

MARCH 10, 2006 – COLLEGE SENATE MINUTES – DISCUSSION OF BYLAWS CHANGES

BYLAWS COMMITTEE: Sen. Cramer provided an overview of the process to be used for the review of by-laws revisions. At today's meeting, the topic would be discussed. At the March 31 meeting, votes would be taken on each motion. Articles VIII. And IX outline the steps involved in amendments to the College Senate Bylaws, after they are approved by the Senate. Campus members vote on recommended motions; those voters are identified in the By-Laws -- administrators, faculty, and professional staff members. Then, as per Article IX, all approved motions are presented to the President for final approval. Any motions defeated at the next Senate meeting could be reconsidered by the next year's Senate and the next year's Bylaws & Elections Committee, if the Senate Chair so designates.

Sen. Cramer pointed out that when the college moved to reorganization that involved the identification of a fourth School, the School of Education, the College Bylaws and Elections committee was asked to look at that action in terms of issues of representation and the size of the College Senate. Last Spring, a number of open forums were held as well as during this year. The recommendations prepared by the committee emerged from many conversations, testimonials and other input the committee received through participation in an online survey, as well as a written survey last spring.

The five basic premises of the by-laws revisions were shared with the Senate via PowerPoint (see PowerPoint slides provided at the end of the minutes). The first was voter disenfranchisement. In some cases, people serving in roles outside their primary areas of responsibility have not been on a voting list of any unit other than the at-large College Senate. There were many different ways that the committee could have approached that topic, but the one that emerged for them as the most clear and fair and equitable was that we would ask that any voter disenfranchisements be the responsibility of the relevant units. What that would mean, if someone is missing from a voting list in one unit because the unit's bylaws prohibit that individual from being part of that unit. That actually happens in a number of places all across campus. That unit would then rethink its own bylaws and it would not be the responsibility of the senate to set up a separate and different structure. This relates to both voting in and running for office in both an at-large election and the unit affiliate election.

Their second overall principle emerged from discussions last spring that we are in support of adding one member of the college support staff to the College Senate. Initially, when we considered this option last spring, we were not aware whether this was a practice in other SUNY Senates and we found out that it is on two campuses. That was through the work of Parliamentarian Gellin who analyzed the different representations that existed. That is one of the motions the committee will bring to the Senate.

The committee then looked at how to think about the college and the College Senate in terms of representation. These ideas are included in Motion 3.

Motion 4 contains another guiding principle -- the faculty would always under any circumstances be the majority voting membership of the Senate. Because most of the activities relate to curriculum or other academic principles in which faculty are seen to have input in a very unique and in fact some college have only faculty members on the College Senate, there are no other representatives at all, we did not want to go in that direction. We didn't feel that an all-faculty Senate was appropriate for our college; however, we did realize that we could easily slip out of a faculty majority Senate and so we wanted to incorporate that into the bylaws, which, as you know, if it's not in the bylaws it doesn't exist.

Our last statement which is not stated in the bylaws but has been implicit but not explicit is that the individuals who serve as our University Faculty Senators would be full-time faculty members.

The PowerPoint slides showing the make-up of the Senate under different scenarios were shared and discussed.

The first motion is the recommendation that the college support staff have representation on the College senate in the form of a single seat. She asked if there were comments or questions.

Sen. Kennedy asked who would be considered support staff.

Sen. Cramer said it would be individuals who served in support positions, generally frontline people in offices across campuses.

Sen. Bihr added it would be people who were not represented by the faculty and not by the PSC. Sen. Hotchkiss said effectively there would be nobody on the campus who was not supported. The entire campus community is represented.

Discussion of Motion 8, change in size of the Senate, took place. Sen. Cramer said the committee went back to the discussion of last year and took the most radical approach by saying they would make the Senate significantly smaller. Information from the survey (results of which have been posted on the Senate web site since February) were shared.

Sen. Netzhammer asked if support staff also would include Research Foundation and Buffalo State College Foundation employees.

Sen. Bihr said he didn't believe the committee addressed that. He believes we are talking about state employees.

Sen. Netzhammer then asked if we are looking at the disenfranchisement of employees and now we are going to have a support staff person are we then creating a situation in which support staff would be eligible to vote for and run for at-large positions on the senate as well?

Sen. Bihl said “Yes.”

Sen. Cramer asked if there were any other question on support staff. Hearing none she proceeded to **Motion 2** on Disenfranchisement and the recommendation that the disenfranchised individuals would be the responsibility of the relevant unit.

Sen. Fish asked for an example of this.

Sen. Cramer responded that John Siskar has been serving as interim director of CEURE for some time and it is her understanding that he does not appear on the A&H voting list nor does he appear on the Education voting list.

Sen. Netzhammer said that is incorrect.

Sen. Cramer then said NSS bylaws state that if you are not serving in your primary capacity as a member of that unit, then you are not represented in that unit. Is that correct? She thought Lee Ann Grace was also not represented in A&H. Is that accurate or inaccurate?

Sen. Netzhammer said he believed so, but would have to check.

Sen. Cramer said that those are the kinds of people that are in different roles on campus and from our perspective appear to be related to the bylaws of the unit. So it is our proposal that the Senate not be responsible for making sure that someone is on two voting lists. The relevant unit, such as one of the four schools, the library or some other place, would make sure that all voters are eligible to vote in two elections..

Sen. Maldonado said she had two questions about the motion. The first would be for faculty who do not fall into a school, they would not have the opportunity to be in two elections. Her example would be members of the writing program, who are University College in their status and they would not be on any school’s roll. Where would they fit in?

Sen. Cramer said Sen. Gellin had identified a similar situation where if individuals did not have an identified unit that they selected one with which they chose to affiliate. In the case of the writing program, they might choose one of the four schools to affiliate with and almost all schools contain individuals who are part of the dean’s area or a specific department.

Sen. Maldonado said her second question was whether the Senate had the authority to insure that the schools would change their bylaws to enfranchise people.

Sen. Cramer said the Senate did not have the power to do that but by putting this into the bylaws the committee felt that they were relinquishing the responsibility to the schools.

Sen. Maldonado asked if this motion were to carry and we had faculty members that existed without representation in schools that do not change their bylaws or faculty members who existed in a place where they would choose their affiliation, while that would ensure their voting rights, she would question their ability ever to be elected by those schools only because they are not involved in the day-to-day operations of that school, not knowing the concerns of the constituents, so she would raise this topic as a concern for this discussion.

Sen. Cramer asked if there were any more questions. Hearing none, she moved on to Motion 3 relating to Senate structure including the four groups outlined in the motion.

Sen. Park asked where University College would be placed in this motion.

Sen. Cramer said University College would be part of the faculty and that the faculty members would be affiliated with their relevant schools and the professional staff members would remain with the professional staff caucus group.

Sen. Park asked about his ability to be both a member of University College, and wanted to run for the office in the Senate. He wanted to know about his status as a candidate.

Sen. Cramer indicated that according to the current and proposed by-laws, he would be eligible as a member of the professional staff to run in the at-large elections. She also shared that one of the discussions that took place in committee was whether or not it possible for people to secede from their recognized unit and form a new unit. For example, would it be possible for people who would be otherwise part of professional staff caucus to say, "I no longer wish to be associated with professional staff caucus; I wish to be associated with whatever unit it is." We decided that that became much too complicated if we started creating entities that required people to secede from one group that they were hired under and then become part of a different group. Motion 3 is the resolution of this discussion.

Sen. Park said the implications of proposal as submitted would force, say me, to vote in competition with fellow professionals but that is now a smaller group in this enfranchisement. How many professional staff would there be under the new proposal?

Sen. Bihr said that next year the number would remain unchanged -- approximately 375, depending on attrition.

Sen. Levin-Stankevich asked if the other models reviewed were Faculty-only Senates as opposed to College-wide Senates.

Sen. Cramer said at the December Senate meeting, everyone received a copy of the report in which the Senate structures were reviewed. There were 3 Faculty Only Senates out of the 16 SUNY schools that were reviewed and the rest were mixed. By far, the Buffalo State College senate is the most inclusive.

Sen. Cramer then turned to Motion 4 regarding faculty being the majority voting membership. There were no questions on this motion.

Sen. Cramer then moved to Motion 5 on Graduate Representation on the College Senate. It is their understanding there is a process being undertaken to look at how graduate students would be eligible to run and vote, because right now USG requires that students have to pay activity fees to be eligible to vote.

Sen. LaFontaine said that the USG constitution states that a student does have to pay an activity fee to be on USG but it clearly states that in order to run for FSA, Grant Allocation Senate, College Council, and College Senate, you do not have to pay an activity fee. There are now graduate students on the Senate.

Sen. Cramer said they were apparently misinformed. She apologized for that and said the committee will welcome a motion at the next meeting to replace this motion.

Sen. Maldonado had a follow-up to Motion 5 and was wondering why graduate students mentioned a motion to revisit it but University College didn't.

Sen. Cramer explained that Motion 5 deferred action because it was the committee's understanding that there is still further discussion to take place. With regard to University College, the recommendation was considered final because no further information was considered to be needed to lead to a different decision.

Sen. DeNisco asked if he could clarify that. There were two separate issues in terms of graduate students and graduate faculty. The committee felt that both graduate faculty and University College would be represented by the groups that we have indicated. We were not quite sure in terms of resolution of USG and student government in terms of how graduate students would be represented.

Sen. Cramer then moved to Motion 6, the clarification of "student" going back to the beginning of this academic year. The committee's recommendation was that if someone is a full-time faculty member or staff member, even if they are taking one or two courses, they would still be eligible to serve on the professional welfare committee, in the spirit that they represent the faculty or staff, rather than students. There were no questions about this motion.

Motion 7 – Clarifying that University Senators must be full-time faculty members. There were no questions or comments.

Motion 8 – Recommended ceiling size of 40 persons. There was reduction across the board. Recommended percentages will be posted on the College Senate web site.

Sen. Friesen wanted to go back to Motion 7. He said there are a large number of adjunct faculty in his (the Design) department. He gets frequent mail regarding representation for

part-time and full-time temps or adjuncts, or lecturers. He asked if they are addressed in this motion.

Sen. Cramer said the committee decided that they were not going to include them. She referred to the editorial change referencing the updated Board of Trustees Policies of 2001 (on page 4 of the recommendations), Article II, part B, "Members of the academic staff of a faculty, having academic rank and term or continuing appointments." The college is governed by these policies. This plus the survey results led to the committee's decision not to that a representative of part time or adjunct faculty be on the Senate.

Sen. Friesen said he was asking why they could not be included as possible College senators.

Sen. Spyra asked why ex-officio members were not addressed. Was that because they are not in the bylaws or you chose just not to address the change?

Sen. Cramer responded that they are specified in the bylaws in Article II, but the committee made a decision that they were not going to address reduction of ex officio members.

Sen. Netzhammer asked in Motion 8 why the committee decided to leave the change in the Senate to attrition given that that could be a period of a number of years before there would actually be balance in the Senate based on this.

Sen. Cramer said the committee did not see an easy way to handle it because elections are taking place within the next few weeks. They did not want to ask each group to eliminate a few people and did not feel that was equitable.

Sen. Netzhammer said if the proposal does not go into effect for another year, the schools would have one year to adjust and accommodate the new structure.

Sen. Cramer said the committee had hoped to have this done in December 2005. So no recommendation was made for how this would get phased in.

Sen. Netzhammer asked if that could be viewed as a potential amendment.

Sen. Cramer said "Yes, should the motion be approved."

Sen. Levin-Stankevich stated that the bylaws of the College Senate state that there should be student representatives on each Senate committee. That would mean that with only 6 student senators, they would only be on 6 committees. That is a big concern for student constituents.

Sen. Maldonado said she did some quick math too, Sen. Levin-Stankevich. It seems as though when we look at the enlarged seats we're talking about a reduction of 56%, the six student senators, 54%, professional staff caucus 33%, and apparently faculty is

reduced by 33% as well. If instead of comparing to the present, the comparison is to before the fourth school was added, she pointed out that there is only a 12% decrease in faculty from the original model.

She stated that she is fully supportive of faculty having the majority vote given the nature of the Senate, but it seems as though other areas are taking a very significant hit to bring down the size of the senate. She raised the question of how to make sure that people can actually get elected to a position if they have been placed into a school by choice through a bylaws revision. If it is not possible to insure representation from all the groups that are charged with doing the various parts of the college mission and achieving parts of the strategic plan, whether University College, student senators or whomever it may be, she was concerned that it would be impossible to be collaborative and to have effective campus governance on our campus. An example of this was the SABRE report coming out. All should be able to have a voice in the governance.

Sen. Bihl said with regard to the past, the committee decided that the best way to do the math was to compare alternatives from this point forward. The committee did not consider going backwards a year. The reality is that there are that number of schools now so the math had to be based on the current senate.

Sen. Maldonado responded, “Indeed, but I don’t believe the faculty members have changed that much. We have an additional school, but...”

Sen. Bihl said he was just defending the math because he did it and based it in reality.

Sen. Qualls said she had a few issues to bring out. First, she was concerned about how much time was being spent on an issue where the survey has suggested that the majority of the respondents felt there should be no change. The second part concerns Sen. Maldonado’s statement. She is not as concerned about absence of representation on committees outside of the Senate hub. There are people on those committees – students, faculty, staff – who are not part of the College Senate.

Sen. Cramer responded that there were 187 respondents to the survey, a mixture of faculty, professional staff and students. She continued, “We are responding to the charge we were given, a part of which was the issue of Senate size. Our committee did its best to look at what we felt was equitable and fair and respond to the issue of size. Should this motion be defeated our hearts will not be broken. We have put conservatively 1000 total hours into this work to try to do the best we could. Are there other points to be raised?”

Sen. Mitchell had a question about future changes “with a ceiling of 40 members, for example on motion 5, would this create disenfranchisement of another group?”

Sen. Bihl said he thinks that was answered by USG when they said they do have graduate student representation.

Sen. Mitchell responded, “No not quite. Their constitution says full members cannot vote in SGA. If they cannot vote in SGA, the graduate students really are not represented.”

Vice President Payne said the question needs to be reviewed.

Sen. Levin-Stankevich pointed out that the election of graduate students is a whole different booth than undergraduate than undergraduate and USG voting. Graduates can vote the last week of March on graduate issues. One of those issues is getting representation on the College Senate.

Sen. Mitchell quoted the U.S.G. constitution, which refers to voters as being activity fee paying members.

Sen. Leist stopped the discussion, indicated that this topic is a side issue. She supported Vice President Payne’s comments that this whole issue that needs to be investigated and it is not part of this discussion.

Sen. Mitchell said, coming back to his original question, “if we put the original ceiling of 40 on it, what effect would that have on these further discussions, as Vice President Payne has suggested?”

Sen. Cramer said the committee did not address that. She clarified that the voting members were 34 with 6 ex officio.

Sen. Pendleton wanted to reiterate what he said a year ago which is that there is no constitutional law saying that if it not necessary to change, it is not necessary to change. He doesn’t see a problem with our current number of members.

Sen. Cramer said her committee took a bold stand to say this is what we recommended and if this motion comes before you and is defeated, so be it. She then said she just wanted to point out what is at the end of this document which is within the rights of the Bylaws Committee to make editorial changes and there are several pointed out. The largest one is the move from the 1968 Board of Trustees Policies to the current one, which is 2001. There is only one significant change, referred to in footnote #4. The last page is the motions that need to go before the college as a whole.

Sen. Leist thanked Sen. Cramer and the Bylaws Committee. She said this is the result of many, many hours of discussion. She asked for a motion to accept the Bylaws Committee report. **REPORT ACCEPTED.** Next meeting we will be voting on the motions as articulated so bring your amendments to that meeting.

MARCH 31, 2006 - COLLEGE SENATE MINUTES (DRAFT) – DISCUSSION OF BYLAWS CHANGES

Bylaws & Elections Committee: Bylaws & Elections Committee: Sen. DeNisco mentioned at the last meeting that there was concern with respect to some of the motions that were brought forward. The committee heard several questions on two motions and thought it would good to try and clarify some reasons on why the committee decided to bring forth these motions and their wording. Two major areas appeared to have created some of the controversy. One was the ability to work with and have representation amongst the constituency of the college that was covered in Motion #2 on disenfranchisement. What I think heard was the aspect that the committee was not including everybody, so let me emphasize that there was much discussion and debate about what inclusion meant and that took place both at the open forums, as well as within the committee with such questions such as - "How do you define a unit?" The committee felt that by identifying the groups as stated in the motion, we would be all inclusive.

Also, it was brought to my attention that some people felt that we were flippant in terms of saying it was a complex issue and we did not want to deal with it. The reality was it is a complex issue and if you look at the campus in terms of who we are, we are many units, and to work with (or cite) one unit versus another unit, for example, University College, we felt was unfair. So we started to look at that and we actually looked at many of the campuses across SUNY. Units could be individual departments, and so if you are talking about faculty, you are talking about 30-some departments. If you are talking about administrative units, there are many, within the University College alone there are over 12. You are talking about many different groups. We felt that that would have been unwieldy. You can see just from the size of this room and two layers of rows, to conduct business is sometimes a little difficult. Past Senate Chairs had actually indicated that that was the case. The committee felt very strongly that the best way to do it would be to define who should be represented the way it is stated in the motion.

Another aspect we debated in terms of a unit was, "Well, if you start to involve individual units, do you lose the sense of what we have here in this body, and that is a group that represents the entire college without bringing forth individual concerns." The Senate body as a whole has brought forward issues for everybody, whether related to curricular, student, or other issues. I did here many senators chime in with the "if it's not broke, don't fix it" approach and in this respect, the committee felt that that was an important element and went along with that concept. The motion is to make sure that senators continued to be included from all constituencies.

Another issue that appears to create a problem was the size in terms of a vast reduction. The vast reduction of course seems pretty big because this year we were too big with 54 voting members, after being 48 members for a long time. The reality is that the reduction was based on the number of senators prior to this. The committee did some research in terms of just who represents who on the Senate. We have 54 members this year. Of those 54 members, 32 actually served on Senate committees. Over 30% of our body is not serving in any capacity at least doing Senate business. The sense was that the real business of the Senate takes place in committees. For example, of the twelve student members, around seven of them are actually serving on a Senate committee. Of the six professional staff, 75% serve on Senate committee. About 70% of the faculty (23 out of

32) are on committees. The recommendation we brought forward took into account one of the recommendations from a member of this body – which was that we move from 54 members to about 40 members in terms of College Senate size. And while we are probably reducing our numbers down by about 23% in terms of the size of the overall body, the debate on the issues will remain alive because it will take place in a lot of other places prior to being debated on this floor. As an example, the students have the Student Welfare Committee and your many issues are brought forward by that committee and your chair who is a senator.

I have served on the Senate for a long time, and I have never seen faculty and staff who didn't have students' best interests at heart. In terms of representation overall, that support will always be there whether the number is 54 or 40.

Sen. Cramer pointed out that the Senate will be looking at the motions that were distributed at the last meeting. Copies are on the handout table as well. She hopes that the Senate will be able to address the eight motions that have been developed as a result of the committee's work over the last year and a half.

Motion 1: Recommend that the college support staff have representation on the College Senate in the form of a single seat. Because this comes from the committee it does not need a second. There were no comments for or against the motion. Question was called by Sen. DeNisco and seconded by Sen. Hotchkiss. Vote on whether the Senate is ready to vote on this motion. CARRIED. Vote on the motion: APPROVED WITH NO OPPOSITION OR ABSTENTIONS.

Motion 2: Delineates the responsibility for correcting disenfranchisement resting with the units of origin of the relevant individuals. Sen. Cramer said that at the last Senate meeting a question was asked as to whether or not there was any power that the College Senate had to assure that this took place. As a clarification, that is, in fact, included in the College Senate Bylaws in Article VII, all parts of the college that have bylaws would develop bylaws that were consistent with the College Senate. She asked if anyone wanted to speak in favor of the motion. There were none. She asked if anyone wanted to speak in opposition to the motion.

Sen. Maldonado thanked Sen. Cramer for the clarification on Article VII. She stated that her question from the last meeting was still present in her mind about the assumption that all people have two venues to run for office. The people in University College, in particular, are members of the writing program and are not part of any school, so they have only one venue would be Member At-Large.

Sen. Cramer said, "Following the principles of other SUNY institutions that individuals would affiliate with a chosen unit. That was the presumption this motion was based on. That was not spelled out here, but that was our presumption."

Sen. Maldonado said that led to her second concern with this motion in which University College also has members who could affiliate with a School but because the

preponderance of the duties are not done in the School, the reality of them getting elected out of that second venue may not be a realistic possibility for them. A writing program person who might, for instance, choose to affiliate with the School of Arts and Humanities but has never met a single person in Arts and Humanities, doesn't know what they do in department meetings, etc., she does not know if that is truly a viable option.

Sen. Cramer if there were further comments in support of the motion. There were none. She then asked if there were any other comments opposed to the motion.

Sen. Koritz asked, "Are you saying that three of the writing faculty could affiliate with one school and two with another?"

Sen. Cramer responded, "At the end of the motion, if you look at the change to the wording, "...All faculty members and staff members should be eligible to run and vote in two election, the College Senate at large election and one unit affiliation election." The motion does not spell out how the individuals would select a particular area.

Sen. Koritz asked, "So some people would have the option of choosing any unit and switch from time to time?"

Sen. Cramer responded, "For clarification, the process we were following was what was spelled out in other bylaws of other SUNY governance units. That was that the individuals are responsibility with which they will affiliate, if they are not affiliated with a specific unit already."

Sen. Gellin said that "The Stony Brook Model states that an entire unit will affiliate with one of the prescribed units. At Stony Brook that would be Health Science, Engineering, Applied Science and Liberal Arts. If there was a University College, that group would have to affiliate with one of those schools, but here we felt more individual because essentially the problem arose because of certain individuals being disenfranchised and the fact that they had history with individual schools. As a committee, we decided that they should affiliate with the school that closest to their academic discipline."

Sen. Cramer said, "One of the practices of the bylaws is to remain general and not specific and that is why things are worded as generally as they are.

Sen. Maldonado said "I was just wondering would most people be accepted if they wanted to affiliate with a specific school? Or would the School have the opportunity to say, 'no thanks.'"

Sen. Cramer said the committee was really not anticipating that this would be a problematic situation. It was their expectation as they looked at the overall campus issues that were out there, that people who were straddling two roles, for example the people involved the CEURE program, as well as people in University College, that they would find a welcoming situation. That was the committee's hope and expectations. She asked if there were comments in support of the motion.

Sen. Qualls said, “We need to consider the implications for people aligned in an individual unit. Again, there is a general rule, according to the bylaws, but if someone wants to align themselves with a unit, what do they do? Will the unit accept them and what are the implications for the unit in terms of voting, being active in a department; how is that going to play out? There are other things that have to be considered. The motion needs to be more clearly stated so that a department or unit itself can know that they are not getting into something they don’t know anything about. They did not hire this person. They did not interview this person. I don’t know how to handle that, but I’m bringing that up as a matter that we need to think about.”

Sen. Hartman said, “If we think about the people in the writing program, I’m assuming Dr. Susan Leist and Dr. Jan Ramsey had something to do with the hiring. I don’t think anyone in any of the schools would ever question the arduous, thoughtful process that they went through to hire those faculty. If they were hired to teach in the writing program, I would think that A&H would be happy to have them participate in faculty meetings, etc.”

Sen. Kennedy asked, “Would it also be true that we’re not saying someone affiliates with a department; they are affiliating with the School? So, they are not sitting in department meetings and deciding academic policies for a department that you don’t teach in, right?”

Sen. Cramer said what the committee was thinking about the units we mentioned faculty Schools, and Professional Staff Caucus and Librarians. Their expectation was that each case would be dealt with by the relevant unit and places would be able to be developed that were reasonable ones. She asked for further comments; there were none.

Voting on Motion 2 that recommends that disenfranchisement of any individuals is dealt with by the relevant units.

IN FAVOR	23	
OPPOSED		18
ABSTENTIONS	1	MOTION

CARRIED

Motion 3: to define the College Senate structure very specifically. Sen. Cramer said, “As is indicated now, the College Senate structure is not defined. The recommendation of the Bylaws Committee based on all the input we received was to specifically define Faculty (which would be the four Schools and the library), professional staff members, support staff members, students, and administrators (non-voting).” She asked if there were any speakers in favor of the motion or opposition to the motion. There were none. The question has been called for and I will accept that as there were no comments have been made.”

Voting on Motion 3:	IN FAVOR	34
	OPPOSED	3

CARRIED

Motion 4: Recommendation that the “faculty be the majority voting membership of the College Senate”. This was based on a review of 15 of the College Senates in the SUNY System in which they were either all faculty or faculty majority. Sen. Cramer asked if anyone would like to speak in favor of Motion 4. There were none. She asked if anyone would like to speak against the motion.

Sen. Park asked if there had been any evidence in other schools or at Buffalo State College of situations where professional staff created sufficient difficulty that they needed to be specifically regarded as minority members.

Sen. Cramer said, “We did not think the issue was the difficulty in any way. It was just that most of the Senate business has to do with faculty related matters such as curriculum, academic plan, and so forth. The notion was that with the majority being lost to the faculty by the action that we just took in Motion 1, the faculty as we showed you in the last College Senate meeting would drop to 49%. The reasoning behind this motion was to make sure that would not happen.”

Sen. Park asked, “Wasn’t Sen. DeNisco speaking in favor of the notion of the ability of some people to speak on behalf of others?”

Sen. Cramer said, “The whole College Senate premise is an open dialogue and I think that this committee has worked very hard to look at how that would continue in a way that would support this Senate.”

Sen. Veira asked for a point of clarification, “Has our Senate had ever been in a position where they were not in the majority?”

Sen. Cramer said she did not know.

Sen. Levin-Stankevich said, “Based on the information that we’ve been provided my only concern is that we have to be careful. I am not opposed to a faculty majority; in fact, we currently a faculty majority. The one part of the proposal is if any controversial issue comes up in the future in the new proposal, faculty, no matter what, if they band together, would have any say over any situation. Whereas, in a true Senate, there should be an ability to have a change of power. Checks and balances are a huge part of society, so this is one thing that is of great concern to students. If any issue comes up that ever is very controversial, and I have been a member of the Senate for two years now, and there have been very few of those in all reality. But if there ever is a concern like that in the new proposal, it’s law. This isn’t a faculty senate and that’s a really big influence, so equal representation visited.”

Sen. Kennedy pointed out that given the nature of faculty you do not have to worry about them all voting the same way (laughter).

Sen. Cramer thanked her for her comment and agreed that if you looked back on voting in the past, it would be very unlikely that you would see ever all faculty on one side and everyone else on the other. The committee felt that it needed to clarify this as a governing principle and make this recommendation.

Sen. Maldonado said, "I find this particularly troubling for the same reasons as Sens. Park and Levin-Stankevich. In the past, we used to have separate bodies that did separate things and it seems to me that this is creating a rule of law that would take us back in this direction. It seems as though by discounting the credentials of the other folks who have been enfranchised to be in the Senate, and their experience at the college and the contributions that they make, it doesn't seem as though we are doing justice to what the College Senate as Buffalo State configures it, is supposed to be, that is a triumvirate representation of the people who are concerned about the academic and co-curricular lives of our students. This may be premature because it seems as though this is being put into place to take care of any swing of power that might occur in the future. Putting something like this in writing and making us the driving force, really diminishes the voice of the other folks that are being invited to the table so long as they don't have enough power to do anything."

Sen. Cramer said, "I think that you've attributed a lot to this motion that is not there." She asked if there were any other comments.

Sen. Hotchkiss, a Bylaws committee member, said, "I just wanted to reinforce the notion that that is not the intention of this particular motion. The faculty have been the majority on this senate for probably 20 years, and has anybody suffered because of that? I don't think so. Other groups have always been invited. We have 12 students. The 12 students voted in bloc just now against something. Does that prove anything at all about the faculty? The faculty don't vote together. We've always been a majority; that is simply that. Our committee recommended that we allow other people on this Senate who never were on the Senate before. We want to include everybody and we have specific motions that have been voted on to make things more inclusive. What more can we do? This is not to exclude anybody or to reduce anybody's vote or power. We are including people with these motions."

Sen. Koritz said, "It seems to me that we could vote in favor of this motion and then countervene it by amending motion 8. This seems to be redundant and we should treat it as part of motion 8."

Sen. Cramer said, "We specifically separated it because it was our intention to clarify the governing principles and incorporate that into the bylaws. It was done very deliberately."

Sen. Levin-Stankevich asked if the question was called yet.

Sen. Park said he agreed with what Sen. Hotchkiss just said, but if the college has a 20 year tradition of faculty majority rule it seems almost aggressively defensive to feel the need to codify that.”

Sen. Cramer asked if there were any additional comments. Hearing none, she said she assumed the vote could be taken.

VOTING on Motion 4 as worded:	IN FAVOR	23	
	OPPOSED	16	
	ABSTENTIONS	3	MOTION

CARRIED.

Motion 5: Recommend that, after some time, the College Senate revisit the representation of graduate students on the College Senate. (No Bylaws changes recommended.)

Sen. Cramer said this motion was put forwarded because there seems to be some confusion about the way in which the graduate students would be elected and elected to the College Senate. The committee was not in the position at this time to make a recommendation as to how this would take place.

Sen. Levin-Stankevich said he had an excellent conversation with Sen. Mitchell and some current graduate students and hopes to bring a resolution to that issue as to new understandings and insights as to the thinking behind that. He will probably present it to the bylaws by the end of the year or start of next year.

Sen. Cramer said we would look forward to that. She added that this motion simply helps to address a topic that has come up and encourages further reflection and action at a later time.

Sen. Salas said she believes in what the Senate does and would like to participate in the future as a graduate student.

There were no further comments. Sen. Cramer called for the vote.

Voting on Motion 5 as worded:	IN FAVOR	38	
	OPPOSED	1	
	ABSTENTION	1	MOTION

CARRIED.

Motion 6: Recommend clarification of “student” with regard to service on the Professional Welfare Committee only. Sen. Cramer said that the current Article III. Section F, subsection e. says that the Professional Welfare Committee would have no student members. This became an issue when there was a person who was both a student and staff member. The committee took this under advisement in belief that anybody who was not a professional worker was discussing professional issues and service issues

should not be allowed to serve. Students were specifically excluded from that committee but the By-Laws committee members made a distinction between individuals who are first and foremost students and those who are full-time faculty or staff member but also taking a course or two. The clarification here is to not exclude individuals who are full-time faculty or staff members who may be taking courses. She asked if anyone wanted to discuss this item.

Sen. Koritz asked if the charge of the Professional Welfare committee is also to deal with questions of the professional welfare of part-time faculty and staff.

Sen. Cramer responded that it has to do with the contract negotiated by the bargaining unit, current policies of the Board of Trustees and the Buffalo State bylaws. It should be responsible for all matters concerning faculty welfare.

Sen. Koritz said, “So that’s a yes. The language of the contract includes part-time. So my question again is do we say, No, we don’t want part-time staff to discuss their own position so they get on Professional Welfare. It would exclude part-time people from that discussion.”

Sen. Cramer said she did not think that was the intention of the committee. The committee intended to differentiate between people who had a part-time job and full-time faculty or staff that may be taking a course. Each unit decides if they include adjunct faculty, and if they do, the individuals are on the approved voting list of the unit. The committee was not attempting to draw that distinction.

Sen. Koritz said, “As it is worded, it would exclude them so if NSS decides to include them, they could not do that?”

Sen. Cramer said, “They could take any role at all. The main question is whether an individual could serve on the Professional Welfare Committee in College Senate if they were taking a class.” Adjunct faculty could serve on the committee, as long as they were not “primarily” students.

Sen. L. Gleckel said, “Under the recommended change, it says, for example, ‘no members who are not full-time faculty or staff members.’ She moved to delete that phrase. Seconded by Sen. Koritz.

Sen. Cramer called for a vote on Sen. L. Gleckel’s motion to delete ‘no members who are not full-time faculty or staff members.’

VOTING ON THE AMENDMENT: (voice vote, carried) CARRIED WITH ONE ABSTENTION.

Sen. Cramer said, “So the motion now reads so that the e.g. now starts with the word “Note.” She asked if there was any further discussion of this motion.

Sen. Wadsworth said, “With the notation for full-time faculty or staff excluded, would this allow a teaching assistant to serve as a staff member or primarily is considered a student? Does it undo what the committee intends to do, that is to allow people who are primarily students but have some part-time professional affiliation with the college to now serve on a committee where, historically, they wouldn’t have before?”

Sen. Cramer said she thinks that narrows the possibility but she is willing to say she thinks the intent is there and hopefully in the future and hopefully in the future the chair of Professional Welfare would look at this language and clarify what we had in mind, if this motion is passed. Hearing no further discussion she called for the vote.

Sen. Maldonado said, “It is my understanding a graduate student needed to be full time to receive an assistantship. Would adding something about that clarify things at all?”

Sen. Cappella said, “it would not clarify things. You can be a full-time student and a full-time worker.”

VOTING ON MOTION 6:	IN FAVOR	38	
	OPPOSED	1	
	ABSTENTION	1	MOTION

CARRIED.

Motion 7: Recommend that the University Senators must be full-time faculty members. Historically all individuals who serve as University Senators have been faculty members, but the clarification is to include the term “full-time.”

Sen. Koritz asked if the University Senate bylaws speak on this.

Sen. Cramer said they do not know. She called for a vote.

VOTING ON MOTION 7:	IN FAVOR	37	
	OPPOSED	2	
	SBSTENTION	1	MOTION

CARRIED.

Motion 8: Recommended ceiling size of 40 members be established. Sen. Cramer said this would be effective in 2007-2008 and be accomplished through attrition. The outline of that recommendation was provided and it is the committee would see if there was enthusiasm for this change. Based on comments at the last Senate meeting we seem to be leaning in the “NO” direction. Sen. Cramer asked if there was anyone who wanted to speak in favor of this motion.

Sen. Friesen said he has been in he doesn’t know how many colleges and organizations, and the bigger it is the more cumbersome it is. He would propose that we go from 40 to 26. (Laughter). He does not see where 4 people represent a school better than 3; where 6 people represent any better than 4. He thinks it should be under 4, his opinion.

Sen. Cramer asked if someone wanted to speak against the motion.

Sen. Fish said, "it seems that the constituencies this body represents have made their feelings known. They want the Senate to stay the same size or become large. It is a gross betrayal of democratic principles for us to vote against their will to make the Senate smaller."

Sen. Hotchkiss said, "I am in favor of the motion based on my experience in the Senate, with this being my fifth year. It is an unwieldy Senate. We waste a lot of time. In my experience, 30% of the Senate members ever say anything and the 2/3 are the silent majority that vote, we don't know what's on their minds because they're never heard. In a smaller Senate, people would be heard. We can't even sit around a table and it has been more unwieldy since the addition of the fourth school, automatically adding 6 more senators. It seems to him that the voice of the previous Senate Chairs and the current Senate Chair, they have all expressed how difficult it is to run a meeting because there are just too many people."

Sen. Salas said, "We should make the discussion so that people can talk. I am talking from the student perspective and able to better understand what is going on. If you want students to participate, you should train us so we can speak up. Students have to deal with school, work and being involved in school government. That is why we need 12 representatives so that 6 will represent us most of the time. We should continue the way it is. People should come to the meeting with what they have to say written down so they can speak up. They should be encouraged to speak and it will make things more democratic."

Sen. Carson said he had a question based on what Sen. Fish stated. The clear majority wants us to become larger. Did they really respond that they wanted the senate to be larger?

Sen. Cramer said that the results of the survey has been posted on the College Senate web site since February. According to the results of the survey, most of people responding thought that each of the Senate groups should "stay about the same:" students -- 48%, at-large -- 50%, professional staff -- 56%, faculty -- 53% and 45% for the overall senate. On either side there were approximately 20% recommending increase and 20% recommending decrease. What this does not reflect as clearly is all the conversation that took place in all the College Senate forums we held, where it was indicated that the accountability Senators feel in a larger Senate versus a smaller Senate. Our committee took a very clear stand with the expectation that this would either follow the vote of the Senate or not.

She asked if there were any more comments in favor of the motion. There are four more comments against the motion. She said, "I feel like there's probably a good reason to vote on this motion at this time." Sen. DeNisco moved, and Sen. Cappella seconded to call the question. Voting on being ready to vote on the motion. CARRIED

VOTING ON Motion 8	IN FAVOR	16	
	OPPOSED	23	
	ABSTENTIONS	2	MOTION

DEFEATED.

Sen. Cramer asked if there were any other recommendations from the body.

Sen. Cappella wanted to make a point of information on Sen. Kennedy’s previous comment. She wanted to point out that one Gleckel voted for it and one Gleckel voted against it. (laughter)

Sen. Maldonado asked what happens next.

Sen. Cramer said, “The 6 motions that were approved, that have by-laws implications, in addition to the two motions that were passed by the College Senate in May, 2005, will be put into ballot form and sent out to the college campus as a poll. Those will be voted as approved or not approved. The results of that process will be reported to the Senate in May. The results of the vote on by-laws recommendations will be given to the President for her approval or denial of the amendments.

Sen. L. Gleckel moved to amend Motion 8 to recommend that a Senate ceiling size of 46 members be established. Four schools at 5 senators each, At-large from 4 to 6.

Sen. Cramer said there was a need of a second. Sen. DeNisco seconded. She asked if someone wanted to speak in favor.

Sen. L. Gleckel said she was “unclear in terms of what people are unhappy with. People seem to feel 40 is too small. We could amend it any way we’d like to find a ‘happy point’ just to get an idea of where people would like to be with it.”

Sen. Maldonado said, “After the last meeting, she wants people to see a proposal she developed and which she circulated regarding disenfranchisement, part-time and full-time graduate students, etc. She used the Rowen University Model, contacted peers, and mentioned the ratio other universities used in developing their College Senates. I played around with the numbers a little bit and came up with a faculty/student ratio of one faculty member to 17 students. Revision 1 would have 48 seats. If you look at the ratio one seat for every 34 full time faculty, 1 seat for every 68 part-time faculty, 1 seat for every full-time staff, 1 seat for every 134 part-time staff, 1 seat for every 1000 students. The Rowen Model is closer to Revision 1, and is based purely on the numbers of folks in departments for faculty representation. I thought this might be a little too radical for us at this point. Revision 2 leaves seats for schools the same regardless of departmental size. I present this to you. If someone wants to make it a motion but more to the point of why I bothered is just because there I think there are ways to address the various disenfranchisements and why University College is or is not a unit.”

Sen. L. Gleckel asked if her motion was still on the floor.

Sen. Cramer said there was and given the lateness of the hour she questioned whether it was feasible to discuss Sen. Maldonado's proposal.

Sen. Leist said, "I think we have defeated Motion 8, so at this time the Senate will remain the size it currently is. If someone wants to bring this issue or a new proposal up in the fall, then we will have discussion on it.

Sen. Cramer mentioned that Sen. L. Gleckel's motion was still on the floor and needed to be voted on or withdrawn at this point. The maker and seconder withdrew the motion. Sen. Leist said, "I do agree that this is where we should leave it. Since this motion was defeated at this point, it is an issue that has much discussion. I will ask the Bylaws Committee next year to view it again and perhaps come back with another proposal on the issue of size."