

MINUTES OF A MEETING OF THE FACULTY SENATE

November 14, 2007

Speaker Steven Beer called the meeting of the Faculty Senate to order for November 14, 2007. "I don't believe we have a quorum at this point but we will proceed with the first several items of the agenda. First I would like to remind the Senators and guests that no photos or tape recorders are allowed to be in operation during the meeting, and I ask everyone please turn off his or her cell phone.

"When you wish to address the Senate please do so after you stand and identify yourself as to name and department. There are no Good and Welfare speakers so the allotted time will be used for the other items on the agenda. At this point I would like to call on Provost Martin for her remarks and perhaps also to take questions."

1. REMARKS BY AND QUESTIONS FOR PROVOST BIDDY MARTIN

Provost Biddy Martin: "I would be glad to. Good afternoon everybody. I thought I would give you an update on the dean searches. Of which as you know, or at least some of you know, there are many. The first is the Johnson School. As you know we did not hire a dean last year as a result of the search process. We are now working with the search firm of Isaacson-Miller out of Boston. And they are rebuilding the prospect pool. They will be on campus before the end of the semester to meet with the Johnson School search committee and will present them with a list of strong prospects at that time.

"The University Librarian search is going extremely well. I think some of you sitting in the audience actually serve on the committee. There were 125 or so individuals who were identified as prospects and the committee has now had preliminary interviews with a number of these prospects and is whittling down the list. I believe that the finalists will probably visit campus the beginning of the year, that is the beginning of 2008, and we should have a new University Librarian in the next few months.

"In the College of Human Ecology the faculty search committee is now established and everyone has agreed to serve on the committee, everyone who was asked. The students and staff members of the committee will be selected by the faculty search committee or by a process that faculty search committee members deem appropriate.

"Now let me stop here and tell those of you who are not part of the UFC that we changed the deans' search processes. I'll probably have to give a little bit of background. When I became Provost in 2000 I met with the UFC of the Faculty Senate and we came up with an agreed-upon process for searches for Deans. And we have been using it ever since. So, anybody in a college that has had a dean search over the

past seven and one half years knows what the process looked like. It has been a very open process and has included among other things the posting of the finalists' names and CVs on the Provost's web site, the video-streaming of the finalists talks on campus so the alums and others who can't be on campus can hear them, and public announcement of the finalists and their talks. We have found increasingly that it's difficult to get people who are in administrative positions to take part in our searches because they are so open, and we actually have one of the most open processes in the country. And so with quite a bit of regret I came to the conclusion in the late spring/early summer that I needed to work with the UFC to change our dean search process. And so I met with Charlie and the UFC about a month ago, and we came up with a revision in our approach to dean searches.

"So the searches will now be less-open than they have been in the past. And because they are going to be less-open at the end point, when we actually have finalists, than they have been in the past, I decided that we ought to have a student representative and a staff representative on the search committee itself. Those of you who served on any of these dean search committees know that that for the past seven and one half years, they have been faculty and dean only in their composition. So there will now be staff and student representatives on the search committees, and those students and staff members, as I just said in the case of Human Ecology, will be chosen by the faculty search committee members or through a process that the faculty search committee members think is appropriate.

"This will also hold for the College of Architecture, Art and Planning. There too the faculty search committee is established, and they will decide how to add staff and student representatives. Both the Human Ecology search committee and the Architecture, Art and Planning search committee will start meeting very soon, I'm sure within the next week or two. And I want to thank Brad and the Nominations and Elections Committee for the speed and efficiency and good will in which they helped us come up with a list of search committee members.

"So, those are the four searches and an announcement about the change in the process of dean searches. Do you have any questions, especially about the change in process or specific dean search?"

Professor Abby Cohn, Linguistics: "Could you say a little bit more about how the later end works and at what point faculty who aren't on the search committee would or would not be involved in the process?"

Provost Martin: "Yes. I will. It's easier to say what will not happen anymore. What will not happen anymore is that we will not post the names of the finalists on the Provost's website with their CVs for all the world to see. And we will not video-stream the finalists' talks on campus for their colleagues back at their home institutions as well

as the alumni to see. We won't do those things anymore, which probably sounds somewhat small given the way we do other kinds of searches. But I still find it somewhat regrettable, because we did have good participation by alumni, for example, in the use of the video streaming. But anyway, we have decided to do it, so let me now share my lamentations with you. We won't do those things. What will we do? Will we for example publicly advertise the finalists' talks? I don't think we should in quite the same way we have in the past. But what we have decided is that each search committee, because those faculty know their own college best, will decide what the end game should look like; how to get faculty involved in meeting the candidate, but not necessarily by virtue of putting out public announcements that they are giving a talk as a dean candidate, but find some other mechanism to ensure that faculty in that college get a chance to get introduced to the candidates."

Professor Cohn: "So there will be a mechanism whereby every faculty member of the college would have an opportunity to add something, or could it be more filtered than that?"

Provost Martin: "I think it could be more filtered than that, but we didn't make a decision about that. We are leaving it up to the process and the specific search committees to decide. In some of the smaller colleges it probably wouldn't be that difficult to create an opportunity for any faculty member who wants to meet the candidates to do that. In some of the larger, such as our own college, it might be more difficult. But of course not every faculty member has ever availed him or herself of the opportunity to meet the candidate. In fact, sometimes the attendance is rather shockingly low for these talks, so maybe it won't be such a disappointment to everyone. But I think what everybody wants is to find a way to allow as many people as possible to have contact with the finalists. Exactly how that should be done, I think, the faculty in each individual college probably are the best judges of that, as opposed to having the Provost's office decide."

Professor Cohn: "But here's the question I would raise, and I've probably have gone on too long about this. The difference seems to be about whether you come up with a mechanism that avoids the public nature of these advertisements but doesn't eliminate the option for any individual faculty to self-elect to participate, versus the changing of the public nature of it than limiting that. So that would be my concern."

Provost Martin: "I agree with you. I think the ideal would be no public announcement or that it's a talk of a dean candidate. But several people in Architecture, Art and Planning have suggested this as a way of perhaps of inviting people to give lectures that would be advertised differently, for example. I think that we are all smart enough to deal with the problem, but I don't want to dictate in advance exactly how each college does it."

Speaker Beer: "Three more minutes."

Professor Brad Anton, Associate Dean and Secretary of the University Faculty: "To what extent, or if at all, are professional "head-hunters" involved in the search process?"

Provost Martin: "Professional "head-hunters" as they are delicately called. Well, as I said, Isaacson-Miller is involved in the Johnson School search, and in the case AAP we have enlisted the help Spencer-Stuart. In the other two searches we are not using search firms. As you know over time we haven't used outside search firms or head-hunters, because we haven't believed that add enough value in the identification of good candidates at this level. But this time we simply have too many searches underway to do it all ourselves. In the case of the Johnson School I think there is value-added because there are search firms with extensive experience in the world of business schools and business-school deans. I think it makes sense there. Likewise, in AAP, I think Spencer-Stuart will have a pretty clear sense of where the likely prospects are. But it doesn't make me want to enlist search firms for every dean search."

Professor William Arms, Computer Science: "Biddy, are there any plans to speed up the search process. The process is extremely well run but seems to take a very long time."

Provost Martin: "I think that some of these changes will speed it up, actually. First of all, it's really hard, as I said, and this is one reason we are changing things. It's been really hard to convince people to get involved in a search and that has sometimes taken weeks, even months to get the people we really want to apply for these jobs to be willing to talk on the phone and then come interview with the committee. So I actually think that being able to tell people that their confidentiality will be better preserved will speed things up. That's one of the things that takes longest. First you identify really strong people, but then getting them to take part is very difficult. I think that the end game might be shorter depending on what process each search committee comes up with if we don't have to do the sort of public advertising and the really elaborate set of meetings that we have always had to plan with people in the past that takes two full days out of their schedules and typically wears them out, so that they decide to stay home. No, no that hasn't really happened."

Speaker Beer: "Thank you very much Provost Martin. I would now like to call on the Dean of Faculty, Charles Walcott for his remarks."

2. REMARKS BY THE DEAN OF FACULTY

Dean Walcott: "I will be very brief because we have great fun in store for us when we start talking about OPUF. The one issue that has concerned me a little bit is this body lacks a parliamentarian. And I am calling on any member of this body who feels that they are familiar with Roberts Rules of Order if they would be willing perhaps to help our distinguished speaker in the event some question about parliamentary procedure were to arise. If you could just identify yourself quietly and in confidence of course to Professor Beer at the end I would be grateful. That's my report unless anybody has any questions."

Professor Richard Talman, Physics: "Does the parliamentarian have to be a member of the Senate?"

Dean Walcott: "No."

Speaker Beer: "Thank you very much Dean Walcott. I would now like to commend members of the Senate for showing up because we have now achieved a quorum and therefore we can conduct the important business of the Senate. The first item of business is the approval of the minutes of the last meeting that was held September. Are there any comments about the minutes? If not, I'll entertain a motion to approve the minutes of the September 12th meeting. Motion has been made and seconded to approve the minutes of the Faculty Senate of September 12, 2007. All those in favor say aye. All those opposed say nay.

"Thank you the minutes have been approved by acclamation.

"Our next item is a report from the Nominations and Elections Committee delivered by Associate Dean Brad Anton."

3. NOMINATIONS AND ELECTIONS COMMITTEE REPORT

Associate Dean Anton: "The Nominations and Elections Committee has been busy as usual (Appendix 1). We have filled, or as you can see, we have hopefully filled a number of committees. We have a few more to go to get caught up. I thank those people who have expressed their willingness to serve.

"Also, in the background we are making progress in preparing for the Dean of the Faculty election, which will happen next semester. The Nominations and Elections Committee presented a list of candidates and came up with a group of about fifteen whom we have contacted face to face to get them to express interest in this, and it looks like we will have several people willing to run for the Dean of Faculty election. We will get back to you. That will happen next semester. Sometime early next semester we will have an open forum to meet the candidates and hear their opinions and so forth.

“And, that’s all I have. Are there any questions about the report?”

Speaker Beer: “Thank you. At this point I would like ask for approval of the slate of nominees for various positions in the faculty committees. All those in favor signify by saying aye. Opposed?”

“The slate is approved by acclamation.

“Now we will move to the next item on the agenda which is a report from Vice Provost John Siliciano on the NCAA review.”

4. REPORT ON NCAA RECERTIFICATION REVIEW

John Siliciano, Professor Law and Vice Provost: “Thank you. I just want to briefly update you. I doubt this will take fifteen minutes. We have begun the NCAA recertification for Cornell. Cornell was first certified a decade ago by the NCAA, and it’s time again. So President Skorton has formed a committee of faculty, staff, students, athletes and administrators to manage the process. As you might imagine it’s an enormously elaborate bureaucratic process with huge requirements of data. And so the committee is busy at work doing that.

“The process covers three areas, and so there are three sub committees. I should back up. The committee was formed by President Skorton. It’s chaired by Mary Opperman, Vice President for Human Resources and myself. It has extensive representation across the campus. It is working in three separate areas, and there are three subcommittees that do the lion’s share of the work for that. There is a subcommittee on governance and rules compliance. So we threw at layer at that, Nelson Roth of Counsels’ Office. We have a subcommittee on equity and student-athlete well being. That is chaired by Dale Grossman. There is also a subcommittee on academic integrity that is chaired by Professor Rosemary Avery.

“The bulk of the work is developing a self-study along the very detailed lines required by the NCAA. That will first arrive as a draft, which will be circulated widely and available on a website soon to be launched – cornell.edu/ncaa. It will be under discussion. We will visit a variety of groups on campus, the University Assembly, the Student Assembly and a variety of others including the Senate’s Faculty Advisory Committee on Athletics and Physical Education. The comments on the draft will be considered by the committee as a whole and then incorporated into a final draft sent to the NCAA. And then about a year from now they will visit for a site visit on campus to go over these issues of certification. At this point we are not anticipating any significant problems with recertification. In terms of the three areas Governance and Rules

compliance, we keep a careful tab on that all the time. The Athletics Department has staff devoted to that very issue on an ongoing basis. We haven't had any compliance issues in this period of time and we aren't anticipating any, but you can never rule them out. The process is really designed to ferret out whether we have slipped or missed anything.

"Equity and student athlete well-being - this is an issue that is probably one that we will pay the most attention to, mainly on the equity side in terms of Title IX compliance and whether we are providing all of our athletes with the opportunities that are appropriate.

"Academic integrity - we don't have the challenge that many universities do in that we don't have athletic scholarships. That removes a huge area of concern, but nonetheless there are a number of other things in terms of admissions that we need to pay careful attention to.

"So that's a basic summary. We are at the beginning of the process. We are just getting underway. But, again it's a very public process and all the work will be posted and available and we would solicit comments. I am happy to come back at any time people want an update."

Speaker Beer: "Are you willing to take questions?"

Vice Provost Siliciano: "Absolutely."

Professor Abby Cohn: "John, could you just say a little more about the implications? I mean maybe for a faculty member who isn't directly involved in any of these activities and endeavors. Should I care about this? Is it really reactive to a set of demands that are imposed on us or is a process that could lead to shifts in resources, rethinking of the relationship between athletics and other aspects of our ongoing activities?"

Vice Provost Siliciano: "I think it's both. And again we are at the beginning of the process and it's my first time through so I can't attest to how it works exactly. But my sense so far is that on one level it is a massive exercise in responding to NCAA compliance issues, to make we are doing all sorts of things and present a very extensive set of data. It would be unfortunate if we went through the process simply with the attitude of getting through certification without using it as an opportunity for reflection, and ideally all self-studies are actually self-studies as opposed to meeting paper requirements. Since I think the process is structured and the committee as you know was very carefully and thoughtfully chosen with people with a lot of insight to allow the possibility for us to brace ourselves for the expectations.

"The NCAA is interested obviously in having this happen. They are not a body that seeks to exclude or decertify a college. The last certification left Cornell with a series of

action items, which they have been pursuing diligently on a number of these fronts. Those weren't forced by the process, but they were revealed and continue, and I would expect at this time around you would want to do the same thing. These are things that matter to the University itself whether the NCAA is there worrying about Title IX or not, we will be worrying ourselves. Whether they are worried about admission standards for student athletes, we are going to worry about those same issues."

Professor Cohn: "Would it be fair that if there are issues that come up that perhaps would hinge on matters that are of greater general interests that we would hear about it through the Senate?"

Vice Provost Siliciano: "Charlie is on the committee and I think Charlie would be a good monitor of that. Again, we are interested in being completely open. I would be glad to come back and I would rely on Charlie and have representatives from the Senate Committee as well."

Professor Richard Shuler, Economics and Civil and Environmental Engineering: "John, let's put Abby's question another way. Suppose we and our playmates, that is the other Ivy League schools, were just to decide hey, it isn't worth being a member of the NCAA, what would be the consequences to the University?"

Vice Provost Siliciano: "Well I think one is that we wouldn't get to play in the same sand boxes, maybe among ourselves with our playmates. But it is a sort of ticket in a variety of athletic conferences. Beyond that I haven't really speculated on that question, because the presumption is that we want certification and it should be as I said fairly straightforward to get it. I guess I am not sure what would be the outcome other than one should be certified. And in an academic unit one would have the same kinds of issues. I am not sure that answers your question."

Professor Richard Talman: "You mentioned that there were no athletic scholarships but there's a kind of hinting of athletic scholarships in the admissions process. Is that part of your charge? And also the early admissions issue is also related, I think, to athletic admissions. So for example, an interesting question would be is there a higher fraction of athletes in early admission than in the whole admission, which I think there is. Are these issues relevant?"

Vice Provost Siliciano: "They are explored in great detail. Rosemary can speak more to this. But the scholarship issue as pure scholarship is financial aid, but then there's also a great deal of attention devoted to this sort preferences and treatment and ways of admitting athletes; how those vary in terms of academic requirements in terms of early admissions, all that is studied in detail."

Associate Dean Anton: "This effectively is the same question. All of us who teach classes are interested in the academic side of things and are very worried about academics getting compromised for the sake of athletics. As a result of this recertification procedure many, many data will be collected and analyzed. A lot of those data will have to do with the academic standing of our athletes, both how they were admitted and how they perform while they are here and where they stand at graduation and so forth. Will those data be available publicly for us to see?"

Vice Provost Siliciano: "It's all public. This is a very, very public document. It's going to be very extensive and very public. All of that is studied from admissions standards, admissions processes, academic support for athletes throughout the time they are here, graduation rates and basically the entire set of questions that you as a faculty member would want to know about the impact of admissions on the academic program and the academic support of athletes as part of the finding."

Associate Dean Anton: "I think that's terrific, because based on what I see in my own department and in our college, I suspect we have many reasons to be very, very proud in this game with the way we handle it. So I bet we could get good publicity from this."

Vice Provost Siliciano: "Most of what we do and what we worry about is well beyond what the NCAA would ever think we worry about. Our deviation is off the norm for athletes and are microscopic compared to what many universities think is just fine. But we still pay attention to those kinds of things."

"Rosemary, am I missing anything? You are closer to this than I."

Professor Rosemary Avery, Policy Analysis & Management: "No, I think you basically covered everything. Right now the subcommittee on academic integrity is drowning in data, and we are trying to put it together in a way that would answer the questions that are being raised in the Senate. One thing I would say is that we are driven by a self-study instrument that the NCAA provides for us, and we are not going very far outside the questions that we are asked on that instrument. I am collecting more data than the instrument actually asks for. But the issue of early admissions doesn't come up in the instrument. That's a question whether we will actually present those data or not. If anyone is interested you can just e-mail me and I can answer specific questions."

"John, you probably want to mention that there is an open forum."

Vice Provost Siliciano: "I'm sorry. There's an open forum on November 29 from 4:00 to 5:00 p.m. in the Schoellkopf Robinson Hall of Fame room. There will be other open forums. The web site will be up very shortly. There's a web-site mailbox as well. And the committee membership, the dates and again we will be meeting with the advisory group on that athletics and physical education of the Senate and the University"

Assembly and so forth. And beyond that, any time that Charlie signals the need for us to come back we would be happy to.”

Speaker Beer: “Seeing no further questions thank you very much Vice Provost Siliciano. At this time Dean Walcott has a series of motions to present that emanated from the University Faculty Committee of which he chairs as his position of the Dean of the Faculty.”

5. MOTIONS TO REVISE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY (OPUF)

Dean Walcott: “Thank you very much. This is a process which is best described as cumbersome and laborious. Over the passage of time the “Organization and Procedures of the University Faculty” has in various respects gotten out of sync with reality. And so this is the beginning of an effort to try and bring them back and to try and bring them up to date. And, so what I would like to do today is to start with the easy issues and then work up to those that require, it seems to me, some discussion.

“The first motion I have for you then.... I’m sorry let me back up one moment and say the procedure that we are going to follow to modify OPUF, if you folks approve, it comes from the University Faculty Committee. They recommend to this body. This body then will recommend to a meeting of the entire University faculty, which will take place in February. That will then be followed, if they are approved, by the entire University faculty by a mail ballot to all of the University faculty members. So this is the beginning of a long, laborious, and ghastly process, but one I think which was framed this way so that there would not be casual changes to this important document, which outlines the way the faculty shall be governed.

“So the first motion I have here (Appendix 2, Motion 1) for your consideration is to correct OPUF to agree, for example, with the latest version of the University Bylaws. They changed a number of the bylaws so the original OPUF simply doesn’t work. The second major change is to get rid of reference to the Sections of the Division of Biological Sciences, since that no longer exists. And third, on the advice of University Counsel, there are two words in the description of the action of the Dean of the University Faculty that says ‘or agent,’ and University Counsel wants to get rid of ‘or agent.’ I can’t see that it changes anything to do that. So that is my first motion, Mr. Speaker.”

Speaker Beer: “Is there any discussion on the motion? The motion involves three changes. The first one is shown on this slide. The other two are shown on this slide. Is there any discussion or questions for the Dean of the Faculty?”

Assistant Professor Joe Fetcho, Neurobiology and Behavior: "If it doesn't change anything, why does the lawyer want to get rid of it? Does it matter then?"

Dean Walcott: "Well, I don't suppose it does, but since we are busy working on this document, let's fix the changes that need to be changed, since I think these are totally non-controversial. I have some that are controversial that are coming up. But I thought we would start with easy ones first."

Speaker Beer: "Any other questions or comments?"

Professor Nick Calderone, Entomology: "It says that the Dean, however, is not a member or agent of the University's Administration. It implies that there is a difference."

Dean Walcott: "The University Counsel didn't like the word 'or agent.' I have no idea why. I think the issue fundamentally is that the Dean is not a member of the University Administration. I report to you folks. And I am your person, not belonging to the Administration."

Associate Professor Calderone: "But you could be an agent of the Administration."

Dean Walcott: "I think that's what they want to get rid of."

Speaker Beer: "Okay, any further questions or discussions on the first motion? Are you ready to vote on the first motion? Sensing that you are, we'll review the first motion. I believe you can all read as well as I or better, so I won't read it. All those in favor of the first motion signify by saying aye. Those opposed, say nay."

Motion 1 carries

Dean Walcott: "The second motion is a little more complicated (Appendix 2, Motion 2). In 2004 the Senate passed a resolution to allow Nominations and Elections to appoint a few members. This goes against the regulations in OPUF. We have already discussed it and moved it, and it's been approved by this body, at least as it was in 2004. So the motion is simply to fix OPUF to agree with what we decided in 2004."

Speaker Beer: "Is there any discussion or questions on the second motion?"

Professor Abby Cohn: "Charlie could you just say a little bit more about the motivation for that change. It seems to stem primarily from being able to be sure there is adequate representation from different constituencies."

Dean Walcott: "That's exactly the point. What happens with Nominations and Elections, when it's elected at large by the faculty, you sometimes end up with a rather skewed committee; skewed in any one of a number of different ways. It could be skewed because it doesn't represent all the colleges, and it's important that Nominations and Elections have representation from all the colleges so we have information about who to select for all the various committees. Secondly it gets skewed because women and minorities tend, for reasons that I don't understand, to be selected less often by the elections at large. Perhaps they are not as well known. I don't know. But the whole point then is to leave the majority of the committee to be elected at large, but to have one member a year that can be appointed by the committee to try and redress these various balance issues. That's what it's all about."

Speaker Beer: "Are there further questions or comments? Are you ready to vote on the second motion? All those in favor of approving the second motion signify by saying aye. All those opposed say nay."

"Second motion is approved by acclamation."

Dean Walcott: "Good. Here is where we get in some more difficult territory (Appendix 2, Motion 3). What we are suggesting is two changes to help ensure a quorum, which fortunately we have today, at the Senate meeting. But we have had a bit of difficulty with that in past Senate meetings. There are two changes. One is really not a change but simply a clarification of wording. A quorum is 50% of the members of the Faculty Senate. The critical point is that there are some departments who are entitled to two Senators but choose, for reasons of their own, to appoint only one. And there are some departments who have not appointed any Senators. To make it clear we are going to count a quorum as half, as 50%, of the members. That means we do not count empty seats. That is the sum and substance of that first point there. That empty seats do not count."

"Secondly, and I think more controversially is the second point here on the next page, which is that constituencies may elect alternate Senators to serve if the regularly elected Senator is unable to do so. The basis of this is that many of us are busy and for good and sufficient reasons can't make a Senate meeting. It seems unfortunate, both from the Senate's point of view not to have a quorum, but also from a department's point of view not to have representation, and so by having an alternate Senator elected by each department, then there would be somebody who was ready and willing to step in if the regular Senator is unable to do so. That is the argument in favor of it."

"Now is all fairness I must report that Professor Stein has on past occasions been very unhappy with this idea on the basis that any Senate worth its salt, like the US Senate or the Senate of the State of New York, does not allow alternates. Being Senator is a full-time job. It is inappropriate to have alternates, and so on. I would suggest that my

counter-argument is that we are not professional Senators. That is, many of us do other things. And therefore this comparison is, in my opinion, fallacious and what we are really looking for is representation from the University at large, from its departments, to come together here and help us solve issues of interest to the faculty. And that is very different than what the Congress of the United States does. That's my editorial message. But since Professor Stein is in Barcelona he could not be here today so I wanted to express his point of view."

Speaker Beer: "Any questions on Motion #3?"

Professor Arms: "Charlie, I have a question about the meaning of this. Could a department change its Senators every week depending upon the issues on the table? Or are you thinking of one back-up?"

Dean Walcott: "I had anticipated that when there is a hard-fought election within the departments that there might possibly be an alternate Senator at the same time. I suppose there is nothing in the rules that absolutely prohibits a department from changing Senators on a weekly basis but that was not my intent."

Associate Professor David Delchamps, Electrical and Computer Engineering: "I have a question about the departments that don't have Senators. Are they chronically that way or is it a sporadic thing? And how many seats out of the total membership possible, does that constitute?"

Dean Walcott: "It's somewhat sporadic. It is typical that in the Senate that the departments that are allowed to elect two, often, but not always select only one. We are talking about a maximum, I would think, half a dozen or so seats. So it's not a huge number."

Professor Paul Feeny, Ecology and Evolutionary Biology: "This presents something of a headache for keeping track of who is signing in. Anyone could come in and sign and say, "I'm an alternate for so and so." Would the sign-up sheets have the regular Senator's name and then in parenthesis the designated substitute?"

Dean Walcott: "That strikes me as a fine plan, subject to Diane's approval of course."

Professor Feeny: "If the department changes its mind then a week in advance then you would have to have a different set of sheets for that particular meeting in questions, right?"

Dean Walcott: "I think that is something that we could do, much as we would prefer to have it on a yearly basis. But computers being what they are it's not impossible to change these things."

Professor Cohn: "I wanted actually to follow up on the second point. In effect what Bill said. I think this is a good idea, but I think it probably should be clarified a little bit, more in terms of the wording because it really is ambiguous. My understanding of the intent is that there should be an alternate on a yearly basis who could serve on those occasions that the regularly elected Senator is not available. It seems that we might want to refine the wording to make it a little bit clearer."

Dean Walcott: "Well, it may be a little bit clearer if you look on page eleven."

Professor Cohn: "Even on page eleven I don't think it eliminates that ambiguity."

Dean Walcott: "No, it really doesn't."

Professor Cohn: "It clarifies what the point is and how it came about, but I just think we might want a little more wording to make clear that this is a long-term appointment as an alternate, but that individual only serves on those occasions that the regular member is not available."

Dean Walcott: "I wonder if the body might allow us to modify with a few well chosen words."

Professor Cohn: "I would be comfortable with that. But I do think it should be addressed, because I think it is not sufficiently clear."

Dean Walcott: "Thank you."

Professor Lisa Earle, Plant Breeding and Genetics: "I support that concept because I think what may happen is if the Senator can't attend the meeting he/she will simply look for a colleague at that time as a informal election and perhaps that's not what you are aiming for."

Dean Walcott: "We will try and make that clear if that seems reasonable to everybody."

Speaker Beer: "Dean Walcott, are you suggesting that it would appropriate for the body to propose an amendment, a member of the body or the committee to reconsider this motion, or just what?"

Dean Walcott: "If it were all right I would like the body to approve this as it stands with the understanding that Abby and I will have a few well chosen words to add to

this to clarify the point that this is a long-term appointment, not just a Wednesday afternoon at 2:00 substitution."

Professor Anton: "I sense that maybe some people don't know exactly how this Faculty Senator appointments are handled, and maybe I don't even understand exactly. But I think we have a list in the Dean's office. We know how many Faculty Senators are apportioned to each department, and Diane keeps an up to date list of who are the elected Senators for each of those vacancies and when a department does not report to us who their Senator is, and so we chase until they say, "We are not appointing someone to fill that vacancy. Then we know exactly where the vacancies are, and we know that those vacancies are there intentionally. So these are the departments that have said that, "We are not going to have a faculty Senator right now. We can't afford the manpower." Or the departments could have two and they say they only need one. Okay. We are keeping track of this list and our intention was to have then, us, also keep track of a list of alternates. So there is one person who is selected by the department. Their name is given to us, and we have them on our list as the viable alternate. We know who person A and person B is for every seat in the Senate. And that's how this would operate. It's not, "I can't go to the meeting, can you go here for me instead and vote yes on this for me." It's not like that."

Professor Kathryn March, Anthropology: "At the risk of sounding sort of why am I here. One of our serious problems is getting a quorum. And so loosening these rules to allow that I think the people might want, to entertain seriously the principles of having these conditions set, is to have a voice from all the different units in the University. And, I'm not sure that having someone say on Wednesday at 2:00 PM and then calling up the office and saying this is going to be my replacement is necessarily all that bad a thing."

Associate Professor Mike Van Amburgh, Animal Science: "Can somebody tell me how a department gets two Senators?"

Dean Walcott: "They have more than 25 faculty members."

Professor Cohn: "Do you anticipate that a department that has more than one Senator, has two Senators, would have one or two alternates? Because if any department is going to have only one alternate, and we just changed the wording to say "may elect an alternate Senator," it becomes less ambiguous than it is right now. And it certainly takes away the reading that it might be Joe one week and it might be Sam another week, and if that would still meet the needs or the idea that a department that has two regular Senators would have an alternate who could serve for either one. I think that would actually address that matter."

Speaker Beer: "Are we ready to vote on this motion?"

Professor Kessler: "The voting is now on that change "an alternate Senator"?"

Speaker Beer: "I have not heard an amendment being offered so therefore the only action on the floor is the main motion. If you wish to offer a formal amendment, that's in order, but no one has done so to my knowledge. What the Dean has suggested is that the main motion be passed by the Senate and then it be refined in discussion with the several Senators who are concerned with the details of it as to how the alternate Senator might be chosen or how many alternate Senators might be chosen."

Dean Walcott: "Remember you have two more whacks at this, because there's a meeting of the entire University faculty plus a mail ballot, so nothing is going to get sent through."

Professor Shelley Feldman, Development Sociology: "I will just request a friendly amendment that says "an alternate" so we have it at least clear now before we go through all the trouble."

Speaker Beer: "What is the body's pleasure"?"

"Amendment made and seconded. So let's take a vote on the motion as it's presented with the understanding perhaps that the details will be refined at some later date."

"Who made the amendment?"

Professor Feldman: "I did."

Speaker Beer: "Could you please restate it since I didn't hear it clearly."

Professor Feldman: "To change point 2, constituencies may elect and insert the word "an" alternate Senator to serve if the regularly elected Senator is unable to do so."

Speaker Beer: "Okay, are we clear on the amendment as point number 2? The amendment states constituencies may elect "an" alternate Senator to serve if the regularly elected Senator is unable to do so."

"All those in favor of this amendment signify by saying aye. All those opposed, nay."

"The amendment passes."

Professor Arms: "I believe the rules of the Senate say that has to be unanimous consent because it was introduced at this time."

Speaker Beer: "I guess I need that Parliamentarian."

Dean Walcott: "My sense is that this was a clarifying motion of minor wording but nonetheless of importance and that can be offered on the floor without having to be on paper and twenty-four hours in advance. And furthermore it seemed to me that there was a general, a strong motion and vote for this."

Professor Anton: "I would like to have a recount."

Speaker Beer: "We'll have a voice vote initially and if a recount seems necessary we'll have that. All those in favor of the amendment say aye. All those opposed, say nay."

Amendment passes unanimously."

"So now we are ready to consider the main motion as amended. Any further questions or points to be made in favor or in opposition? It seems like we are ready to vote on the main motion. All those in favor of the main motion as amended. Here is the main motion on the top of it. And the bottom and will remind you that point number 2 has been amended to read and may elect an alternate senator to serve. All those in favor signify by saying aye. All those opposed say nay."

"Motion 3 as amended is passed by acclamation."

Dean Walcott: Okay, motion 4. (Appendix 2, Motion 4). A Senator-at-Large, who for some reason ceases to serve, and in this case it was a very unfortunate tragic death. The OPUF decries that under such circumstances a whole new election be held. Holding elections is a major operation involving lots of pieces of paper, mail ballots to all of the University faculty, since the entire University faculty that votes on Senators at-large. We would like to change the rules and regulations to allow Nominations and Elections to appoint somebody to fill the unexpired term. Then at the next cycle there would of course be an election at large by everybody. That is the basic proposal here."

Speaker Beer: "Any comments or questions the fourth proposed motion?"

Professor Cohn: "Would it be just the portion or the remainder of the term up almost three years or would be the one year until the next election is held?"

Dean Walcott: "It would be until the next election for Senators-at-large."

Professor Cohn: "Okay. That's not what it says."

Professor Anton: "No. We mean for the remainder of the term. And the reason is we have three Senators-at-large tenured and three untenured, and they are in three year

terms, so they are phased. If you change the phasing of the elections, then you have to elect people to shorter terms to get things back in phase."

Professor Cohn: "But you could have a system where you elected somebody during the next election to fill the remainder of the term, one or two years not necessarily three?"

Professor Anton: "You could."

Professor Cohn: "And appoint for the one year."

Professor Anton: "You could, or you could appoint for the remainder of the term."

Professor Cohn: "So if I were to raise the possibility that in order to maintain the intent that these people are elected by the faculty at large but alleviate the problem caused by the gap and avoid the need to have an extra election that in that fear of counting that person fulfill whatever remained of one year and having a partial term appointed in the election might be an alternative."

Professor Earle: "I was going to raise the same point. Is there anything wrong with the concept of appointing to the end of the year and then having shorter terms if appropriate?"

Speaker Beer: "I might ask did the UFC consider that as a possibility?"

Dean Walcott: "No, I don't think the UFC did consider that."

Professor Anton: "The Chairman of Nominations and Elections did. Every time you run one of these elections you have to find people who are willing to stand for election. Then, instead of, for example, the last time around we found two people to stand for elections of the faculty senator at large position and one of them got elected. If we had this situation, they stand for election, they would both get elected.

"We can do things that way, but there is the overhead that's associated with finding people, getting their biographies and their statements, and all this. If that's what you would prefer to do, we can do that. I don't see that a lot is gained doing it that way, and I don't see that a lot is lost doing it the other way. I think it's kind of a toss-up. I don't think the Senate is threatened. This happens very, very seldom, say every ten or fifteen years, and if we have to do this, it probably doesn't matter which way we do it.

Speaker Beer: "Are we ready for voting for motion number four? Okay. All those in favor of motion number four signify by saying aye. All those opposed, say nay.

Motion #4 approved by acclamation.

Dean Walcott: "Motion number five (Appendix 2, Motion 5). It turns out that we have for some years invited a member of the Cornell Association of Professor Emeriti to be a member of the Senate with voting privileges. There is nothing in OPUF that actually permits that, so we are asking you to add such a thing to OPUF."

Speaker Beer: "There you see motion number five. Is there any discussion of it? Any questions concerning motion number five?"

Professor Delchamps: Is every emeritus faculty a member of the Cornell Association of Professor Emeriti?"

Dean Walcott: "No. I think not. Some professors emeriti have departed to places like California and said they do not wish ever hear from Cornell University again. And such folk are not members of Cornell Association of Professors Emeriti. However, there are a substantial number of faculty who are in the area and who are still active in one way or another with the University. I think they pay, Tori correct me if I am wrong, \$5.00-a-year dues to belong to this august organization, which represents their interests within the University."

Speaker Beer: "Any other questions or arguments in favor or in opposition to this motion? We are ready to vote on motion number five. All those in favor signify by saying aye. All those opposed, say nay."

Motion #5 approved by acclamation.

Dean Walcott: "This is quite extraordinary. All right, motion number six (Appendix 2, Motion 6). As I explained to you in the beginning the modification of OPUF seems to me to be extraordinarily complicated, and what I would like to do is to eliminate the step of having a meeting of the entire University faculty to consider changes to OPUF. It seems to me that if changes come from the University Faculty committee to this body, the agenda for this body is circulated to all the members of the faculty, so if we decide to do something drastic to OPUF, this will be known to all of the members of the faculty. If they wish to discuss it, they can come here and do so at the Senate level. And so I am proposing that the basic strategy be changed, so that ideas for modifying OPUF come from the University Faculty Committee to the Senate here and then to a mail vote of the entire University faculty. And we simply eliminate the necessity of having a faculty meeting of everybody to change OPUF. It seems to me that makes it sufficiently difficult to do, that this will not be done casually. That way everybody will be aware of what changes are made, and I don't see that we lose very much by eliminating the meeting of the University faculty, desirable though that may be for all sorts of other reasons."

Speaker Beer: "Is the intent of motion number six clear? Are there any questions or arguments for or against it?"

Professor Phil Nicholson, Astronomy: "One clarification. I have been involved in a couple of outside professional organizations, which have made similar changes to their bylaws. In each of those cases it's been generally deemed that old sets of bylaws that referred to paper ballots are translatable to e-mail. In other words, it's been considered that if the secretary of the organization wishes to conduct a vote by e-mail that essentially equivalent legally to doing a mail ballot with all the bylaws."

Dean Walcott: "And I think on page 18 under C referendum it shall then be submitted promptly to all voting members of the University faculty for a referendum by e-mail ballot. That is part of the amendment, to be able to use e-mail."

Professor Nicholson: "I'm just suggesting that you may not even need to make that change. If the current thing just says a mail ballot, that could be reinterpreted as e-mail in the current day and age."

Dean Walcott: "But why not just be explicit."

Speaker Beer: "It seems the main sense of motion number six is to eliminate referring to a full University faculty meeting."

Professor Phoebe Sengers, Science and Technology Studies: "If we shift to an e-mail ballot, how will you ensure that balloting would still be anonymous?"

Dean Walcott: "That's a good question. Diane has ways of doing that but it's somewhat mysterious to me how that is achieved. But it is because the balloting, for example, for some other things we do by e-mail and it's essentially anonymous."

Provost Martin: "It's confidential, not anonymous."

Professor David Grubb, Material Science and Engineering: "I'm all in favor of the spirit of this, but I would like to point out that in section B on page 18 after you have deleted the part about the faculty meeting, the last sentence says "if it does receive such majority approval" when there is no longer such majority approval to be received."

Dean Walcott: "But that then refers back to the Senate, any such proposal to amend shall be reviewed by the Senate, which will make its recommendation thereon. If it does receive such majority approval in this body, then it would go on to a referendum of the faculty."

Professor Grubb: "I would offer the sentence in section b is duplicated by the first sentence in section C and could be deleted without any change in meaning whatsoever."

Speaker Beer: "Any other points, are we ready to consider motion six? All those in favor of motion six signify by saying aye. All those opposed, say nay."

Motion #6 carried by acclamation.

"Thank you very much Dean Walcott.

"At this point I call on Professor Robert Kay to present a report from the University Assembly's Codes and Judicial Committee for an update on the Campus Code of Conduct. Is Professor Kay present? He is not. That being the case the Senate will have to do without Professor Kay's report today. Perhaps maybe later we will."

Dean Walcott: "I would just like to report what's going on. The Codes and Judicial Committee has reported to the University Assembly, and they are meeting at this very moment. The University Assembly is considering the report from the Codes and Judicial Committee. I am sure that Professor Kay is there helping them with this deliberation, and that is why he is not here. Though, he was asked to be here and we were told that there would be a runner from the University Assembly, which is as I say meeting even as we speak, in the event that there is a vote on this matter. But I guess they are still discussing it."

Speaker Beer: "Well it seems that we have reached the end of the agenda and seeing that we have no Good and Welfare speakers, I will entertain a motion for adjournment."

Adjourned at 5:40 p.m.

Respectfully submitted,

A. Brad Anton
Associate Dean and Secretary of the University Faculty

Report from Nominations & Elections Committee
November 14, 2007

Faculty Liaison to University Diversity Council

Matthew Evangelista, A&S

Educational Policy Committee

Maria Cook, ILR

FACTA

Rosemary Loria, CALS

Institutional Biosafety Committee

Stephan Menne, Vet.

Professor-at-Large Selection Committee

Robert Raguso, CALS

Senator-at-large (untenured) replaces Sergio Servetto through 6/30/08

Brian Kirby, Engr.

University Faculty Library Board

Cletus Daniel

University-ROTC Relationships Committee

D. Peter Loucks, Engr.

Assembly Committee

Transportation Advisory Committee

John Ludders, Vet.

Appendix 2

Motions to Revise
 Organization and Procedures of the University Faculty
 (OPUF)

The University Faculty Committee proposes three categories of changes to OPUF. The first is purely administrative (Motion 1): it corrects references to the Bylaws of the University and removes obsolete wording. The second adds a point that the Senate has already passed but has not been incorporated into OPUF (Motion 2). The third proposes four substantive changes that need discussion (Motions 3, 4, 5, 6).

MOTION 1: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN RED ON THE ATTACHED DOCUMENT.

Correcting OPUF to agree with the latest version of the University Bylaws
 [See pages 2, 3, 8.]

Removing reference to the Sections of the Division of Biological Sciences
 [See page 2.]

On University Counsel's advice, remove "or agent" from the description of Dean on the University Faculty [See page 5]

MOTION 2: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN BLUE ON PAGE 10 OF THE ATTACHED DOCUMENT.

In 2004 The Senate passed a resolution to allow the Nominations and Elections Committee to nominate and the Senate to appoint one member a year for a total of three. The other 6 members of the committee were to continue to be elected by the University Faculty. The purpose of this change was to ensure that N&E would have nine members on the committee that would reflect a balance among the schools/colleges and disciplines, as well as the diversity of the Faculty. [See page 10.]

MOTION 3: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN PURPLE ON THE ATTACHED DOCUMENT.

A. We propose two changes to help ensure a quorum at Senate meetings.

1. In counting Senators for a quorum, it is 50% of the senate members that is required; vacant senate seats are not counted. [See page 14.]
2. Constituencies may elect an alternate senator to serve if the regularly elected senator is unable to do so. [See page 11.]

MOTION 4: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN **ORANGE** ON THE ATTACHED DOCUMENT.

Recently, a Senator-at-Large was tragically killed. Rather than conduct a special election, we propose that Nominations and Elections be allowed to appoint someone to fill the balance of the term. [See page 12.]

MOTION 5: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN **GREEN** ON THE ATTACHED DOCUMENT.

As a matter of practice a representative from the Cornell Association of Professors Emeriti has been a member of the Senate. We suggest that this be added, (IX. C. 1. e) and the current e and f be changed to f and g, respectively. [See page 11.]

MOTION 6: THE ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY SHALL BE AMENDED AS SUMMARIZED BELOW AND AS SHOWN IN **BROWN** ON THE ATTACHED DOCUMENT.

Finally, the process for modifying OPUF is dauntingly complex and cumbersome. Modification currently requires action by The University Faculty Committee, a majority vote of the Senate, ratification in a meeting of the entire University Faculty and finally a majority of the ballots cast in a mail ballot of the University Faculty. We propose to simplify this by eliminating the requirement for a meeting of the University Faculty and by conducting the faculty vote by e-mail rather than a paper ballot. Since meetings of the Senate are open to all faculty and notices of the items to be discussed are distributed to all faculty, eliminating the meeting of the University Faculty would not stifle the opportunity for discussion. Secondly, since any changes to OPUF would have to be voted on by the entire faculty, everybody would have the opportunity to express their opinion. [See page 18.]

ORGANIZATION AND PROCEDURES OF THE UNIVERSITY FACULTY (OPUF)

PART ONE. INTRODUCTION

The greatness of a university grows out of the talent, diversity and dedication of its faculty and student body. A wise administration will nurture that growth by providing leadership that will forge a sense of community, create the free and stimulating environment suited to intellectual growth, and make the difficult choices that will focus our efforts and prudently allocate our resources.

University leadership functions best when it is derived from the consent of the governed and is able to strike the delicate balance between the twin needs for broad consultation and decisive, timely decision-making. By long tradition the faculty believe that their views should profoundly influence the course Cornell will follow, but the size and diversity of today's faculty make it difficult to ascertain those views. The appropriate role of faculty governance is to facilitate communication between the faculty and the administration, ensuring a full consideration of faculty views, thereby building a faculty-administration partnership that will serve as a firm foundation for effective leadership.

For this partnership to succeed, the Senate, its committees, and members of the administration must all contribute to the common goal. Members of the Senate must establish an ongoing dialogue with faculty in their departments. The University Faculty Committee must maintain communication with the Senate while fostering a working relationship with the administration. The administration must listen to the aspirations and concerns of the faculty, share theirs with the University Faculty Committee, and bring the Senate into the wider consultative process by sharing the responsibility of naming faculty to key committee assignments. If all faithfully carry out these responsibilities, the faculty-administration partnership will create a broadly based consensus of choices and goals that will enable Cornell to fulfill its widest potential.

I. DEFINITIONS. As used herein, the following words and phrases shall have the meanings set forth below:

A. University. The term "University" shall mean Cornell University.

B. President. The term "President" shall mean the President of Cornell University.

C. The University Faculty. The University Faculty (sometimes referred to herein as "the |

Faculty") shall mean the body defined as such in the Bylaws of Cornell University, as now in effect or as amended from time to time hereafter. At present, the Faculty comprises: (1) as voting members, the President, emeritus professors, University professors, professors-at-large in residence, and all professors, associate professors and assistant professors and all courtesy professorial ranks of the several colleges, schools and separate academic departments, divisions and centers at Ithaca and Geneva; (2) as nonvoting members, the professors, associate professors and assistant professors in (a) the Medical College and (b) those bearing the adjunct, visiting or acting title; and (3) such other persons as may have been, or may hereafter be, elected by the Board of Trustees, upon the recommendation of the Faculty, to voting or non-voting membership therein (Bylaws of Cornell University, Article XII, Section 1).

D. Faculty Senate. The Faculty Senate (sometimes referred to herein as the "Senate") is the body established pursuant to Article IX of this document.

E. Cornell University Assemblies. The University Assemblies is the body established by vote of the Board of Trustees on January 23-24, 1981 and whose original charter is inserted as an appendix to the Board of Trustees minutes of that date. The current charter document is available in the office of the Assemblies.

F. Dean of the University Faculty. The Dean of the University Faculty (sometimes referred to herein as the "Dean of the Faculty" or the "Dean") is the chief administrative officer of the University Faculty, as provided for in Article XII, Section 4 of the Bylaws of Cornell University.

G. Secretary. The term "Secretary" shall mean the Associate Dean and Secretary of the University Faculty.

H. Speaker. The term "Speaker" shall mean the presiding officer of the University Faculty and of the Senate.

I. Constituency. The term "constituency" shall mean the schools of Hotel Administration, Industrial and Labor Relations, Johnson Graduate School of Management, and Law, and the academic departments ~~(or sections in the Division of Biological Sciences)~~ within the other colleges in Ithaca or Geneva.

J. This Document. The term "this document" shall refer to the organization and procedures set forth herein, or established hereby.

II. FUNCTIONS AND RESPONSIBILITIES OF THE UNIVERSITY FACULTY

Under the Bylaws of Cornell University (Article XII, Sec. 3), the functions of the

University Faculty are to consider questions of educational policy which concern more than one college, school or separate academic unit, or are general in nature, and to recommend to the Board of Trustees, with the approval of the appropriate college or school faculty, the establishment, modification, or discontinuance of degrees.

The Bethe Committee Report, adopted by the Faculty on September 12, 1969, clarifies the academic responsibilities of the University Faculty as a whole and with respect to the separate faculties of the various units of the University, the Administration, and the student body.

It is not the function of the present document to change in any way the functions or responsibilities of the University Faculty, but to provide for its organization and procedures.

PART TWO. THE UNIVERSITY FACULTY

III. ORGANIZATION OF THE UNIVERSITY FACULTY

The University Faculty shall consist of the following elements:

- A. The University Faculty (See Article I-C for definition and membership.)
- B. The President (See Article VII for powers and duties with respect to the University Faculty.)
- C. The Dean of the University Faculty (See Article V for functions, duties, and method of selection.)
- D. The Associate Dean and Secretary of the University Faculty (See Article VI for functions, duties, and method of selection.)
- E. Other Officers (See Article VII for functions, duties, and method of selection.)

The other officers of the Faculty shall be:

- 1. The Speaker
 - 2. One or more Parliamentarians
 - 3. Such other officers as may be provided for from time to time
- F. Committees of the University Faculty (See Article VIII.)
 - G. The Faculty Senate (See Article IX for establishment and organization.)

IV. POWERS AND MEETINGS OF THE UNIVERSITY FACULTY

A. Powers of the University Faculty. The University Faculty as a whole shall continue to have and exercise the following powers:

1. Its present power to determine its own membership, subject to Article XII, Sec. 1 of the Bylaws of Cornell University (summarized in Article I-C hereof).
2. Its present power to elect Faculty Trustees for seating by the Board of Trustees pursuant to Article II, Sec. 2a, (4) (c) of the Bylaws of Cornell University.
3. The power to participate in the selection of the Dean of the Faculty, in the manner set forth in Article V.
4. The power to select its officers, other than the President and the Dean, in the manner set forth in Articles VI and VII.
5. The power to postpone or nullify any action of the Senate, as set forth in Article XII.
6. The power to require or request reports from its officers and committees, from the Senate, and from others in the University community or elsewhere, as may be authorized or appropriate.
7. The power to express its views concerning any matter within its responsibilities or reasonably related thereto, either at a meeting of the Faculty or in such other manner as may be appropriate.
8. The power to amend this document in accordance with the procedures set forth in Article XIV.

B. Meetings of the University Faculty

1. Meetings of the University Faculty shall be called by the Dean:
 - a. Upon the request of the Board of Trustees, the Executive Committee of the Board of Trustees, or the President;
 - b. Upon the request of the Senate;
 - c. Upon the request of the University Faculty Committee;

- d. Upon the written petition to the Dean of voting members of the Faculty, equal in number to one-half of the required quorum for such a meeting;
- e. Upon call of the Dean, to consider a proposal to postpone or nullify an action of the Senate in accordance with the procedures set forth in Article XII;
- f. Upon call of the Dean, to act in an emergency.

2. Agenda at Meetings

At a meeting of the Faculty, any matter may be brought forward which is properly the concern of the Faculty, but priority shall be given to the matters specified in the call of the meeting.

3. Quorum

a. Ordinary Business. Except as provided in paragraph b hereof, a quorum for meetings of the Faculty shall be ten percent of the voting members of the Faculty.

b. Extraordinary Business. If a meeting is called to consider postponing or nullifying an action of the Senate under Article XII, or if it is proposed to take such action at any regular meeting, a quorum shall be twenty percent of the voting members of the University Faculty.

c. Failure to Obtain Quorum. In the absence of a quorum, those present may receive reports, may discuss matters without voting on them, and may set the date and time for an adjourned meeting, but shall transact no other business.

4. Rules of Procedure. Except as otherwise provided herein, or in special rules adopted by the Faculty, the rules set forth in the then current edition of *Robert's Rules of Order*, to the extent applicable, shall govern the debates, votes, and other actions at all meetings of the Faculty. Nonvoting members of the Faculty may attend and participate in debates, but may not vote.

5. Visitors. Visitors may be admitted to meetings of the Faculty. A decision to open or close meetings to visitors will be made by majority vote of the University Faculty Committee when it establishes the agenda for each meeting, either to admit accredited members of the press or other public media, without discrimination, or a limited number of other visitors, or both, for all or a portion of a meeting. The decision of the University Faculty Committee concerning a particular meeting may be appealed by a motion properly made and seconded at the meeting in question. A majority vote of the voting members present constituting the quorum shall be sufficient to amend, modify, or reverse the decision of the University Faculty Committee concerning the status of

visitors at the meeting. If visitors are admitted, they shall sit in the gallery, or otherwise apart from the main body of the meeting, and shall not be permitted to participate in the debates but, if it is so authorized by the decision admitting them to the meeting, they may be permitted by the presiding officer to address the meeting.

6. Records of Meetings. The official record of each University Faculty meeting shall be kept by the Secretary who may use whatever means he or she finds appropriate to prepare an accurate record of the proceedings. All other participants (members, visitors, etc.) are prohibited from photographing, sound recording, video taping, or using any other electronic means to record the proceedings.

V. THE DEAN OF THE UNIVERSITY FACULTY

A. In General. The office of Dean of the University Faculty is one of outstanding importance for the proper conduct of University affairs, and in the formulation of policy and the maintenance of flexible communication and mutual understanding between the Faculty and the rest of the University community. Accordingly, special qualifications are required for the office, including an acknowledged position of leadership on the Faculty and wide experience in University affairs.

B. Liaison and Administrative Functions. The Dean is the Faculty's chief administrative officer and its liaison on all matters in which the concerns of the Faculty relate to the President, the Trustees, or other segments of the University community. The Dean, however, is not a member ~~or agent~~ of the University administration.

C. While the Dean is primarily the representative of and spokesman for the University Faculty, the Dean retains the right to express his or her own personal views, when described as such.

D. Duties. Without limitation of the foregoing, the Dean shall have the following specific duties:

1. He or she shall represent and advocate the interests, concerns, and needs of the Faculty to the President, the Trustees, and other segments of the University community, and to the public.

2. The Dean, in consultation with the University Faculty Committee, shall advise the President and other senior members of the central administration on matters of University policy and shall seek the President's advice on matters of concern to the Faculty.

3. The Dean shall assist the Faculty and the Senate in formulating judgments on questions of concern to the Faculty.

4. He or she shall be available for consultation and advice to members of the Faculty, to students, and to other members of the University community on matters within the jurisdiction of the Faculty.
 5. The Dean shall use his or her good offices in helping to resolve problems which may arise for individual members of the Faculty in their relationships with other members of the Faculty, with academic or administrative officers of the University, with committees of the Faculty or University, with students, or with other segments of the University community.
 6. The Dean shall oversee and expedite the work of all committees of the University Faculty or the Senate and shall keep them informed of problems to which they should attend. He or she shall obtain annual or other periodic reports from such committees and shall be responsible for seeing that the reports, recommendations, and decisions of such committees are brought to the attention of all persons concerned therewith. Where necessary and appropriate, the Dean will arrange for the timely publication of information meriting the attention of the Faculty, and of information concerning the Faculty meriting the attention of other segments of the University community or of the public.
 7. The Dean shall be an ex officio member of each committee of the University Faculty and each committee of the Senate.
 8. The Dean shall be responsible for the calling of meetings of the University Faculty and the Senate and for the preparation and distribution of the agenda for such meetings.
 9. The Dean shall be responsible for maintaining a file of (i) records of actions of the University Faculty and of the Senate, (ii) reports of committees of the University Faculty and of the Senate, and (iii) such other files and records as may be necessary or appropriate.
 10. The Dean shall prepare such reports as he or she or the University Faculty or the Senate, shall deem appropriate.
 11. The Dean shall be available to sit with the Board of Trustees and its Executive Committee in discussions of questions of educational policy.
 12. He or she shall perform such other functions as are provided for herein, or as the University Faculty or the Senate shall determine.
- E. Assistants to the Dean; Acting Dean. As may be necessary to assist or represent the

Dean, he or she may delegate any portion of the foregoing functions and duties to the Associate Dean and Secretary of the Faculty, to members of his/her staff, or to other members of the Faculty. In the absence or inability to act of the Dean, the Associate Dean and Secretary of the Faculty shall function as Acting Dean. In the absence or inability to act of both the Dean and the Secretary, the University Faculty Committee, in consultation with the President, shall designate an Acting Dean.

F. Selection of Dean. The selection procedures for Dean of the Faculty shall be as follows:

1. The Dean must be selected from among the tenured voting members of the Faculty and shall maintain such status.
2. At least three months before the deanship becomes vacant, or as promptly as possible if the office should become vacant without three months' notice, the Nominations and Elections Committee shall solicit nominations and canvass Faculty opinion, and shall prepare a slate of three or more candidates. The Nominations and Elections Committee should consult the President in this regard.
3. The Committee on Nominations and Elections shall conduct a mail ballot of the voting members of the University Faculty, using the Hare System, and shall promptly report the results to the President and the Faculty.
4. Subject to confirmation by the Board of Trustees, the candidate receiving a majority of the votes cast shall be appointed Dean.

G. Term of Office. The term of office for the Dean shall be three years. The Dean may be reappointed by the Senate for a further period of not more than two years. So far as possible, the terms of office of the Dean and the Secretary shall be staggered so that not more than one of these officers shall be elected in any one year.

VI. THE ASSOCIATE DEAN AND SECRETARY OF THE UNIVERSITY FACULTY

A. Duties. The duties of the Associate Dean and Secretary shall include:

1. Assisting the Dean of the Faculty, carrying out such duties as are assigned by the Dean, and serving as Acting Dean on appropriate occasions;
2. Chairing the Nominations and Elections Committee;
3. Ex officio membership on each committee of the University Faculty and each committee of the Senate;

4. Supervising the maintenance of minutes of meetings and all records of the University Faculty and Senate;
5. Supervising publications made in the name of the University Faculty subject to guidelines mutually agreed upon with the Senate.

B. Election Procedure. The Associate Dean and Secretary of the University Faculty shall be elected by that Faculty, from among its own members, by a mail ballot using the Hare system, on a slate of candidates provided by the Committee on Nominations and Elections.

C. Term of Office. The Associate Dean and Secretary shall serve for a term of three years, with the possibility of reappointment by the Senate, for a further period of not more than three years.

D. The Associate Dean and Secretary shall also serve as secretary and as an ex officio voting member of the Senate.

VII. THE PRESIDENT AND OTHER OFFICERS OF THE UNIVERSITY FACULTY

The functions and duties of the other officers of the University Faculty shall be as follows:

A. The President. The Bylaws of Cornell University (Article V, Sec. 1; Article XIII, Sec. 1) provide that:

1. The President shall be the chief executive and educational officer of the University.
2. Except as the President may otherwise designate, he or she shall be the chairperson and presiding officer of every faculty of the University; and
3. The President shall be a voting member and presiding officer of the University Faculty.

B. The Speaker. The Speaker of the Senate or his or her alternate (see Art. XI-A-2) shall serve as Speaker of the University Faculty. By designation of the President the Speaker may, and normally will, moderate meetings of the University Faculty.

C. Parliamentarians. The Speaker may select one or more Parliamentarians to advise him or her on questions of parliamentary law and procedure arising in the course of faculty meetings.

D. Other Officers. There shall be such other officers of the Faculty, with such functions

and duties, as may be provided for from time to time by the University Faculty.

VIII. COMMITTEES OF THE UNIVERSITY FACULTY

A. Standing and Ad Hoc Committees. The University Faculty shall have the following committees:

1. University Faculty Committee. There shall be a standing University Faculty Committee. The University Faculty Committee shall provide liaison between the Faculty Senate and the President, Provost, and other senior University administrators. Whenever either the Provost or the President wishes to consult with the University Faculty on major policy issues, she or he will look to the University Faculty Committee to provide that consultation. Additionally, the University Faculty Committee will act as an executive committee for the Senate and the University Faculty, and perform any other duties assigned to it either by the Senate, the University Faculty, or elsewhere in this document. The University Faculty Committee has the responsibility to inform and consult the Senate on a regular and frequent basis.

2. Committee on Nominations and Elections.

a. There shall be a standing Committee on Nominations and Elections.

b. The Committee on Nominations and Elections shall nominate candidates for election by the University Faculty for Faculty Trustees, for Dean of the Faculty, for Associate Dean and Secretary of the Faculty, for members at large of the Senate, and for elected committees and offices of the Faculty and of the Senate. The Committee shall propose to the Senate members and chairs of appointed Faculty and Senate committees and members of administration and faculty-administration committees when the administration makes such requests to the Senate. When proposing members and chairs of committees, the Nominations and Elections Committee shall give preference to members of the Senate where appropriate. In preparing slates of candidates for the University Faculty Committee and the Nominations and Elections Committee, the committee will be mindful of the importance of spanning all parts of the campus, the ethnic and gender diversity of the faculty, and the major scholarly disciplines of Biological Sciences, Creative Arts, Humanities, Physical Sciences, Professional Schools, and Social Sciences.

c. The Committee on Nominations and Elections shall prescribe procedures for, and shall supervise, all elections by the University Faculty, all elections by or to the Senate, and all elections to elected committees and elective offices of the University Faculty and the Senate; shall decide disputed questions concerning such elections; and shall perform such other functions as are assigned to it in this document or by the University Faculty or the Senate. In connection with elections to the Senate, the Committee on

Nominations and Elections shall prescribe or approve guidelines and procedures to govern the nomination of candidates and the conduct of elections.

3. There shall be such other elected or appointed standing committees of the University Faculty as may be created by the Faculty and ad hoc committees as may be created by the Faculty or the University Faculty Committee.

B. Membership of Committees

1. The University Faculty Committee shall consist of the Dean and the Secretary, ex officio, and nine members of the Faculty Senate elected at large by the Faculty. Elected members shall serve a complete term on the University Faculty Committee even if their Senate term expires prior to the end of their University Faculty Committee term. No person shall serve more than two complete consecutive terms on the University Faculty Committee. The Dean shall serve as chair of the committee.

2. The Nominations and Elections Committee shall consist of the Dean and the Secretary, ex officio, and nine members of the University Faculty. *Six members will be elected at large by the Faculty. The Nominations and Elections Committee will nominate and the Senate will appoint three members in order to achieve a balance among the schools/colleges and disciplines, as well as the diversity of the Faculty.* The Secretary shall serve as chair of the committee.

3. With the exception of the Dean and the Secretary, no person may serve on the University Faculty Committee and the Nominations and Elections Committee at the same time.

4. Any member of the University Faculty, whether or not a voting member, shall be eligible to serve as a voting member of a University Faculty committee.

5. With the concurrence of the Senate, the Nominations and Elections Committee may designate one or more seats on specific committees other than the University Faculty Committee and the Nominations and Elections Committee for non-faculty members.

6. Ex officio members of committees shall not be counted in determining the number that constitutes a quorum nor are they to be counted when establishing the existence of that quorum.

C. Terms of Membership

1. Except as otherwise provided in the legislation or resolution creating a committee, the term of each elected member of a standing committee shall be three years, provided that, so far as feasible, the Committee on Nominations and Elections shall arrange

staggered terms for the initial election to each such committee so as to provide continuity.

2. Except as otherwise provided in the legislation or resolution creating the same, or except as reappointed by the University Faculty or the University Faculty Committee, each ad hoc committee shall automatically expire at the end of the academic year.

PART THREE. THE FACULTY SENATE

IX. ESTABLISHMENT AND ORGANIZATION OF FACULTY SENATE

A. Establishment. There is hereby established a Faculty Senate (sometimes referred to herein as the "Senate") consisting of not less than 75 nor more than 150 voting members.

B. Eligibility for Membership. Any voting member of the University Faculty tenured or non-tenured shall be eligible for membership in the Senate.

C. Membership

1. The Senate shall consist of the following as voting members:

a. The President of the University (or the Provost when attending as the Chief Educational Officer), ex officio,

b. The Dean, ex officio,

c. The Secretary, ex officio,

d. The Ithaca-based Faculty Trustees, ex officio,

e. Representative from the Cornell Association of Professors Emeriti,

f. Nine members of the University Faculty (three of whom must be non-tenured) elected at large by the University Faculty, and

g. Constituency members as described in Sections D, E, or F below such that the total membership falls within the limits specified in Section A of this Article above.

2. Within the limits specified in Section A above, and subject to the approval of the University Faculty, the Senate may designate its own future size.

D. Apportionment of Seats

1. All membership seats on the Senate (other than memberships at large and ex officio memberships) shall be apportioned among the various constituencies as defined in Article I., Section I. at Ithaca and Geneva (hereafter called "constituencies"). Each constituency will have at least one seat on the Senate, except that constituencies with fewer than five voting faculty members may combine with another constituency (with the agreement of both constituencies) to establish a joint seat. Constituencies with more than 25 voting faculty members will have a second Senate seat. *In addition, constituencies may elect an alternate senator to serve if the regularly elected senator is unable to do so. The alternate has voting rights and will count towards the quorum only when the regular senator is absent.*

2. There shall be a reapportionment of seats at least every three years.

3. All decisions on apportionment shall be made, and all questions and disputes concerning the same shall be resolved, by the Committee on Nominations and Elections.

E. Elections

1. Members at large shall be elected by the University Faculty by mail ballot, in accordance with procedures established by the Committee on Nominations and Elections, from among candidates nominated by the Committee on Nominations and Elections.

2. Other elected members shall be elected by each constituency to fill the number of seats assigned to that constituency. Elections shall be by secret ballot. All persons eligible to vote in a University Faculty election shall be eligible to vote in a constituency election. The voting faculty members of a constituency may allow other members of that constituency to take part in the Senate election.

3. General elections to the Senate shall be held in the spring and shall be conducted in accordance with procedures established or approved by the Committee on Nominations and Elections. (See Article VIII, Section A-2-c above.)

4. Special elections shall be held to fill vacancies, or for other sufficient reason as determined by the Committee on Nominations and Elections.

5. Any question or dispute concerning general or special elections, eligibility to vote, assignment to a constituency, or other election procedures, shall be resolved by the Committee on Nominations and Elections.

F. Terms of Office

1. Elected members shall serve for a three-year term. A term of office shall begin on July 1.
2. Terms of membership shall be staggered, in the manner determined by the Committee on Nominations and Elections, so that approximately one-third of the total membership of the Senate (exclusive of the ex officio members) shall be elected each year.

G. Vacancies and Leaves of Absence

1. Any vacancy *of a constituency-elected seat*, arising from death, resignation, incapacity, or other reason, shall be filled by a special election *within the constituency*, except that if the vacancy is for an unexpired term of ninety days or less, it shall be optional with the constituency concerned to leave the vacancy unfilled for the balance of such term. *In the event of a vacancy of an at-large seat, the Committee on Nominations shall appoint a temporary replacement for the remainder of the unexpired term.*
2. If a member is granted leave for one or two semesters an alternate shall be appointed by the officer of the appropriate constituency as defined in Article I., Section I. to take the absent member's seat for the period of the leave. If a member is granted leave for more than one year, his or her seat shall be declared vacant, beginning with the commencement of the leave.
3. If any member (other than a member on leave) fails to attend any meeting of the Senate for a period of 120 days or more (exclusive of summer vacation) that member's seat may be declared vacant, either by the constituency concerned, or by the Senate as a whole.

H. Recall of Members. The Senate may, in its discretion, provide for recall procedures, which shall authorize a constituency to remove a member for reasons specified in such procedures and to declare the seat vacant, provided that any such removal must be initiated upon the petition of at least 10 percent of the voting members of the constituency and must, to take effect, have the approval of at least 50 percent of such membership.

X. POWERS, DUTIES, AND MEETINGS OF THE FACULTY SENATE

A. Powers in General. Except for the powers reserved to the University Faculty under Article IV-A, and subject to the power of the University Faculty to postpone or nullify

any action of the Senate pursuant to Article XII, all the powers and functions of the University Faculty are hereby delegated to the Senate.

B. Specific Powers. Without limiting paragraph A above, or the other powers set forth in this document, the Senate shall have the following specific powers and responsibilities:

1. To select its officers.
2. To approve or reject the nominees presented by the Nominations and Elections Committee for election by the University Faculty.
3. To approve or reject the list of members and chairs presented by the Nominations and Elections Committee for appointed University Faculty committees, Senate committees, and administration or administration-faculty committees.
4. To adopt, amend, or repeal bylaws or other procedures relating to the conduct of its business and the duties and functions of its officers and committees.

C. Exercise of Powers. In exercising the powers of the Senate it is anticipated that its members will take all reasonable measures to ascertain faculty opinion by means of regular consultations with their constituency and other appropriate means, and that the Senate will keep the University Faculty fully informed of the reasons for its decisions.

D. Meetings of the Senate

1. Regular Meetings. An organization meeting of the Senate shall be called by the Dean promptly after the election of its members. Thereafter, regular meetings of the Senate shall be held once a month during the academic year.
2. Special Meetings. Special meetings of the Senate shall be called by the Dean:
 - a. On the request of the President, the Board of Trustees, or the Executive Committee of the Board of Trustees
 - b. On the request of the University Faculty Committee
 - c. On the request in writing by members of the University Faculty equal in number to, or more than, the authorized membership of the Senate
 - d. On the written request of a majority of the members of the Senate
 - e. On the Dean's own motion, whenever it appears to the Dean that such a meeting is

necessary or appropriate

3. Agenda at Meetings

a. Regular Meetings. At a regular meeting of the Senate, any matter may be brought forward which is properly the concern of the Senate, but priority shall be given to the matters specified in the call of the meeting.

b. Special Meetings. At a special meeting of the Senate only those matters shall be considered which are specified in the call of the meeting, except as this rule may be waived by unanimous consent of the members present.

c. The Dean shall make the necessary arrangement to distribute the agenda of regular and special meetings of the Senate to the members of the University Faculty in advance of such meetings.

4. Quorum. Except as otherwise provided herein, or in the bylaws or other procedures adopted pursuant to Section B above, the quorum for the transaction of business of the Senate shall be one-half of its non-ex officio members; *vacant senate seats are not counted*. In the absence of a quorum, the Senate may receive reports, may discuss matters without voting on them, and may set the date for an adjourned meeting, but shall transact no other business.

5. Procedure at Meetings. The rules contained in the then current edition of *Robert's Rules of Order* shall govern the deliberations and actions of the Senate in all cases in which they are applicable, to the extent they are not inconsistent with the provisions hereof.

6. Visitors at Meetings. The provision of Article IV, Section B-5, as amended, relating to the presence of visitors at meetings of the University Faculty, shall apply to meetings of the Senate, except that the University Faculty Committee, when establishing the Senate agenda for each meeting shall make the determination as to whether the meeting is to be "open" or "closed" to visitors and with the further exception that all members of the University Faculty who are not members of the Senate shall be entitled and encouraged to attend any meeting of the Senate and to participate in debate, but not to make motions or vote.

7. Records of Meetings. The official record of each Senate meeting shall be kept by the Secretary who may use whatever means he or she finds appropriate to prepare an accurate record of the proceedings. All other participants (members, visitors, etc.) are prohibited from photographing, sound recording, video taping, or using any other electronic means to record the proceedings.

XI. OFFICERS AND COMMITTEES OF THE FACULTY SENATE

A. Officers. The officers of the Senate shall consist of the following:

1. The President of the University, who will serve as ex officio President of the Senate.
2. The Speaker, who will serve as an impartial moderator of Senate meetings. The Speaker shall be selected by the Senate, which may also select an alternate Speaker to serve in the absence of the Speaker.
3. One or more Parliamentarians to be appointed by the Speaker at his or her discretion.
4. Such other officers as may be provided for from time to time by the Senate, to be selected in such manner as it may determine.

B. Committees. The committees of the Senate shall be as follows:

1. A University Faculty Committee, which shall be the same committee, with the members, functions, and duties, as provided above in Article VIII-A-1. In addition to the duties there provided, the University Faculty Committee shall act for the Senate in emergencies, shall act for the Senate in considering nominations of the Nominations and Elections Committee for administration or administration-faculty committees when required by the need for timely action, shall assist the Dean in preparing the agenda for regular and special meetings of the Senate, and shall perform such other functions as may be prescribed by the Senate.
2. A Committee on Nominations and Elections which shall be the same committee, with the same members, functions, and duties, as provided above in Article VIII-A-2.
3. Such other standing and ad hoc committees and subcommittees, elective or appointive, as may be established by the Senate. The University Faculty Committee may also establish ad hoc committees and subcommittees.
4. Except in the case of the University Faculty Committee, any member of the University Faculty, whether or not a voting member, and whether or not a member of the Senate, shall be eligible to serve on any committee or subcommittee provided for in paragraph 3 above, or in section XIII.B. below.
5. The terms of office of members of the aforesaid committees shall be as prescribed by the Senate. In the case of standing committees the terms of office shall normally be staggered to permit a reasonable degree of continuity. In the case of ad hoc committees,

the duration of such committees shall be as prescribed by the Senate, subject to extension if necessary. Any standing or ad hoc committee which fails to meet, and does not otherwise act or file a report, for a period of one academic year, shall be automatically discontinued.

PART FOUR. RELATIONSHIPS BETWEEN THE UNIVERSITY FACULTY AND THE FACULTY SENATE

XII. RELATIONSHIPS BETWEEN UNIVERSITY FACULTY AND FACULTY SENATE

A. In General. As stated above in Article X, Sec. A, the Senate is hereby delegated all the powers and functions of the University Faculty not reserved to the Faculty under Article IV, Sec. A, subject to the power of the Faculty, reserved in Article IV, Sec. A-5, to postpone or nullify any action of the Senate.

B. Effect of Postponement or Nullification

1. A postponement shall be for a specified period not to exceed ninety days.
2. A nullification may be in whole or in part with respect to any particular action of the Senate.

C. Initiation of Proposals. A proposal to suspend or nullify an action of the Senate must be initiated within twenty days of the date of such action. It may be initiated:

1. by the President, the Board of Trustees, or the Executive Committee of the Board; or
2. by written petition of members of the University Faculty who are not members of the Senate equal in number to, or greater than, the quorum of the authorized membership of the Senate; or
3. by two-thirds of the members of the University Faculty Committee.

D. Review and Presentation of Proposals. The University Faculty Committee shall review any such proposal made under Section C-1 or C-2 above. Prior to the meeting of the Faculty at which such proposal is submitted, said Committee shall make its views thereon known by communication to the University Faculty, in the call of the meeting or otherwise, and shall, whatever its views may be, assist the Secretary and the proposers in presenting the proposal to the meeting.

E. Action on Proposal. Any such proposal shall be promptly submitted to a special meeting of the Faculty or, if the timing permits, a regular meeting, provided notice of

such proposal is set forth in the call of the meeting. Provided the necessary quorum is present (see Article IV, Sec. B-3-b above) adoption of such proposal shall require the affirmative vote of a majority of the voting members present. If the proposal is not adopted, the action of the Senate shall stand, subject to Section F below. If two successive meetings (including an adjourned meeting) have been called or set to consider any such proposal, and there is an absence of a quorum at each, the action of the Senate shall stand, subject to Section F below.

F. Referendum by University Faculty. A referendum by mail ballot of the University Faculty may be had on any action of the Senate which has been duly submitted to the University Faculty for proposed nullification under Sections A through E above, whether or not such proposal to nullify has been approved under Section E above. Such a referendum may also be had on any action of the University Faculty taken in the exercise of its reserved powers (Article IV-A) without any prior action of the Senate. The following procedures shall govern:

1. Any such referendum shall require a petition in writing from the President, the Trustees, or voting members of the Faculty equal to or greater in number than the authorized membership of the Senate, filed within twenty days of the last action, or failure to act, on the matter on which the referendum is sought.
2. The Dean shall, in cooperation with the University Faculty Committee, distribute suitable information concerning the issue to the Faculty.
3. Only voting members of the Faculty shall be eligible to vote in such referendum.
4. The mailing, balloting, and counting procedures shall be prescribed and supervised by the Committee on Nominations and Elections, which shall decide any disputed questions in connection therewith.
5. Provided at least 25 percent of the voting members of the Faculty cast valid ballots in such referendum, the majority of the votes cast, whether such majority is in favor of the original action or in favor of its nullification, shall decide the issue. If the vote is less than 25 percent, the referendum shall be without effect.

G. Subsequent Action. Once a proposal to postpone or nullify an action of the Senate has been initiated, and has been finally approved or defeated by the University Faculty under the above procedures, or final action has been taken on a matter within the reserved powers of the University Faculty, the matter (or substantially the same matter as determined by the University Faculty Committee) shall not be brought up again before the University Faculty or the Senate until at least one year has passed from the date of such final approval, defeat, or other action.

XIII. RELATIONSHIPS BETWEEN ADMINISTRATION AND FACULTY GOVERNANCE

A. University Faculty Committee. The central administration, and in particular, the Provost and the President, will look to the University Faculty Committee for advice and consultation on all major policy issues that are of interest to the faculty. To facilitate that advisory and consultative relationship, the Provost and/or the President will meet on a regular basis with the University Faculty Committee.

B. Central Administration Committees. If members of the central administration constitute a committee to make or advise on policy issues, or carry out searches, and decide to appoint faculty members to that committee who are not members of the central administration, college deans or associate deans, or division directors or associate directors, the expectation is that they will ask the Senate to nominate some faculty members to serve on the committee. The central administration will be expected to select about one-half of the faculty membership on each such committee from names presented by the Senate. The Senate will present as many names as are requested, but in no case more than twice the number to be selected.

PART FIVE. AMENDMENTS

XIV. AMENDMENTS

This document may be amended in accordance with the following procedures:

A. Initiation of Amendment. A proposal to amend this document may be initiated:

1. by majority vote of the Senate; or
2. by majority vote of the University Faculty Committee; or
3. by written petition of members of the University Faculty who are not members of the Senate equal in number to, or greater than, the quorum of the authorized membership of the Senate.

B. Submission to the Faculty. Any such proposal to amend shall be reviewed by the Senate which shall make its recommendation thereon. ~~The Dean shall then promptly submit such proposal, together with the recommendation of the Senate, to a meeting of the University Faculty. If the proposal fails to receive the approval of a majority of those present and voting, it shall be deemed to have failed.~~ If it does receive majority approval, it shall then be submitted to a referendum in accordance with ~~the next section~~ *Item C below.*

C. Referendum. If the proposal to amend has been approved by a majority vote at a meeting of the Faculty **Senate** under Section B above, it shall then be submitted promptly to all voting members of the University Faculty for a referendum by e-mail ballot. If approved by a majority of the valid ballots cast, the proposal shall be deemed adopted and this document amended accordingly.

D. Such referendum shall be supervised by the Committee on Nominations and Elections, which shall decide all questions and disputes arising in connection therewith. The Committee may call upon the Dean and the University Faculty Committee, if necessary, for assistance in conducting such election.

E. Subsequent Action. If a proposal to amend this document is defeated, the same proposal (or substantially the same proposal, as determined by the University Faculty Committee) may not be initiated until at least one year has passed from the date of such defeat.

Adopted by the University Faculty, January 13, 1971. Amended by the University Faculty, September 12, 1973, referendum September 28, 1973; February 12, 1975, referendum, March 21, 1975; March 3, 1976, referendum May 4, 1976; September 20, 1978, referendum October 30, 1978; September 19, 1979, referendum October 22, 1979. Announcement by Dean of Faculty to correct gender-specific pronouns, University Faculty Meeting, May 18, 1983, Records, pp. 5643-44F. Amended by the University Faculty, October 12, 1994, referendum April 1995. Amended by the University Faculty, October 11, 1995, referendum October 16, 1995.