By-Laws Committee Minutes
April 12, 2013

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker, Heather Alexander

1. We discussed the proposal from the Faculty Welfare Committee to form an adjunct advisory committee at the college. The motion was withdrawn from the Senate’s April agenda to give By-Laws a chance to consider it before Senate discussion. Members of the By-Laws Committee raised the following questions, concerns, and comments concerning the proposal:
   --What would be the charge and the composition of the committee?
   --Who would this committee report to? (The Senate? Academic Affairs? The President’s Office?) Some By-Laws committee members were concerned that an adjunct committee should not have a more direct route to the administration (by reporting directly to the Provost or the President) than other regular faculty committees have.
   --Would such a committee be a good idea when it might be in the college’s best interest to focus on reducing adjunct use in the first place?
   --Currently, there’s no uniform mechanism for evaluating adjuncts, which is a problem.
   --With the increased emphasis on college-wide assessment, it’s clear that adjuncts will be involved in processes at the college other than just teaching.
   --Procedurally, should this issue be brought to the Senate for discussion before or after a formal motion is made? Would it be better to have a specific motion on the floor for debate, or would it be better for Faculty Welfare to craft a motion after hearing some discussion of the issue in the Senate?
We didn’t formally vote on the motion, but Glenn will pass along these concerns/comments to the Faculty Welfare Committee.

2. We very briefly discussed the report from Kathryn Bender concerning how policy websites function at other universities. Based on Kathryn’s report, Deanna handed out a draft she’d written of some guiding principles for the CoC policy site. Unfortunately, we ran out of time before we really had a chance to discuss these draft guidelines—it’ll have to be an issue for next year’s committee to take up.
By-Laws Committee Minutes
March 15, 2013

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Deanna Caveny-Noecker, Heather Alexander

1. Glenn brought five By-Laws motions to the Faculty Senate on March 12 for initial presentation. These motions included:
   1. Amending the composition of the Graduate Education Committee
   2. Amending the composition and duties of the By-Laws Committee
   3. Amending the composition of the Academic Planning Committee
   4. Providing that standing Senate committees include at least one senator
   5. Providing that motions brought to the Senate by By-Laws don’t need a 30-day review period before coming to a vote
   (Update: all five motions were passed by the Senate at the April 2 meeting).

2. We discussed a motion from the Committee on Graduate Education, Continuing Education, and Special Programs to add a non-voting graduate student member. Because there’s no time to bring this motion to the Senate this year (because of the 30-day notification period that’s currently required), we agreed Glenn would inform the committee chair that the motion could be resubmitted for Senate approval next year and that, meanwhile, the committee can invite whoever they want to their meetings.

3. We briefly discussed concerns of the Nominations Committee about the timeline for filling committee slates in relation to Senate elections, sabbatical approvals, and tenure decisions. Nominations committee members feel it would be helpful for these matters to be decided before they solicit committee preferences from faculty members. We agreed this wasn’t a large problem, since such decisions affect only a small percentage of faculty members each year. We also suggested that the Nominations Committee solicit committee preferences and fill slates earlier, to leave time for replacing any faculty members who won’t be able to serve on committees.

4. Joe Kelly’s motion to add pedagogical diversity training under the list of evidence for teaching effectiveness will be reviewed by the Faculty Welfare Committee on March 27. We agreed to advise Joe to bring it to the Senate himself at the April 2 meeting.

5. We discussed changes that the Committee on Institutional Effectiveness wants to make to their committee structure. Rick wondered why they suggested having two designees from Academic Affairs. We also thought it might be a bad idea to remove the designee from Institutional Research from the committee. We wondered as well about removing CHE approval from the committee’s duties and whether the committee really needed 9 members. Glenn will provide feedback to the committee chair and suggest she resubmit the proposal next year.

6. Finally, we discussed Rick’s idea to have the library manage the policy website since librarians are experts in information management systems. While there was not general approval of the idea, we thought librarians could at least be responsible for archiving policy information.
By-Laws Committee Minutes  
February 15, 2013

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker, Heather Alexander

1. The committee met with college attorney, Kathryn Bender, to discuss overlap between the FAM and the college’s policy website.
   --Ms. Bender said that faculty and staff policies tended to be bifurcated on every campus she’s been on. The problems we’re having are apparently fairly common.
   --Committee members said they’d like to see faculty policies all implemented at one time, at the beginning of the academic year, which would be some time in August. (An exemption to this would be policies that involved legal issues, such as new state regulations or existing policies that had been declared illegal—such policies might have to be implemented as necessary during the year.)
   --We also discussed some faculty listserv problems. It’s difficult to send official announcements to the entire faculty, since the faculty listserv now works on an opt-in basis. Important messages (such as those announcing faculty elections) need to come from Academic Affairs, but this creates its own set of problems.
   --We discussed the possibility of researching other institutions to see how they handle policy issues. Ms. Bender volunteered to begin the process by posting an enquiry to a college attorney listserv she participates in.

2. We discussed the problem of how the by-laws amendment process should work when proposed changes come from our own committee. If by-laws changes are proposed by senators or other committees at a Senate meeting, they are remanded to the By-Laws Committee for review and cannot be voted on until the following Senate meeting. It’s not clear if the same process should apply to our committee. The consensus seemed to be that it probably shouldn’t, even if past speakers of the faculty have interpreted the FAM as requiring the one month period before a vote could take place. Glenn will draft a motion stating that proposed changes to the by-laws coming from our own committee need NOT be remanded to our committee unless substantial changes to the proposal have been made on the Senate floor. He will also e-mail committee members the by-laws changes from last year that never made it to the Senate for a vote (because of the one month review period).

3. Despite our inability to definitively determine whether the omission of the sentence from the FAM requiring a majority of senators on Senate committees was deliberate or accidental, we agreed that it makes sense to require that at least one senator serve on each Senate committee. Glenn will draft a motion to this effect.

4. Finally, Glenn will work on official wording of the Academic Standards Committee motion (approved at our January 28, 2013 meeting) to add a non-voting, ex-officio member from the registrar’s office. He will e-mail a draft of the motion to committee members.
By-Laws Committee Minutes  
January 28, 2013

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker, Heather Alexander

1. Heather reported that the sentence about a majority of the members of Senate committees having to be senators was present in the 1999 version of the FAM, but was absent in the 2001 version. The 2000 version of the FAM was missing from the library archives, but Heather is currently searching Senate minutes from that period to see if she can trace whether the omission was purposeful or accidental. Glenn suggested that if we can't solve the mystery by the time the Nominations Committee has to act this spring, we'll need to operate on the assumption that the rule about a majority of senators is still in effect.

2. We approved the motion from the Academic Standards Committee (first considered at the Oct. 5, 2012 meeting) to add a non-voting, ex-officio member from the registrar's office.

3. We decided to remand to the Faculty Welfare Committee Joe Kelly's proposal to add “diversity training” to the list of items that constitute evidence when evaluating teaching for T&P purposes. In addition, Glenn will copy the T&P Committee on the memo, for their information.

4. We agreed to invite the new college attorney, Kathryn Bender, to the next meeting of the By-Laws Committee. The main issue we want to speak with her about is the relationship between the FAM and the college policies website. We also debated inviting Julia Eichelberger, a Faculty Administrative Fellow appointed to work on this issue, to the same meeting, but decided it might be more productive to invite Julia after we talk to the attorney, if we feel it is necessary.

5. Deanna reported on ongoing FAM revisions.
   a. The committee approved changes Brian McGee made to the section dealing with Committees of the College.
   b. The HR changes that simply update policies or else refer FAM users to the policy website have not yet been officially approved by HR, but Deanna believes we can move ahead with these anyway.
   c. The Equal Opportunity/Affirmative Action section, which our committee thought might fit better on the policy website than in the FAM, is a bit more complicated. Deanna is still conferring with Ed Pope (Human Resources) and Kathryn Bender (Legal Affairs) about this section.

6. Finally, we decided not to go ahead with our earlier plan (from the Nov. 30, 2012 meeting) to add a policy website specialist from the President's Office as a non-voting, ex-officio member of our committee. Our reasoning was that this By-Laws change would be permanent, even after the need for policy website discussions might have passed. In addition, it would be difficult to ensure that the President’s designee would necessarily be a person with policy website expertise.
By-Laws Committee Minutes
November 30, 2012

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker, Heather Alexander

1. We talked briefly about the problem of committee size. (This discussion grew out of the Academic Planning Committee motion to add a non-voting, ex-officio member that we’d considered at our Oct. 5 meeting.) We agreed that Glenn would e-mail chairs of faculty committees asking them to consider the proper size of their committees.

2. Next, we discussed possible procedures for keeping better track of FAM changes and for making sure the FAM and college policy website are in agreement.
   --We noted the By-Laws changes are easy to track; it is other policy changes that are more challenging.
   --Rick suggested the possibility of forming a policies committee, but there was a sense that this might over-bureaucratize the problem.
   --We discussed adding to the By-Laws Committee a non-voting, ex-officio member who would be the person from the President’s Office in charge of the policy website.
   --We discussed the possibility of coming to some kind of agreement in principle about what kinds of information should appear in the FAM and what should appear on the policy website. Some committee members thought it might be helpful to have these general principles put into writing; others thought we could really only make such decisions on a case-by-case basis.
   --Rick noted that he thought all changes affecting faculty (whether in the part of the FAM the faculty controls or not) should go to the Senate floor for information.
   --We talked briefly about utilizing some kind of software that could track policy changes, but this solution, if possible, seemed to be pretty far in the future.

3. We established some issues to be discussed at future meetings. Things we would like to accomplish in the spring include:
   a. Coming up with language for a non-voting, ex-officio President’s Office representative to be included on the By-Laws Committee.
   b. Setting a calendar for FAM changes and updates, in the hopes of getting the FAM out in a timely fashion.
   c. Possibly inviting the new college attorney to one of our meetings to discuss FAM versus policy website issues.
By-Laws Committee Minutes  
November 2, 2012

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker

1. Glenn Lesses reported that Heather Alexander is still trying to track down when the language requiring the majority of members of Senate committees to be Senators dropped out of the FAM. While this language no longer appears in the FAM, the requirement still exists on the Senate website. We’re trying to clear up the inconsistency.

2. Glenn reported as well that he’d spoken with Burton Callicott about the motion from the Academic Planning Committee we’d considered at our Oct. 5 meeting. Burton will ask his committee to address the issue of the number of faculty members that should be on Academic Planning.

3. FAM Revisions. We continued our discussion of Deanna Caveny-Noecker’s proposed FAM revisions, focusing on the following specific issues:

   a. Equal Opportunity/Affirmative Action Policies (pp. 68-69). After some discussion, we agreed that, while we might want to leave in a sentence or two from the newly proposed first paragraph, this section of the FAM should direct readers to the policy website.

   b. Committees of the College (beginning on p. 44). In general, we still found the language here confusing. We wondered what was meant by the phrase, “committees of the college.” Doesn’t this implicitly refer to ALL faculty committees? We agreed that there are certain standing committees (like Sustainability) that should be under administrative control. But Senate committees and faculty committees should NOT. We agreed that Deanna would work to clarify this language with Brian McGee.

   c. Code of Conduct (p. 59+). Because this policy seems to apply specifically to faculty, we thought it should stay in the FAM, but we were concerned that the FAM language should match the language on the college’s policy website. We decided that we could insert language at the policy website that says the FAM is the authority in this case (and that a link back to the FAM could be included on the policy site as well).

   d. Sabbaticals (pp. 164-165). We discussed the timing of sabbaticals as well as the issue of Senior Instructors and sabbaticals. We wondered if the new language would disallow sabbaticals for Senior Instructors because of the emphasis on “intensive research” and “creative activities” and “professional development.” Perhaps the word “or” would be more appropriate than “and” here? We concluded that Deanna would bring this issue up with the Faculty Welfare Committee and keep the By-Laws Committee updated.

   e. Board of Trustees and Annual Evaluation of Administrators (pp. 40-41; p. 75). We agreed to discuss these changes via e-mail because of time constraints. Later, on e-mail, we agreed that the proposed changes were acceptable.
By-Laws Committee Minutes
October 5, 2012

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Lynn Cherry, Deanna Caveny-Noecker

1. Lynn Cherry reported that she had met with the Student Government Association, which wanted to re-institute the possibility of having students serve on certain college committees. This will be an ongoing discussion.

2. We discussed a motion from the Academic Planning Committee to include in the committee membership a non-voting, ex-officio representative from the Registrar’s Office.
   - We decided to approve the motion in spirit, but to check with the committee about other issues, such as committee size and student representation, before officially voting on the motion (in the hopes of avoiding the need for additional by-laws changes and separate votes in the near-future).

3. Deanna Caveny-Noecker led a discussion of changes to the FAM involving the removal of certain policies that also reside on the College’s policy website. We approved several minor, mostly non-faculty-related changes that Deanna suggested. We agreed to look more carefully at the following changes:
   - Brian McGee’s proposed revisions to the FAM section on the Committees of the College of Charleston
   - The faculty Code of Conduct (We need to discuss more thoroughly where this belongs—the FAM? The policy website? Both?)
   - Changes to the FAM sabbatical section, which were made to match the sabbatical policy as distributed last year and this year
By-Laws Committee Minutes
September 7, 2012

In attendance: Glenn Lesses, Rick Heldrick, Susan Farrell, Sarah Owens, Lynn Cherry, Deanna Caveny-Noecker, Heather Alexander

1. The committee agreed to a Fall 2012 meeting schedule—11:00 Fridays on Oct. 5, Nov. 2, and Nov. 30 (if necessary).

2. We discussed membership on Senate committees.
   • Glenn Lesses reported that the Nominations Committee has had trouble filling committee memberships. This is partly because the requirements for committee membership may be overdetermined. In addition, there used to be a sentence in the old FAM that said a majority of the members of Senate committees must be Senators. This sentence is still on the Senate website, although it doesn’t appear in the latest version of the FAM.
   • We agreed that Heather Alexander would research previous editions of the FAM and old Senate minutes to try to determine when the sentence last appeared and whether its omission was intentional or accidental.
   • We also discussed some more substantial questions about the membership of Senate committees versus regular faculty committees. The FAM says Senate committees deal with long-range issues and other committees don’t. But this isn’t really true in practice. This is an issue we might want to revisit later in the semester.
   • Lynn Cherry reported a problem with the T&P and post-tenure review committees. Some members on these committees feel there is an unofficial rule that no one coming up for review should serve on either committee. We discussed whether this unofficial rule should be made official. Most of us seemed to think that coming up for post-tenure review shouldn't preclude serving on the T&P committee and vice-versa.

3. We discussed the problem of some committees conducting all of their business electronically.
   • Lynn Cherry reported that she recently discovered that the Academic Standards Committee had been meeting exclusively via e-mail for the previous 3 years, so no minutes of their deliberations are available. Most of what they’d done was deciding on individual petitions, but some items did have to do with standards. She wondered if any other committees are using similar practices. The college’s by-laws are silent on the issue of electronic versus face-to-face meetings, but they do require the keeping of minutes. She asked how the committee thought we should address this issue.
   • The group’s preference seemed to be not to legislate such issues in the by-laws. We suggested that Lynn, in her role as Speaker, could remind committees of the need for keeping records, especially of votes taken.
4. We discussed the 2012-2013 FAM.
   • Deanna Caveny reported that Heather Alexander and Sandy Hull have gone through the Senate minutes for this year and last year and made changes that need to go in the latest version of the FAM. Heather has edited the most recent FAM, but members of the committee agreed to help proofread the changes. Deanna will make proofing assignments.
   • Deanna also reported that college policies that reside on the policies website (non-discrimination, non-harassment policies, etc.) need to be pulled out of the FAM. The revised version of the 2012-2013 FAM should be posted soon.