CALIFORNIA STATE UNIVERSITY, HAYWARD
FACULTY AFFAIRS COMMITTEE

Minutes of the Meeting of May 5, 2004

Members Present: Pablo Arreola (Presidential Appointee), Joy Bhadury (Secondary Secretary), Jennifer Laherty (Primary Secretary), Cesar Maloles, Anne Pym, Scott Stine, David Stronk, Vincenzo Traversa (Chair), Bruce Trumbo

Members Absent: Carol Lauzon

1. Approval of the Agenda
A motion to approve the agenda passed.

2. Approval of the minutes of April 21, 2004
A motion to approve the minutes as amended passed. Minor changes were made to item 6a.

3. Report of the Chair
Chair Traversa reported that it may not be known in time for the next FAC meeting who the 2004-05 College of Arts, Letters and Social Sciences representatives would be to the FAC. As the May 19, 2004 meeting is to be an organizational meeting for 2004-05, the committee may want to proceed without those representatives or wait until some determined time in the future to hold elections. More information will be forthcoming.

4. Report of the Presidential Appointee
Presidential Appointee Arreola had no report.

5. Report of the Subcommittees
No subcommittee reports were presented.

6. Old Business
a. Review of the Constitution and Bylaws of the University Faculty

The review of the “non-substantive” modifications to the Constitution and Bylaws of the University Faculty were made at FAC’s April 21, 2004 meeting and approved on May 5, 2004.

The FAC entertained and approved a number of further modifications to send to the Academic Senate as follows:

1. Regarding the process for amending the Bylaws as opposed to amending the Constitution, Articles IX.3 and X of the Constitution.
Motion: Article IX.3 of the Constitution to remain unchanged. (Bhadury/Maloles).
Motion passed.
It was also noted that Article X of the Constitution does not need to be considered and amendments to the Bylaws are covered by Article IX.3 of the Constitution.

2. Regarding the review of Article VIII.2 Constitution (student representation on COBRA and FAC).
Motion: Article VIII.2 of the Constitution requires no further examination as the FAC resolved the issues at the April 21, 2004 meeting. (Trumbo/Stronk).
Motion passed.

Motion: Refer VII.5 of the Constitution and I.4-5 & VIII2.D of the Bylaws back to the Chair of the Academic Senate for clarification of what needs to be examined. (Maloles/Stine).
Motion passed.

The following was discussed / questioned: There is general confusion amongst the members of the FAC about current practices as they relate to emeriti faculty. How can a person be recalled who isn’t represented in the first place? Current practices should follow rules; not vice versa.

4. Regarding V.3 & VI.4-6, 8 of the Bylaws (voting).

Motion: In principle, the members of FAC agree that in special and exceptional circumstances and as reviewed and approved by the Chair of an Academic Senate Committee, electronic balloting and / or electronic voting may be use by Academic Senate Committees. Final wording of this motion is to be presented at the next FAC meeting by Joy Bhadury who is undertaking a more eloquent motion. (Trumbo/Stronk).
Motion passed.

Much discussion and debate took place in the FAC over electronic balloting and voting. The following views were raised.

?? At this point, the practice of e-balloting among the university faculty has no place in the Senate.
?? Under certain conditions when a committee member cannot be at a meeting e-balloting/e-voting would be desirable especially in circumstances where deliberations are minimal.
?? Is the issue really about e-balloting/e-voting or is it about absentee voting?
?? Official CSUH e-mail is treated as a signed letter and therefore just as valid, hence there should be little problem with e-balloting/e-voting.
?? Though various departments on campus chose to do e-balloting/e-voting it must be remembered that in departments, each faculty member is representing his/her point of view/belief. In Academic Senate Committees, faculty members are representing Colleges and other whole units within the university.
Written comments in the way of deliberations sent forward by members who will be absent at a committee meeting to the chair and subsequently read at the meeting can potentially be more thoughtful than comments made in face to face deliberations as often is the case in the electronic classroom environment.

If e-balloting/e-voting is allowed, there may be more minor excuses made by committee members to miss more meetings.

Do we want a blanket no e-balloting/e-voting for all situations?

The art of in-person deliberation is fundamental to our governance process. Speaking aloud allows the speaker to fine-tune his/her own thoughts in a way that others can witness. This is not the case in written communication.

It is greatly appreciated by many committee members to see facial expressions and intonations when deliberations are being made.

5. Regarding the consideration of having non-voting members of the emeriti faculty on various Senate committees (potential benefit of historical perspective) Articles XV and XVI of the Bylaws.
Motion: The status-quo regarding senate committee make-up should continue with respect to XV and XVI of the Bylaws. (Bhadury/Maloles).
Motion passed.

It was widely noted that a committee chair can always exercise the right to invite other member of the community to speak on issues. Committee meetings are open meetings (unless an executive session is called) and anyone can come and express an opinion.

6. Regarding the review of Articles XIV.1 and XVI.1-5.C of the Bylaws for reasonableness and conflicts (committee memberships).
Motion: Articles XIV.1 and XVI.1-5.C of the Bylaws require no further examination as the FAC resolved the issues at the April 21, 2004 meeting. (Trumbo/XXXX).
Motion passed.

7. Regarding the review of Articles IV.1 and XV.6 of the Bylaws.
Motion: The language of these Articles shall remain unchanged. (Trumbo/Pym).
Motion passed unanimously.

8. Regarding the review of Articles II.2, III.2, IV.2 of the Constitution and XV.2, I.1-2 of the Bylaws, the committee deliberated at length and heard views from both ends of the spectrum. After a long discussion, the following motion was proposed.
Motion: The language of these Articles shall remain unchanged. (Trumbo/Pym).
Motion passed unanimously.

The meeting adjourned at 4:30pm.

Respectfully submitted,

Jennifer Laherty, Primary Secretary, and Joyendu Bhadury, Secondary Secretary