

**University Faculty Senate
Governance Committee
155th Plenary
SUNY New Paltz
April 24, 2010**

**Resolution regarding Electronic Meetings of the University Faculty Senate
Approved as amended**

Introduction:

Over the first few months of 2010, issues were raised before SUNY University Faculty Senate requiring action that could not be delayed until a plenary session. Although the UFS *Bylaws* provide for a special meeting, and although the business at hand was deemed to be pressing, no special meeting was called. The projected expense and inconvenience of calling a special meeting provides challenges that discourage calls for such meetings. It may also be argued that the idea of a special meeting is an anachronism from a time before developments in electronic communications.

In lieu of a special meeting as specified by the SUNY University Faculty Senate *Bylaws* and the SUNY *Policies of the Board of Trustees*, University Faculty Senate held a series of telephone conference calls before the Executive Committee held an electronic vote passing a resolution concerning the Public Higher Education Empowerment and Innovation Act.

The University Faculty Senate *Bylaws* state that resolutions are to be adopted by the full assembly. The *Bylaws* also gives the Executive Committee authority to conduct business when Senate is not in session. The latter has recently been interpreted to give the Executive Committee the power to pass resolutions, or statements that have the effect of resolutions.

In order to stimulate debate, clarify recent interpretation of the *Bylaws*, and develop a proposal for the future, the Governance Committee proposes the following resolution.

Resolution

Resolved, that the University Faculty Senate recommends that new approaches to conducting business between meetings be explored. The Governance Committee is charged to determine whether electronic meetings may be held, and if so develop specific recommendations for electronic meetings between scheduled plenaries. The Governance Committee is encouraged to make this a priority, and to return to the UFS with recommendations that include proposed changes to the bylaws¹.

¹ The Governance Committee will search for a recommendation of software to enable deliberative assembly as specified in *Robert's Rules of Order, Newly Revised*, i.e., the chosen software will allow full and free discussion and simultaneous communication between all participants, which also can allow for voting. Bylaws changes to be addressed include, but are not necessarily limited to:

Article V *Bylaws* of the University Faculty Senate of the State University of New York be changed such that the word “including Electronic” in Special Meetings of the Senate shall be added to read “Special, including Electronic”.

Consideration of how, with the introduction of “electronic meetings” Article VIII, Section B of the University Faculty Senate *Bylaws*, granting the Executive Committee” the responsibility to conduct business when the Senate is not in session” might be reconsidered, in its relationship to Article X of these Bylaws, i.e., “Resolutions are actions adopted by majority vote of the Senate or by larger majority vote when required by these *Bylaws* or the parliamentary authority.”

Reconsideration of Article XI, Section C, Electronic Meetings, of the University Faculty Senate *Bylaws* “The Senate may conduct meetings and distribute materials to be considered by electronic means” to clarify “conduct meetings” and explore consideration of discussion of and voting on resolutions between plenaries.

Background on Special Meetings, University Faculty Senate Bylaws

- **Article IV, Section A. Meetings.** “In accordance with Article VII, Title D, Section 1 of the *Policies*: ‘The Senate shall meet at least twice a year at such times and places as shall be determined by the Executive Committee. Special meetings of the Senate may be called in accordance with the provisions of the *Bylaws*.’”
- **ARTICLE V: SPECIAL MEETINGS OF THE SENATE, Section A. Calling Special Meetings.** “Special meetings of the Senate may be called by the Executive Committee and shall be called by the President when petitioned by at least one-fourth of the Members of the Senate. The petition shall state the matters to be addressed by the special meeting. Special meetings may also be called by the Chancellor. Special meetings shall be held at times and places designated by the Executive Committee
- **ARTICLE V: SPECIAL MEETINGS OF THE SENATE, Section B. Agenda for Special Meetings.** The agenda for a special meeting of the Senate shall be contained in the call for the meeting. Additional items may be added to the agenda by the vote of three-fourths of the voting Members present.

Background on Special Meetings, *Policies of the Board of Trustees*

- **Article VII, UNIVERSITY FACULTY SENATE, Title D. Organization: § 1. Meetings.** The Senate shall meet at least twice a year at such times and places as shall be determined by the Executive Committee. Special meetings of the Senate may be called in accordance with the provisions of the bylaws.

Background on Resolutions, *Robert’s Rules of Order*

- “A board within an organized society is an instrumentality of the society's full assembly, to which it is subordinate” (*Robert’s*, p. 9).
- “A society has no executive board except as the bylaws may provide; and when so established, the board has only such power as is delegated to it by the bylaws or by vote of the society’s assembly referring individual matters to it.” (*Robert’s*, p. 465).

Background, University Faculty Senate *Bylaws*

- **ARTICLE VIII: MEMBERSHIP, RESPONSIBILITIES, AND DUTIES OF SENATE STANDING COMMITTEES. Section B. Executive Committee.** §2. Responsibilities and Duties. “It shall be the responsibility of the Executive Committee to conduct business when the Senate is not in session.”
- **ARTICLE X: REPORTS AND RESOLUTIONS.** “Resolutions are actions adopted by majority vote of the Senate or by larger majority vote when required by these *Bylaws* or the parliamentary authority.”

Background on Electronic Meetings, Robert’s Rules of Order

- “The bylaws may authorize a board or committee (or even a relatively small assembly) to meet by videoconference or teleconference. If they do, then such a meeting must be conducted by a technology that allows all persons participating to hear each other at the same time (and, if a videoconference, to see each other as well). The opportunity for simultaneous communication is central to the deliberative character of the meeting, and is what distinguishes it from attempts to do business by postal or electronic mail or by fax [...]” (pp. 482-83).
- "Efforts to conduct the deliberative process by postal or electronic mail or facsimile (fax) transmission--which are not recommended--must be expressly authorized by the bylaws and should be supported by special rules of order and standing rules as appropriate [...]" (note, p. 2).

Background on Electronic Meetings, University Faculty Senate Bylaws

- **ARTICLE XI: QUORUMS AND ACTIONS. Section C. Electronic Meetings.** Committees of the Senate may conduct meetings and distribute materials to be considered by electronic means. Members of a committee may similarly participate in meetings they are unable to attend in person. Committees may conduct discussions of and with the consent of two-thirds of their members vote on reports or proposed Senate resolutions by electronic means.

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Passed without Dissent

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