



MEMORANDUM
Office of the President

December 20, 2013

TO: Mitchell Watnik
Chair, Academic Senate

FROM: Leroy M. Morishita 
President

SUBJECT: Academic Senate Resolution 12-13 FAC 9 amended, Changes to the Constitution and Bylaws of the University Faculty of CSU East Bay (Academic Senate Action Item passed by the Academic Senate on May 7, 2013)

Upon review of Academic Senate Resolution 12-13 FAC 9 amended, I respectfully reject the resolution and provide the rationale for my decision below.

- 1) The Constitution is the fundamental principles that guide the Academic Senate and its Bylaws provide specific procedures that direct how the Academic Senate functions. Changes to either of the founding documents should only be done with careful consideration to protect the integrity and intent of these documents. Therefore, reducing the requirements for such changes with no minimum threshold of votes is inconsistent with the spirit of these founding documents.
- 2) The rationale provided for the reduction of votes required to amend the Bylaws, in this instance, to create a quorum where none existed when the vote was actually taken, is inconsistent with the principles and intent of these existing documents.

Given the context of the resolution, and while I appreciate the work done by the Academic Senate, I cannot currently accept Resolution 12-13 FAC 9 amended, Changes to the Constitution and Bylaws of the University Faculty of CSU East Bay, as adopted by the CSUEB Academic Senate on May 7, 2013.

cc: James Houpis, Provost and Vice President, Academic Affairs