

<p>Academic Senate October 27, 2009</p> <p>Present: Andrews, Bender, Bice, Black, Borba, , Brown, Colnic, C. Davis, S. Davis, DeCocker, Dunham-Filson, Eudey, Fair, Filling, Floyd, Garcia, Heredia, Hight, Jones, Keswick, Littlewood, Manrique, Marcell, Mayer, McGhee, Mulder, Vice President Morgan-Foster, Mulder, Nagel, Nainby, O'Brien, Peterson, Petratos, Petrosky, Phillips, Regalado, Ringstad, Sankey, Schoenly, Silverman, Strahm, Werling</p> <p>Proxies: L. Dekatzew for Cotten, J. Helzer for Hauslet</p> <p>Guests: Ashour Badal, Eric Broadwater, Andrew Brown, Lauren Byerly, Vice Provost Diana Demetruvias, Brian Duggan, Clay Everett, Dean Ruth Fassinger, Marina Gerson, Robin Griswold, Mark Grobner, Renee Giannini, Neil Jacklin, Alan Khade, Susan Marshall, Dean Roger McNeil, Dean Daryl Moore, Dean Gary Novak, Lynette Richmond, Dean Thomas Sandman, J. Sarraille, Mark Thompson, Margaret Tynan, Associate Vice President Wendt, Steve Whitt, Carl Whitman.</p> <p>Isabel Pierce, Recording Secretary</p>	<p>19/AS/09/SEC & UEPC Joint Resolution to Address Workload for Support for Staff, Second Reading, Approved</p> <p>20/AS/09/SEC Resolution on Academic Administrative Searches, First Reading Moved & Seconded, Approved</p> <p>21/AS/09/FAC-FBAC-GC-SEC-UEPC Resolution Calling for a Vote of Confidence or No Confidence in President Hamid Shirvani, First Reading</p> <hr/> <p>Next Academic Senate Meeting:</p> <p>Tuesday, November 10, 2009 2:30-4:30 pm., JSRFDC Reference Room</p> <hr/> <p>Minutes submitted by:</p> <p>Betsy Eudey, Clerk</p>
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1. Call to order

2:37 PM

2. Approval of Agenda

Nagel asked to clarify a change in the agenda that was sent via email. Filling said that SEC delayed these items and they would be addressed at a later point.

3. Approval of Academic Senate Minutes of October 20, 2009

No changes were offered. Minutes were approved as included. Filling noted that technical and grammatical corrections can be forwarded to Isabel Pierce.

4. Announcements

Mayer attended the NCAA meeting in Indianapolis this past weekend. He wanted to make people aware that he is the faculty athletic representative on campus. If you have issues related to student athletes, Mayer is the person to see about those issues. He noted that there are no plays coming up this weekend.

Bender thanked everyone who attended the Ag Studies Wine and Cheese event. It was a great success as they had approximately 400 people attend, of which 55 were students. The event generated money for student scholarships. Filling congratulated Bender on a successful event.

Eudey announced that Mark Thompson will be giving a talk titled Authority, Responsibility, and Civility: An Apologia for Whining, Toxic Faculty. This event is being held in FDC 118, on October 28, from 4-5:30 pm. Please join us.

Jasek-Rhydahl said in response to the Friday Modesto Bee editorial, SEC will be meeting with the Editorial Board of the Modesto Bee in November. If you have anything to be passed on to them, please send to

Kelvin Jasek-Rysdahl or any SEC member.

Regalado asked if meeting with Modesto Bee will include a press release for information purposes. Jasek-Rysdahl said we will provide them something. Regalado hoped that the information will go to the Modesto Bee and other affiliates as well.

5. Committee Reports

There were no new reports.

6. Action Items:

a. 19/AS/09/SEC & UEPC Joint Resolution to Address Workload of Support Staff

The revised resolution was distributed and Filling noted that these included changes per the last discussion.

Resolved that the Academic Senate, California State University, Stanislaus request that the Provost, the Vice President for Business & Finance and the Associate Vice President for Enrollment Management establish a task force, to work closely with the relevant faculty governance standing committees, focusing on evaluating and/or implementing suggestions that will assist in resolving staff workload issues heightened by PeopleSoft and Winter Term, and be it further

Resolved that the Academic Senate, California State University, Stanislaus request that the following suggestions be considered for implementation, as well as anything else staff believe would be helpful:

- *exclusive use of permission numbers to add students to a class*
 - *exclusive use of the online grade entry system*
 - *development of an online grade change system*
 - *development of an online census roster system*
 - *admission/graduation for Fall and Spring rather than having three separate admission/graduation cycles*
 - *development of models that further automate the financial aid amount calculation, approval and disbursement process*
 - *use of service learning students or graduate student independent study projects to assist staff with streamlining, to the extent feasible, business processes surrounding faculty workload/payroll systems*
 - *systematic re-engineering of the processes surrounding entering, updating and maintaining student records*
- and be it further*

Resolved that the task force issue a report to the campus upon completion of their deliberations.

Rationale

The UEPC report notes that Winter Term exacerbates extant workload problems for staff, particularly those in Enrollment Services, Financial Aid, Student Accounts Receivable and Faculty Affairs; it seems prudent to treat those problems as an issue separate from the Academic Calendar since the majority of those problems will occur regardless of our calendar configuration. It is also the case that we routinely seek to use technology to solve resource contention issues, and it seems logical to utilize technology in this situation as well. The bullet points above were drawn from discussion at the Academic Calendar forums and provide a starting point for further discussion and analysis rather than a comprehensive enumeration of issues needing attention.

The standing committees of the Academic Senate agree that this process will be a priority on their agendas, and that we may need to act expeditiously to modify extant policies and procedures. Revised 10/27/09

Dunham-Filson said that at the last meeting she had offered an amendment to change the wording to take out “establish a task force.” After thinking it through, she has come up with some different wording because it's her understanding that the faculty want to state that they're in support of addressing workload for staff and that it doesn't necessarily pertain to winter term as stated in the rationale. Also, at the last meeting it was discussed whether this was within faculty purview to state what things should or should not be done, and whether a task force is warranted. She asked if the wording should be put into a new motion by withdrawing the original motion. Filling recommended she put forth additional language

Nainby said he is not clear if we have a motion with a rationale that is mooted by the President's statement on winter term. He's uncertain where we stand with winter term, and he is not sure how to vote on a resolution where a significant portion of it addresses a no longer viable issue. Filling noted that the intent of this resolution was to speak to some enduring issues with staff workload brought out by the winter term. This has led him to believe that some of the issues will not go away. The rationale is something to contextualize things for us but not necessarily part of the resolution. The rationale does include winter term but is not tied to it.

Peterson said the resolved does address winter term and she thinks we should edit this to say “Assist in resolving staff workload issues that became evident in the debate over winter term”. This will show why it came up but no longer is tied to the winter term. It assumes we may change items involved with this. We may not say we are going to have administration for fall and spring rather than admissions cycles. It seems like there are enough changes to warrant sending it back to SEC for rewording. She does support the idea of coming up with ways to make the system more efficient. Most professors find grade entering and systems online to be more efficient for them to reduce their workload as well as for staff.

Eudey noted that some of the issues are tied to winter 2010. We can accept that the academic calendar will change next year, but that doesn't preclude us from making some of these changes for this winter term 2010. Some of the items on the resolutions will work for this academic year.

Marcell suggested that we amend by deleting the first paragraph and send it through with the rest of the document below. Simply start with the second resolve. Filling asked for a motion to remove the first paragraph completely. There was no second.

Dunham-Filson agreed with Peterson that the resolution should be returned to SEC. She indicated that there should be some staff involved in these conversations about what is being included in this resolution. She noted that since faculty said that they would use the online grading system then Enrollment Services stated that starting this semester they will no longer be provided with hard copies. Even though there is still a winter term for this year, a lot of this doesn't pertain to that particular winter term. Dunham-Filson advised faculty to talk to staff about the workload issue.

Filling said that while he's a techie at heart, he's not sure all faculty are willing to move to do things electronically. SEC said that this has been a conversation and is not something this body has approved or agreed to do. Perhaps they could consult with UEPC which is charged with academic policies on those issues.

Mayer said with or without this resolution, its incumbent upon all of us to start encouraging the use of systems that are readily in place, and encouraged colleagues to use them because it helps tremendously with workload.

Petrosky called the question. The call was approved by voice vote. We proceeded to a voice vote, and the resolution passed.

b. 20/AS/09/SEC Resolution on Academic Administrative Searches

The current version was distributed.

Resolved that all Academic Affairs MPP searches conducted during the 2009-10 and 2010-11 academic years be for interim terms, with the interim MPP receiving a salary no higher than that of the current/most recent MPP in that position. And be it further

Resolved that all Academic Affairs MPP searches be conducted as internal searches utilizing approved search policies, and involve an external search only if an internal search is unsuccessful.

Rationale:

1. *There are many faculty and administrators on this campus with the talents, passions, vision, and commitment to successfully serve in the known vacancies on an interim (and in some cases permanent) basis. Internal candidates would be much more able than external candidates to “hit the ground running,” as they are familiar with the campus mission and vision, the situation the campus faces within the CSU and broader contexts, and have connections to the community. Current employees would also have a better opportunity to engage in transitional work to boost understanding of issues or processes with which they are not yet familiar. This is a chance to expand the administrative experiences of our own colleagues while also supporting the needs of the campus.*

2. *National searches for MPPs have high cash costs – involving ads in national publications, phone calls for initial interviews, Human Resources communications with candidates, travel and meal expenses for face-to-face interviews and the pre-appointment re-visit to campus, photocopying costs of all application materials for all committee members, relocation costs, and the pattern of offering a higher starting salary than is paid to the sitting/vacating MPP. At a time of extreme fiscal crisis, avoiding these expenses is highly desirable. An internal search negates nearly all of these costs.*

3. *National searches consume an enormous amount of time, negatively impacting faculty, staff, students and administrator workload. There is much time spent creating, posting, and monitoring advertising; organizing candidate files and making copies for committee members; reading application materials of all who apply; committee members engaging in committee meetings, interviews, and reviewing campus feedback; conducting reference checks; organizing and hosting on-site interviews; campus participation in on-site interviews; etc. Given current workload and the required furloughs, engaging in these activities takes time away from other necessary work. An internal search will yield a much smaller applicant pool, and therefore will reduce the workload/human costs of conducting a search.*

4. *Given the conditions facing the State of California, the CSUs in general and CSU Stanislaus specifically, it may be difficult to attract candidates to these positions. We may have stronger national candidate pools if we delay the search for permanent positions.*

5. *Selecting interim MPPs affords our greatest flexibility at a time when flexibility is valuable. Without permanent commitments to positions, we have an opportunity to continue to review our organizational structure within Academic Affairs and the Colleges and make adjustments as desired. Revised 10/27/0*

Dunham-Filson noted her original statement at the last meeting in regards to this resolution being inclusive of all areas and not just the academic side. She made a motion to amend. S. Davis seconded for the sake of a debate. Dunham-Filson feels that it is not just the academic areas that this issue is a problem. She'd like to see us put a resolution into effect that includes all areas on campus. She noted that we have a staff

member on our board and it would behoove us to have this resolution be inclusive. Filling clarified that she was asking to remove the words “Academic Affairs” from the resolved in the first two paragraphs.

McGhee was confused as to how Durham-Filson says we should not make dictates for everyone, and now she’s saying we should have it inclusive for all. This is the Academic Senate for Academic Affairs. Either we make recommendations in our purview or not.

S. Davis agrees with McGhee, but he also has a problem with the wording of these resolutions. He noted that he feels ambivalent about making this a policy statement and would likely support it as a Sense of the Senate resolution for all MPP searches.

Mayer said that he’s on a search committee for the enrollment management position and after reviewing this resolution and comparing it to the reality of being on that committee that the two don't jive. Search committees need to be very malleable so that they are flexible and this resolution doesn't apply to anything we see in the enrollment services committee. It's hard to establish a policy that may or may not apply given a specific search.

Eudey explained why the resolution was restricted to Academic Affairs only. There are a few specialized MPP roles in this campus climate and that’s why they’re not making a broader statement. She believes that this will benefit from being a policy statement because regardless who’s in the leadership role this policy will hold. If we pass it and it doesn’t get signed we have a Sense of the Senate as a default. There’s no harm in sending it forward as a policy statement. There’s more chance of it being enforced as a policy statement.

Mayer asked who the Academic Affairs MPPs are. Wendt responded that the current vacancies are the Provost, AVP of Enrollment Services, Dean of COB, Dean of CHHS, and the Director of UEE. Filling said it's everyone in the chain of command that ends with the Provost.

Dunham-Filson asked why not highly suggest amending it to include all areas? If she’s understanding S. Davis' statement why don't we note “resolved that we highly suggest MPP searches” and not as a policy but as a recommendation. Then we can look at making it a policy that includes all MPP searches, whether academic or not.

S. Davis suggested that his support was not as strong while it was still in the form of a policy statement. He wanted to hear the argument for a policy statement.

Filling asked if there was further commentary on removing “Academic Affairs” and making this universal across the Academic realm. By voice vote the amendment did not pass.

S. Davis questioned if it would be better phrased as a Sense of the Senate and as a suggestion. It is true that all resolutions are recommendations, so he’s sympathetic to Eudey's argument but he would like a wider range of opinions on the issue. Mayer asked what is meant by Sense of the Senate versus a policy resolution. Filling replied that the Sense of the Senate are statements made to the Senate rather than requests for policies that go to the President for his signature.

Mayer supports this resolution as a Sense of the Senate. S. Davis moved to recommend that all “Academic Affairs” be removed and that we replace with “apply universally across the campus” and Mayer seconded.

Nagel said that all we do is recommend this as policy and disagreed with making it a Sense of the Senate. The resolution's intent was to seek to establish this as a policy as the rationale speaks to dire financial

situations. The resolution will address in a short term and long term appointments, etc. He doesn't think it's valuable to have this as a Sense of the Senate.

Ringstad asked if the requirements for interim appointments are similar in process. Filling said that historically it does require some interactions with others but there have been glaring exceptions to that lately. Filling noted that there being no further comments we'll have a voice vote on whether we should alter this resolution by turning it into a Sense of the Senate resolution. The amendment failed by a voice vote.

Dunham-Filson asked for a hand count. By hand count the amendment did not pass.

Nagel called the question to vote on the original resolution as distributed. By voice vote the resolution passed as it was submitted as policy. The resolution will be forwarded to President Shirvani.

7. Discussion Items:

a. 21/AS/09/FAC-FBAC-GC-SEC-UEPC Resolution on a vote of confidence or no confidence

Schoenly moved the resolution. Seconded by Garcia. Schoenly read the resolution out loud.

Resolved that the Academic Senate, California State University Stanislaus call for a ballot to be put before the General Faculty to express either confidence or no confidence in President Hamid Shirvani's ability to effectively lead our University and be it further

Resolved that the results of said ballot be communicated to the Academic Senate, Chancellor and Board of Trustees of the CSU, the local and national news media, the members of the California Legislature and the University community.

Rationale for this resolution distributed separately.

Schoenly made the following statement. For me, this agonizing decision began 2 yrs ago when I was FBAC chair and my colleagues and I were charged by AS to conduct a 5-yr longitudinal analysis of campus-group growth and the breakup of the ALS college.

Our analysis showed that the growth of MPP's increased at a faster rate than students, staff, and faculty, and that the ALS breakup cost more than double President Shirvani's original estimate of \$300,000. Even after we gave him time to prove his point, he denied responsibility for the overestimate, and rejected our conclusion and AS resolution, despite the fact that all the fiscal data had come from his VP's. This incident (and others that followed) stand as a stark reminder that we do not have transparency, shared governance, or sound leadership from our President.

According to Mae Ku-Kendall, law professor at Michigan State University, a vote of no confidence is a statement of fact, not a charge, and undermines a leader's claim to legitimacy. The essence of the vote is that the group need not give reasons or a set of charges. As such, it is simultaneously unauthorized and legitimate. Repeated requests for data – namely the database on consultants – was promised but never released by President Shirvani.

Garcia said FBAC has discussed this issue. They have concluded that there is a growing wave of concern from a long list of actions involving budgetary decisions related to our mission and curriculum. We need to take the time to determine where faculty stand on this issue. We need to take this to the full faculty to determine if the faculty have confidence in the President.

Black asked if this is a first reading item or are we voting on this? Filling said this is a first reading item. Black asked if that could change. Filling said that's a possibility.

Floyd asked the Speaker to rule on a point of privilege and respectfully asked that the guests be excused for this discussion. Eudey noted that this is a difficult decision to make and one that concerns some folks that may be hesitant to speak. On the other hand, we can ask the guests that perhaps would like to talk to make comments before they're asked to leave.

Floyd noted that this is a sensitive issue. There are Deans and others in the room that rule on RPT, and some of the junior faculty may not want to speak. This is an unpredictable environment with junior faculty members. Brown proposed we continue as we are so that all who want to speak will have had a chance to speak and then move to a second forum. Filling asked that at a lapse in conversation we could shift to a closed forum. Brown said yes. Filling said we will make our best attempts to proceed.

C. Davis clarified that in the second paragraph the reference to Academic Senate is State Wide Academic Senate. Mayer asked if the chair would repeat the questions loudly. Filling said it's us trying to figure out how to deal with this. The compromise is to go ahead as we are; when conversation lapses we will interpret this as a sense that we wish the guests to leave.

Dunham-Filson wanted to know what the Senate viewed as shared governance. Eudey said that the statement for shared governance is on the Academic Senate website. She didn't want to use up discussion time on this as it doesn't pertain to the vote of no confidence. Dunham-Filson said that it did pertain to this conversation as one chair had noted that the vote of no confidence has been building for two years when shared governance wasn't being followed by the President.

Filling echoed Eudey. It doesn't serve any purpose to spend time discussing shared governance.

Brown said that the Graduate Council met last week and discussed this discussion item. They took a poll and the vote was 13-0-1 to move this vote of no confidence forward. In trying to focus on behavior, in the last year we've seen the President not really show a great deal of confidence or respect for faculty. He referred to the graduation ceremony, the UEE policy resolution where instead of just rejecting it was returned rewritten, the winter term statement where ACAC was referenced but not UEPC which is an academic body.

Nainby said it may not be necessary to debate shared governance, but he knows all members of SEC spoke at great length about evidence of circumvention of shared governance. Something that would help him would be if members of SEC would cover the highlights.

Jasek-Rysdahl said that when he accepted this job in 1996 and decided to remain here because at every level of this university everyone was committed to the success of students including staff, administrators, students, and faculty. That was the central mission of everybody at this university. This university was also actively engaged developing ways to better serve the people of this region and help the region address the problems it was faced with being one of the most economically disadvantaged areas in the nation. We serve students from disadvantaged backgrounds, first in family to go to college etc., and we were good at it.

In his first summer here, President Shirvani started to change the Graduate School which the faculty worked long and hard to develop. While he made suggestions on how to make it whole, those changes never happened. We had a very active Global Affairs office that supported faculty and students. The office helped faculty update curriculum and helped students gain international experience. That office has been gutted. Jasek-Rysdahl mentioned concerns with the Office of Research & Sponsored Programs. The

President promised to make changes to improve the process but we still have many of the same problems today. It appears that he lacks vision. When he first arrived he said that the Advancement office was too big and he dismantled it. Now he's saying that it's too small and it is one of the few areas that has added people in the last year. It has had five different directors under his tenure here.

Mayer asked if anyone knows what the status is or what could happen with the consultant, Roy Tarnaghan, who came to campus as that may influence this to a certain extent. He understands that Filling and O'Brien brought this issue to Long Beach and is wondering if this process may play out in a way to continue a process already in motion.

Filling said that to the best of his knowledge the consultant has been to campus, talked to people, and attended this meeting last week. We don't know what his goal is or what his work product might be. He was interested in talking with people. Filling wishes he had more to report.

Thompson said there is an approved Academic Senate statement about shared governance. There is a resolution on this. Second, Thompson met with the consultant and was initially leery because he's a friend of Chancellor Reed, but after talking to him he gave a little trust. Although, when the consultant returned to campus that trust dissipated. It's like having Thompson as a consultant on shared governance. He has no faith personally on the consultant.

O'Brien said that Filling and O'Brien went to Long Beach to try to avoid this. They hoped by putting arguments forward this might go in a different path. The consultant came to campus and O'Brien spoke with him for 20 minutes. Then he left. It's rumored that when he came back he wanted a committee on civility. We've not heard anything since. O'Brien noted that a committee on civility in and of itself isn't bad, but that's not our main issue here. We don't know where it's at now and it's sad that we are where we're at now. The anger is palpable across the campus. O'Brien spoke on the resolution and noted that it's primarily for the fact that what we are doing is sending it to the general faculty. A vote of yes is not us voting on the President, but we will be asking the faculty to vote on it.

Morgan-Foster said that the consultant told her that he was gathering information and reporting to the Chancellor. He was here and attended the Senate last week. He wanted to speak to the Senate but did not feel that he had been recognized to do that. He wanted to meet with faculty. He did meet with people to develop a set a civility principles and faculty were not at the table. Filling said no such request to speak to the Senate was ever received, and he had no conversations with Tarnaghan except exchanging a hello.

Peterson echoed what Jasek-Rysdahl said as she was very excited about teaching at this University. She still feels this is a great institution and that people want to help the students. She said that there is a lack of budgeting transparency and abandonment of the shared governance process. The budget issues are of the biggest concern because if we don't know where the money is, we can't even be sure that we are adhering to ethical practices. Under shared governance the administration is supposed to listen to faculty and only go against faculty governance's advice when there's a clear reason not to. At first the President seemed open, but over time it seems he made decisions like cutting Global Affairs without consulting faculty and he has broken commitments. He has said nice things in the past, but in this economics we have something called revealed preference. We look at what people do. What he says and does are not the same things. He apologized for restructuring the Graduate School without consulting faculty and said he wouldn't do that again. We've had other examples where he's done this when he changed how the Stockton Center is run. In the Chronicle of Higher Education piece he suggests recreation centers are luxuries, but on campus he encouraged the students to support building the recreation center. He says different things in different environments. It does relate to shared governance. The President won't even talk with faculty directly. If the President won't talk with us, we don't have shared governance anymore. She doesn't have confidence in

the President.

Mayer sympathizes with the issues that brings this to the Senate. He's concerned that once this goes to the general population it changes the complexion of this issue. Once we do this the dynamics change. He noted that S. Filling is aware of his concerns about the tone of the conversation that comes from the faculty to the public about how we express our concerns with the President's performance. He's concerned with tone and delivery of the message. He asked the question, what do we want as faculty by pushing this forward and what do we hope to achieve?

McGhee says the question is do we agree with the direction we're going? That's why a vote of no confidence comes about. Is the direction this institution is taking what we want? Do we agree that people should be brought to positions without any interaction with faculty that are directly working with them? These are indications of behavior that does not show a willingness to be a co-party to actions. Even though the President has only been here a few years, his decision is to ignore a majority of the us. The students are being told they are eliminating the one term they are most successful at. How are they being allowed to get the best results and accomplish their goals? If we agree with the direction the President is taking us we should vote in support of him and get behind his efforts; if we disagree with the direction we should vote no confidence and not support him. Waiting any longer could cause the direction to be changed permanently without agreement by those who have to live with the outcome for years to come.

Regalado spoke to the resolution. He's quite disturbed by the President's media campaign when the President's voice is the only one out there. To draw wedges between faculty and staff does a disservice to us. Do we think the public will distinguish between faculty and staff for fiscal support for this school when his is the only voice out there? He shows no public respect for faculty or appreciation of academic integrity. Faculty do happily share their knowledge with their students. His sense about our graduate programs is limited and ridiculous. Regalado has been here over 22 years and served on the Senate three times. Regalado reminded the staff representative that the faculty has always been very supportive of staff. We would not be here without support from staff and internally hired administrators. We all have similar goals to advance the integrity of this institution. This is our home, and we have been friends and many of us have grown with other over the years. When the President is slighting the faculty he's slighting all of us. We have been friends and supported each other. Regalado endorses the resolution to call a vote of no confidence of a President who has shown no confidence in the very same people who have made our institution a place of high integrity.

Nainby noted why calling for a vote of no confidence makes sense. In talking with his department they feel that the President seems to be the only voice speaking for the University. Is this tied to a specific plan given the budget crisis or is it not entirely the fault of the President? How can we articulate this to the public using resources that we have on campus. What resources do we have as that is a necessary component. He noted that some of the earlier comments were reactive but they need to be reactive as there are practices that affect students and Academic Affairs that we are concerned about. He noted that earlier some SEC members had mentioned the need to meet with the Modesto Bee. Part of this is making this public. His department is concerned that we do more than that. If the President is the only voice speaking on behalf of University; a vote of no confidence has to be tied to a plan. Given the budget crisis is not solely the responsibility of the President, then what can we say about the vitality of the CSU? How do we frame this assuming that we have some agreement besides preserving the status quo at all costs. The President is using public resources to do this effectively, so what can we do to develop a different kind of voice?

Nagel disagreed that a vote of no confidence is reactive. It is understood that in parliamentary bodies a vote of no confidence is not a reaction to specific policies or disagreements with the President. It should be understood not in terms of a particular action or series of actions, but as a statement of the parliamentary body or those governed that the President himself is unfit and illegitimate as leader of the institution. The claim of a vote of no confidence is challenging the legitimacy in that role and not a statement of disagreement with policy measures. It has to do with that person's legitimacy in that role. Disagreements and tone may be reasons to vote for a resolution of no confidence but not the rationales for it.

Colnic noted that the two most recent Speakers are here and they may have a different view point but it's very clear that what we're asking for is civil but firm. Filling rules that we'll have one or two more comments and move to a private session for the comfort of the members.

Marshall echoed what Colnic said about civility, reporting on the President's lack of it at a meeting he called with the ALS staff soon after he arrived on campus.

Thompson plans to speak to this at length tomorrow, so please show up. In response to Colnic's point, he's interested in looking carefully at the President's message from yesterday, and the placement and position of the faculty in that message and the tone it sent to the campus.

A student guest pointed out that he and other students do not feel that some of the opinions made by ASI on their behalf represent students fairly and accurately. Regarding winter term being cancelled, some students wanted their opinion known that they cannot trust the President. The President lied at the student open forum and it was very frustrating. Many students are upset about the way the new academic calendar was announced and handled, and they feel their voice hasn't been heard especially in regard to winter term.

Dunham-Filson has a hard time voting for a vote of no confidence. Her idea of shared governance is that staff, faculty and students are equal and should have an equal say on how this University is run. In the 15 years she's been here, this is the first time a President has finally listened to the staff. Our issues are finally getting addressed.

Filling asked the guests to leave. Filling noted that guests can send feedback to Senators or to the Speaker to share on their behalf.

Filling noted that the first order of business is an agreement about the records for this session. Filling inquired if we shall keep detailed minutes, develop a summary of the discussion, or no minutes at all? Mayer suggested no minutes would be appropriate. Marcell seconded. Agreed.

Although no minutes were taken during the closed session, we decided to include in the minutes a notation that we will hold two open forums for faculty to discuss the issues raised by the resolution. Filling will identify the times and location and will email this information to all faculty. Senators were asked to encourage faculty in their departments to attend.

8. Open Forum

Adjournment

Motion to adjourn at 4:40pm