the following FAM/By-Laws meeting for approval.

- The Motion to Increase Duration Faculty May Serve on Committees passed the Senate. It may be appropriate for Faculty to ratify this new motion during the upcoming speaker election.

- Discussion of the Motion to Split the Committee on Grad Ed, Cont Ed, & Special Programs

Christine Finnan (Chair of the Committee on Grad Ed, Cont Ed, & Spec. Progs), the author of the motion, is present to help answer questions and receive feedback.

Deanna had several questions about the proposal. Most involve clarifying the wording of the motion:

2.b.3. What does the non-catalog terminology refer to? Can we expound on this to explain this to future readers? Finnan says the intent is to refer to courses that teachers use for re-certification courses or other courses that are used for credentialing. Possible language: “credit bearing graduate coursework not applicable to any degree or certificate (non-catalog graduate level education ….”

3. a. Does the AVP of Institutional Effectiveness … need to be on the committee? Christine will raise the question to the committee and Brian McGee. Since Continuing Ed does not fall under the purview of SACS, is it necessary to have this person there?

3.b.2. What does ‘providers’ mean? “… advise the CofC units providing …”? Where would Post-Bac certificates go to Graduate Ed or Continuing Ed? Deanna thinks they would go to Graduate Ed. That’s what Christine believes as well.

3.b.4. “… non-credit continuing”

We discussed whether these comments could be addressed in time for a revised motion to be presented before the Senate in February so that, if approved, it could be implemented in time for 2017-18 academic year. Christine Finnan was confident in a quick turn-around from her Committee.

- Discussion of the Motion to Form a New Standing Senate Committee: Adjunct Oversight Committee
Jason met with Julia Eichelberger Friday, January 27th. Comments from Julia are attached in the agenda packet.

The discussion of this motion resulted in generally minor comments. There was concern on behalf of Academic Affairs regarding the language of “department policies”, as policies regarding Adjuncts are College policies and Departments should not have separate policies. Perhaps the intent was to solicit information on Departments’ practices.

20.b.1. add “policies for adjunct policies from the Provost Office.”

20.a. Committee composition: Appointing membership from the selected Committees requires that members need to be aware of how many committees they are serving on, especially in regards to the recently revised FACP, which solicits membership from several of these named committees. How is adjunct faculty member elected?

20.b.4. Add language that the committee also provide their reports to the adjunct faculty population.

Add “Faculty” to appropriate “Senate” references (e.g. Faculty Senate).

Revise language about what records the Secretariat would maintain: “maintain a permanent record of each’s year’s finalized minutes and annual report”

The Motion’s intent describes that the committee would meet approximately twice per semester. They would get information annually as described in duties. Should the Committee’s Duties also include a description of this meeting commitment?

- Megan Gould informed us that the FAM includes inconsistent committee titles. For example, a committee is listed as Educational Technology committee (ETC); is this the same as the Faculty ETC (FETC)? Jason is going to review the FAM for similar inconsistencies.

- Carl Wise provided a report on footnotes in the FAM. These were given to Deanna for review.

Adjourned at 5:20pm
FAM/By-Laws Meeting Minutes, Mar. 29, 2017, 11:00 am

Attending: Jason Vance, Carl Wise, Todd McNerny, Jannette Finch, Megan Gould.

Minutes recorded by Jason Vance.

- Approval of revised minutes from Dec. 5, 2016 FAM/By-Laws Meeting

- Approval of minutes from Jan. 31, 2017 FAM/By-Laws Meeting

- Motions to Split the Committee on Graduate Education, Continuing Education, and Special Programs into Two Committees: The Committee on Graduate Education and the Committee on Continuing Education, and, to Form a New Standing Senate Committee: Adjunct Oversight Committee, were presented at the Mar. 14 Faculty Senate Meeting. Both motions were passed by the Faculty Senate and will be posted for Ratification.

- During the March, 14 Faculty Senate meeting, Meg Cormack presented a Motion to Amend the Standing Rules to require the Faculty Senate end at 7:00pm. The ensuing discussion identified that mechanisms exist to call for a quorum or motion to adjourn, and it may not be wise to force an automatic cease of the Senate meeting at 7:00pm if there is important business that remains to be completed (e.g. curriculum). It was further discussed that flipping the order of business might address some of the concerns raised by Senator Cormack in that a quorum is needed to conduct business, but is not needed to listen to reports and comment. Cormack's motion did not pass, and Senator Roxane DeLaurell made a motion from the floor for the FAM/By-Laws Committee to recommend amending the Bylaws to change the order of Faculty Senate Business, putting Business ahead of Reports. That Motion was seconded and passed, and referred to FAM/By-Laws for review, to draft the proposed language, and to report on the Motion at the April Faculty Senate Meeting.

- Discussion of the Motion to Change the Order of Faculty Senate Business:

  Todd McNerny provided some historical perspective regarding the importance of Reports presented to the Faculty Senate, especially those from Administration. Even as recent as 4-5 years ago, there were complaints that the Senate was a reactive body, that the Administration did not effectively communicate changes or intentions to the Faculty, that the Faculty were not involved in the decision-making, etc. These reports serve a valuable function to disseminate information and facilitate discussion and debate, in lieu of a memo buried in your e-mail inbox. Moving reports to the end of the Senate meeting, where the Faculty senators may be less attentive and more passive, may be a disservice to shared governance and to our constituents.

  It was further discussed that we would not expect the President to sit through the entirety of the Senate meetings (particularly, April's meeting) to deliver his semi-annual reports; thus, the Speaker of the Faculty would exercise his/her privilege to re-order the Senate agenda. Likewise, non-Senate visitors who attend and/or deliver reports and would have to sit through the majority of the Senate meeting before their relevant report(s) were delivered.

  The Committee discussed how the importance of shared governance is portrayed if Dept/School representatives are not willing to attend and participate throughout the entire Senate meeting? Jason Vance noted that we have an obligation to our constituents to be well-prepared,
present and attentive throughout the duration of the Senate meeting, regardless of the order of business. Changing the order of business will not address apathy or leaving the meeting early. One 2+ hour meeting per month should not be terribly onerous.

Changing the order of the Faculty Senate agenda would address the concerns of 1) maintaining a quorum throughout the deliberation of new business, and 2) allow the Faculty Senate to deliberate over business with less mental fatigue. However, it is not clear whether the overall duration of Senate meetings would change, to address Meg Cormack’s original Motion to End the Senate Meeting at 7:00pm. Although, one could argue that the discussion of business may be more efficient and less prone to confusion if addressed earlier in the Senate meeting, the presence of more Senators, who are more energetic early in the meeting, may prolong discussions of business. Todd also noted that our perception that many senators are leaving early may actually be those non-senator visitors who were present for reports or specific business (e.g. to be present during a discussion of a curriculum motion). We discussed whether losing a quorum has been an actual issue.

The Committee discussed the By-Laws and noted that Article IV, Section 4.L, which defines the order of regular meetings of the Faculty Senate, is consistent with that defined by Robert's Rules of Order. Article IV, Section 4.H empowers the "Speaker of the Faculty [to] modify the agenda in order that the Senate may address concerns in a timely fashion", and Article IV, Section 4.L declares that the order of business may be "subject to change by the Speaker of the Faculty as per Article IV, Section 4H or by a simple majority vote of the Senate." Thus, there are several mechanisms in the By-Laws that allows the order of business to be modified; and, it might be more productive to encourage the future Speaker of the Faculty, and our Faculty Senators, to exercise this mechanism when it is apparent that a given Senate agenda will not address concerns in a timely fashion (e.g. such as a February Senate meeting with numerous Reports and extensive curriculum changes proposed by the Curriculum Committee).

The FAM/By-Laws Committee summarized that the proposed Motion to Change the Order of Senate Business may not address the root of the problem, and 2) may impact the efficacy of how information in reports are disseminated to the senators and their constituents; and, 3) the By-Laws provide mechanisms by which the Speaker of the Faculty and/or senators may change the order of business to accommodate any given meeting's agenda. We concluded that the Committee will present the Motion to Change the Order of Senate Business, as instructed by the Faculty Senate, but will not recommend the Motion. Jason further suggested that we recommend that the Standing Rules be modified to include, "At the start of the Faculty Senate meeting, the Speaker of the Faculty will ask whether there are any objections to the agenda as presented"; as doing so will not bestow any new privileges to the senators, but remind them of their existing privilege to change the order of Senate business if necessary.

Todd advised that Jason contact the Parliamentarian (George Pothering) to discuss the matter further and obtain any additional insight and/or perspectives on the matter which may be summarized in the Committee’s report on the Motion. Jason agreed to do so and informed the Committee that a draft of the report would be forwarded to the Committee for review ASAP.

- Jason Vance briefly discussed the list of external links to College Policy that is referred to in the FAM. Academic Affairs can decide whether to incorporate these hyperlinks to the College Policy into the FAM document.
FAM/By-Laws Meeting Minutes, May 3, 2017, 12:00 pm

Attending: Jason Vance, Carl Wise, Laura Penny, Todd McNerny, Jannette Finch, Megan Gould, Deanna Caveny-Noecker, George Pothering, Richard Nunen, Mike Lee

Minutes recorded by Laura Penny and Jason Vance.

- The minutes from the Mar. 29, 2017 FAM/By-Laws Meeting were approved.

- The draft of the 2016-17 By-Laws/FAM Committee Annual Report was summarized and approved. The minutes from the present meeting (May 3) would be added to the Report before submitting to Megan Gould.

- The incoming FAM/By-Laws Committee determined that Richard Nunen would serve as Chair, and Mike Lee would serve as Secretary.

- Several items of business carrying over from 2016-17 to the 2017-18 Committee were discussed:

  Regarding the Report from Ad-hoc Committee on Grievance - recommendation for mediation training could be written into ByLaws. It was not clear whether the recommendation to form a Faculty Resource Pool required a formal definition and changes to the FAM. Tim Carmichael, from the Grievance Committee, has further recommendations that may carry over to the 2017-18 business.

  Regarding the Report from Ad-hoc Committee on Hearing - some recommendations would be changes to the By-Laws, and should be presented to the Senate for discussion and vote; other recommendations would be changes to the Administrative section of the FAM. FAM/By-Laws should still consider and make recommendations on these changes, but ultimately Academic Affairs would determine whether to implement those changes. The 2 pages of post-Hearing procedures which previously "fell out" of the FAM need to be reinserted ASAP.

  Regarding the recommended language on determining Conflicts of Interest, there were concerns about the ambiguity of the definition, and the sole determination by, and appeals to, the Hearing Committee. Because these recommended changes would impact the Administrative side of the FAM, it was questioned whether the College would accept this recommendation and grant the Hearing Committee the authority to determine conflicts of interest -thereby ceding their authority to appoint a "College Representative" to the discretion of the Hearing Committee.

  Other concerns regarding the Hearing Committee, not included in the Ad-hoc Committee's report, were discussed, including: training for Hearing Committee members and chairperson, as well as legal assistance to the Hearing Committee during the course of a hearing, would be beneficial; a faculty resource pool, similar to that recommended by the Ad-hoc Committee on Grievance, could also be helpful; the language in the FAM regarding the rights of the grievant to request a public hearing could be more robust, but there are conflicting privacy issues regarding how this right for a public hearing is constrained by requiring consent from parties of interest.
Regarding the Report from the Post-Tenure Review Committee – the recommendations for clarifying the language in the FAM regarding the timing of the reviews affects the Administrative side of the FAM. Deanna noted that there is a draft of these changes to the FAM that can be reviewed (early next fiscal year?), and FAM/By-Laws can report these changes to the Senate through a Notice of Intent from Academic Affairs.

- Megan Gould presented two issues she discovered in her review of the FAM: 1) there is inconsistency with how Committees are named outside of the FAM, particularly on the College website some Committee's have "Faculty" added to the Committee name (e.g. "Faculty" Educational Technology Committee); and, 2) the FAM requires Committees to present a report every semester, and she suggests we consider clarifying the language to reflect the current practices of presenting reports annually.