Proposal to amend Chapter 1, UWM Regulations, Sections 1.03, 1.04, 1.06, and 1.07, to provide for the election of a presiding officer for the University Faculty and the Faculty Senate, and to make two other changes.

The proposed revision of the indicated Sections is set forth here, with significant changes and additions underlined:

1.03 Meetings of the University Faculty.

(1) Add: "Those members of the faculty present shall constitute a quorum."

(2) Special meetings of the University Faculty are held at the call of the Chancellor, at the request of any two Deans, or on written petition to the Secretary of the University of any twenty-five members of the University Faculty. A quorum of 10% of the voting faculty members as of October 1 of the current academic year is required for any special meeting.

1.04 Conduct of University Faculty Business.

(1) The Chairman of the Faculty Senate presides over meetings of the University Faculty. If the Chairman of the Faculty Senate is absent, the member of the Executive Committee of the Faculty Senate with seniority of service, as determined by the Executive Committee, presides.

(2) The latest edition of "Robert's Rules of Order" governs procedure in meetings of the University Faculty, except as it may conflict with special rules which the Faculty may adopt. The Chairman of the Faculty Senate, in consultation with the Nominations Committee, annually recommends to the Chancellor the appointment of a parliamentarian. Except as otherwise provided, rules concerning the conduct of Faculty meetings may be suspended by a 2/3 vote.

(4) (c) A matter not on the calendar of a Faculty meeting may be considered at that meeting only by the consent of 3/4 of those present and voting. A motion to place upon the calendar any matter omitted from it may be made at any meeting of the University Faculty, and, if such motion is passed, the matter shall go upon the calendar for the next regular meeting of the University Faculty.

(9) When the Chancellor is unable to be present at a meeting of the University Faculty, the Vice Chancellor is present in his/her stead. If the Chancellor and the Vice Chancellor are both unable to be present, the Chancellor designates a Dean to be present in his/her stead. The person representing the Chancellor explains the reasons for the Chancellor's absence when requested by the presiding officer.

1.06 Membership and Structure of the Faculty Senate.

(8) (a) The Faculty Senate, at the May meeting of each academic year, elects from among its members one person to serve as Chairman of the Faculty Senate during the coming academic year.

(b) The Chairman of the Faculty Senate presides over meetings of the University Faculty, the Faculty Senate, and the Faculty Senate Calendar Committee, and is a member ex officio of the University Committee.

(c) The term of office for the Chairman of the Faculty Senate begins the day after the first Commencement following the spring semester, and continues through the next such spring Commencement day.

(d) On motion of the Executive Committee of the Faculty Senate, removal of the incumbent Chairman from office may be considered by the Faculty Senate. Any such motion must appear upon the calendar of the meeting at which action on the motion is taken. A motion to
remove the incumbent Chairman of the Faculty Senate from office requires the approval of 2/3 of the members of the Faculty Senate present and voting.

(e) If the office of Chairman of the Faculty Senate becomes vacant during the academic year, the Faculty Senate shall elect a Chairman to serve out the balance of the term at the meeting at which notice of the vacancy is received.

(9) The Chancellor is a member ex officio of the Faculty Senate. If at any time during a meeting of the Faculty Senate the Chancellor is unable to be present, the Vice Chancellor is present in his/her stead. If the Chancellor and the Vice Chancellor are both unable to be present, the Chancellor designates a Dean to be present in his/her stead. The person representing the Chancellor explains the reasons for the Chancellor’s absence when requested by the presiding officer.

1.07 Meetings of the Faculty Senate.

(1) (As in Fac. Doc. 921; or as modified by Fac. Doc. 953, dated 1/29/76)

(2) The Chairman of the Faculty Senate presides over meetings of the Faculty Senate. If the Chairman of the Faculty Senate is absent, the member of the Executive Committee of the Faculty Senate with seniority of service, as determined by the Executive Committee, presides.

(3) The Calendar of a Faculty Senate meeting is prepared by the Faculty Senate Calendar Committee. The Calendar Committee consists of the Chairman of the Faculty Senate, who chairs the Calendar Committee, and five Faculty Senate members elected by the Faculty Senate, and the Chancellor ex officio. Calendar Committee members are elected at the May meeting of the Faculty Senate to serve during the ensuing academic year. Additional items may be added to the calendar at Faculty Senate meetings upon two-thirds vote of the entire membership of the Senate.

(5) A quorum consists of a majority of the total voting membership of the Faculty Senate. An attendance record of members of the Faculty Senate shall be kept by the Secretary of the University.

(7) (As in Fac. Doc. 921 as amended 9/23/75) Add: and contain a section identified as 'Question Period' in which the Chancellor responds to questions from members of the Faculty Senate. The Question Period shall be governed by the following rules:

(a) Fifteen minutes of every meeting of the Senate shall be devoted to a question period, during which members of the Senate may address questions to the Chancellor.

(b) Members of the Senate may file questions with the Secretary of the University at least three days prior to the Senate meeting. These questions shall be listed in the order of their delivery to the Secretary, and a document containing these questions shall be given to each member of the Senate at the beginning of the meeting.

(c) Questions may be addressed to the Chancellor without prior notice, but priority shall be given to questions filed in advance, and questions without notice shall be presented only after questions on notice have been put.

(d) Any member of the Senate may ask supplementary questions growing out of the reply of the Chancellor to the principal question, but it shall be the duty of the presiding officer to prevent the presentation of supplementary questions from becoming a debate.

(e) In his discretion, the presiding officer may extend the question period beyond the fifteen minutes allotted by the standing Rule of the Senate.
1. The proposed change in 1.03 has the sole effect of reducing the number required for a quorum from 15% to 10% of the faculty. Experience has shown the larger number to be unworkable.

2. The proposed change in 1.04(4)(c) has the sole effect of granting the University Faculty a prerogative that the Faculty Senate now enjoys -- namely that of considering a matter of business not originally placed upon the calendar, without unanimous consent. Should it be the wish of the Faculty to lower the required fraction to 2/3, or to raise it to 4/5, we have no objection. But the requirement of unanimous consent is needlessly restrictive.

3. The title "Chairman of the Faculty Senate" is arbitrary. Should it be the wish of the Faculty to change it to something else -- e.g. "Chairperson" or "President" -- we make no objection.

4. In the proposed 1.04(1) and 1.07(2), the manner of designating who shall preside in the absence of the Chairman is that currently prescribed in the case of the absence of the president pro tem. The office of president pro tem is eliminated in the proposed revision, on the theory that with the Chancellor no longer the presiding officer, it becomes redundant. The one positive duty now assigned to the president pro tem -- that of chairing the Senate Calendar Committee -- is assigned to the Chairman in the revision.

5. One great advantage in requiring the Chancellor to preside over faculty meetings is that it compels his attendance at those meetings. The purpose of 1.04(9) and 1.06(9) in the revision is to make a point of the Chancellor's attendance at Faculty and Faculty Senate meetings, so that that advantage will not be lost.

6. The Chancellor is a member of the University Faculty, by 1.01(1)(a) of Fac. Doc. 921. 1.06(9) in the revision makes the Chancellor a member ex officio of the Faculty Senate, guaranteeing him/her speaking rights but not voting rights. The addition of an ex officio member to the Senate makes it expedient to define a quorum in terms of voting members, which is done in 1.07(5) in the revision.

7. The new section 1.06(8) in the revision specifies the manner of election, term of office, etc., for the Chairman of the Faculty Senate. (a) Should the Faculty feel it too restrictive to require the Chairman to be a member of the Senate, we would not object to replacing "from among its members one person" in 1.06(8)(a) with "a member of the University Faculty eligible to serve on the Faculty Senate." (b) The term of office is designed to minimize the "lame duck" period while enabling the outgoing Chairman to play a ceremonial role at spring Commencement. (c) The proposed 1.06(8)(d) specifies a method for removing a Chairman -- which, given the one-year term, is perhaps not really necessary; we would not object to its deletion. (d) If the Faculty felt it desirable to limit the Chairman to 1 term, or to 2 terms or 3 terms, we would have no objection to adding a clause to that effect in 1.06(8).

8. By the proposed 1.07(3), the Chairman of the Faculty Senate chairs the Faculty Senate Calendar Committee. If the faculty feels that a separation of powers is desirable here, we would make no objection to amending 1.07(3) in the revision by eliminating the phrase "who chairs the Calendar Committee" (with the two commas) and by adding, after the third sentence, the sentence "The Calendar Committee elects its own chairman." The change would require amending 1.06(8)(b) by striking the phrase "as the Chairman of the Faculty Senate Calendar Committee."

9. In the proposed 1.06(8)(a) and 1.07(3), the phrase "the May meeting... during the academic year," partly for the sake of brevity, and partly because one can never be sure that a given meeting is the last one for the year.

The rationale for amending Chapter One follows on the next page. The relevant sections of Chapter One as it now stands (Fac. Doc. 921) are attached as an appendix.
Rationale

The rationale for amending Chapter One is as follows:

1. The Chancellor has veto power over most actions of the Faculty Senate. As such, it is an embarrassment to have him act as presiding officer at meetings where actions may be taken that will eventually be vetoed by the same person. This happened in the case of the Athletic Board, and apparently bothered at least some members of the Senate. Dr. Baum, the presiding officer, chaired meetings where long and heated debate took place; eventually the Senate formulated its policy; and eventually Dr. Baum, the Chancellor, nullified that action. It is almost without precedent that the presiding officer of a parliamentary body have veto power over the actions of that body.

2. The Chancellor's stature and position is such that it has a chilling effect on open criticism of events and policies that bear on the performance of his office or administration.

3. There is an argument that if the Chancellor is presiding officer then he is forced to be aware of faculty concerns and decisions. With our "Question and Answer period" which takes place before the Senate meetings, the very close relationship between the Chancellor and the University Committee, there is really no danger that the Chancellor will lose touch with the faculty.

4. The added section 1.06(8) specifies that the elected presiding officer also be a member ex-officio of the Calendar Committee and the University Committee. a) For efficient conduct of any parliamentary meeting it is essential that the presiding officer be a party to the construction of the agenda. b) At present there is no real accountability between the Senate and the University Committee, i.e., between the Senate and its Executive Committee. With section 1.06(8), the presiding officer of the Senate will be a member of the Senate's Executive Committee. This will provide not only the linkage that is currently missed by many members of the faculty, but it will also provide for a greater degree of legitimacy to the University Committee. All of these changes cannot help but provide for more open and responsible mechanisms of faculty governance.

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APPENDIX -- The relevant portions of Fac. Doc. 921:

1.03 Meetings of the University Faculty,
(1) Meetings of the University Faculty are held on the Thursday of the second week of classes during each semester at 3:30 P.M. Faculty meetings adjourn at 5:00 P.M. In exceptional circumstances, the date and time of the meeting may be changed at the discretion of the Chancellor with the approval of the Faculty Senate Calendar Committee. The first regular meeting will include reports and discussion concerning the state of the University. The second regular meeting will include nominations to the Nominations Committee and faculty recommendations for honorary degrees.
Special meetings of the University Faculty are held at the call of the Chancellor, at the request of any two deans, or on written petition to the Secretary of the University of any twenty-five members of the University Faculty. A quorum of 15% of the voting faculty members as of October 1 of the current academic year is required for any special meeting.

The University Faculty may meet in executive session where in conformity with state law.

1.04 Conduct of University Faculty Business.

(1) The Chancellor is the presiding officer of the University Faculty. If the Chancellor is absent, the Vice Chancellor serves as the presiding officer. In the absence of both the Chancellor and Vice Chancellor, a dean selected by the Chancellor shall serve as the presiding officer.

(2) "Robert's Rules of Order, Revised," govern procedure in meetings of the University Faculty, except as they may conflict with special rules which the Faculty may adopt. The Chancellor, in consultation with the Nominations Committee, annually appoints a parliamentarian.

(3) At any meeting of the University Faculty, time may be set aside (as provided in 1.04(4)) for the University Faculty to meet as a Committee of the Whole for the discussion of matters of general interest. The University Committee has the responsibility of preparing the agenda for such meetings of the Committee of the Whole, over which the Chairman of the University Committee presides.

(4) (a) The Faculty Senate Calendar Committee, to be elected annually, serves as the Calendar Committee of the Faculty. The Faculty Senate Calendar Committee shall prepare the calendar for the regular faculty meetings, and for special meetings of that body, as may be called.

(b) Any member of the University Faculty may propose a matter for consideration at any regular meeting of the Faculty by submitting it to the Secretary of the University no later than two weeks before the meeting. The calendar for a special meeting of the University Faculty is prepared as far as possible in advance of such meeting. To be considered for inclusion on the calendar of a Faculty meeting, proposals must be submitted in writing and accompanied by reports or statements which the Faculty Senate Calendar Committee deems necessary for an understanding of the proposed business.

(c) A matter not on the calendar of a Faculty meeting may be considered at that meeting only by the unanimous consent of those present and voting. A motion to place upon the calendar any matter omitted from it may be made at any meeting of the University Faculty, and, if such motion is passed, the matter shall go upon the calendar for the next regular meeting of the University Faculty.
(d) The calendar for any regular meeting is published by the Office of the Secretary of the University and is made available to the University Faculty at least one week prior to regular faculty meetings and as far in advance as possible for special faculty meetings.

(5) (a) The Faculty Senate Calendar Committee may put at the head of business for any University Faculty meeting any administrative actions or informational reports of any Faculty committee, or of any college, school, or division of UWM that may appear to be suitable for passage by "automatic consent."

(b) Any member of the University Faculty may call up and debate any matter recommended for automatic passage.

(6) The Secretary of the University prepares the minutes of each faculty meeting and makes them available to the University Faculty. The minutes stand approved under the rule for automatic consent, unless the faculty otherwise determines at the next regular meeting.

(7) Documents which are attached to the calendar of any meeting are given identifying numbers.

(8) Business of a confidential nature, such as a report of the Honorary Degrees Committee, is so indicated on the calendar and in the distributed minutes by title or other brief form, and is explained on the floor.

1.05 **Faculty Senate.** There shall be a Faculty Senate representative of the University Faculty. The Faculty Senate holds jurisdiction and powers of the Faculty between meetings of the Faculty, except that the Faculty Senate may not amend any portion of Chapter 1. Unless otherwise specified by the Faculty, the Faculty Senate operates under the same rules and procedures prescribed for meetings of the University Faculty. Changes in the provisions relating to the Faculty Senate must be approved by the University Faculty.

1.06 **Membership and Structure of the Faculty Senate.**

(1) The Faculty Senate consists of the University Committee and 40 additional elected members, except as additional membership may be provided under 1.06(4). The University Committee serves as the executive committee of the Faculty Senate.

(2) Members of the Faculty Senate are elected at large by the University Faculty. Representation is apportioned among the various faculty divisions of the University on the basis of the number of faculty members in each. If a faculty member holds an appointment in more than one faculty division, he will choose the one in which he elects to be a candidate for office. The University Committee makes an annual review of representation and provides for necessary adjustments in the next election.

(3) Members are elected for three-year terms, and no member serves more than two consecutive terms or portions thereof. The term of office begins the first week of instruction in each academic year. One-third of the Faculty Senate members
are elected for three-year terms annually. The Nominations Committee prepares the slate of nominees.

(4) Should the elections result in having no candidate from a college or school among the forty candidates receiving the greatest number of votes, then the candidate from that college or school with the greatest number of votes shall be deemed elected for a one-year term as an additional member authorized by 1.06(1). Should the elections result in having less than two candidates who are assistant professors or instructors among the winning candidates from each of the various divisions of the University, then the two assistant professors or instructors from that faculty division with the greatest number of votes shall be deemed elected for a one-year term as additional members authorized by 1.06(1).

(5) Faculty Senate attendance should be published by the Secretary of the University in the calendar of the two regular meetings of the Faculty. The Faculty Senate has the authority to declare vacant the seats of those senators who fail to attend three consecutive regular meetings.

(6) If a vacancy occurs in the Faculty Senate:
(a) There is an election for the unexpired term either at the next regular Faculty election or at a special election called by the Faculty Senate.
(b) Persons to fill unexpired terms in the Faculty Senate are elected in such a way that the distribution specified in 1.06(2) is preserved.

(7) The Faculty Senate shall not have among its members any member of the administrative academic staff of the University.

1.07 Meetings of the Faculty Senate.

(1) Regular meetings of the Faculty Senate are held on the third Thursday of each month of the academic year at 3:30 P.M., except that the May meeting of the Faculty Senate is held on the first Thursday of that month at 3:30 P.M. The Faculty Senate may schedule additional meetings as necessary.

(2) The Chancellor presides over meetings of the Faculty Senate. If the Chancellor is absent, the president pro tem of the Senate serves as the presiding officer. If the president pro tem is absent then the member of the University Committee having seniority of service, as determined by the University Committee, shall preside. The Faculty Senate elects from its Executive Committee the president pro tem.

(3) The Calendar of a Faculty Senate meeting is prepared by the Faculty Senate Calendar Committee. The Calendar Committee consists of the president pro tem as chairman and five Faculty Senate members elected by the Faculty Senate and the Chancellor ex-officio. Calendar Committee members are elected at the final meeting of the Faculty Senate during the academic year to serve during the ensuing academic year. Additional items may be added to the calendar at Faculty Senate meetings upon two-thirds vote of the entire membership of the Senate.
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