

Faculty Senate Meeting Minutes
November 1, 2005

1. 4:01pm The Meeting was called to order by Chancellor Wrighton.
2. The Minutes of the May 2nd Faculty Senate Meeting were approved.

3. Chancellor's Report:

This year we tried to have the Fall Meeting earlier than usual, because there are items which, if approved, would need to go to the Board of Trustees.

The university has responded to the damage done by Hurricane Katrina. We took in many visiting students, especially from Tulane. Students have been involved in many fund-raising events.

We inaugurated the Gephardt Institute for Public Service. The inaugural was very successful, and hopefully will give momentum to the programs.

Last year we recruited the best class ever academically, about 1390 students. We are already in the middle of recruiting for next year's class, and have 9% more applications than a year ago.

Marty Israel is leading research for a new Vice-Chancellor for Research. We hope to complete this by July. We are close to choosing the first Dean for the Sam Fox School for Visual Art & Design. We are in the midst of the process to find the successor to Chris Byrnes as the Dean of Engineering; Jon Turner is leading the search.

Finally, would like to note that we announced on October 19th the establishment of the International Scholars Program. It was announced in New York, to facilitate media coverage from Asia. The heart of the program is to identify really talented graduate and professional students to come here to earn a degree, in any subject, through the McDonnell International Scholars Academy.

Each institution will have an ambassador to encourage contact and interaction between that institution and Washington University.

Running the Institution is expensive. Nine companies have agreed to fund scholars. John McDonnell has committed \$10m as endowment funds for the Institute. No university has anything like this. If we can build on it, it will be very special.

Overseeing the Institute is an advisory board, chaired by John Danforth.

4. Report from the Chair of the Senate Council, Professor Linda Pike:

The first thing the Faculty Senate Council has been concerned with is changes to the tenure document. Changes approved by the Faculty last May were passed unanimously by the Board of Trustees.

Several months ago I appointed a committee chaired by Marty Israel to look at the Constitution of the Faculty Senate and the Faculty Senate Council and to propose changes. I would like to offer my appreciation to this committee for the fabulous job they have done.

Finally, it has been brought to my attention that there are concerns among the faculty about their protection during investigations about alleged misconduct; the Faculty Senate Council will discuss these in the coming months.

5. Motions to amend the constitution, proposed by Professor Marty Israel.

We have 3 separate motions. Since some involve elections in the Spring, we want to get them to the Board for their December meeting.

Move: Resolution A

Description: This is primarily technical.

Passed unanimously.

Move: Resolution B

Description: This deals with the election of the Senate Council. It changes the number of divisional representatives – it adds one for Medicine, and combines the representatives for Art and Architecture.

Second, it changes the term of at-large members to three years, and ensures that 2 are from Medicine, 2 from Arts & Sciences, and 1 is from another school.

Passed unanimously.

Move: Resolution C

Description: This deals with resolutions of the Senate.

Currently, all resolutions must be passed at a meeting of the Senate. The proposal is to have votes by mail ballots, after a discussion at a meeting.

To pass, a proposal must get an absolute majority of votes, and a majority in at least 2 schools.

Passed unanimously.

Chancellor Wrighton: I concur with Linda Pike that the committee has done a fabulous job. I hope the Board will embrace this enthusiastically.

The Faculty Achievement awards will be on Saturday, December 3, followed by a Gala.

The meeting adjourned at 4:57pm.

Resolution A: Technical amendments

Resolved, the Constitution and By-laws of the Faculty Senate shall be amended as follows:

I. Amendments to the Constitution.

The following amendments will take effect upon approval by the Board of Trustees.

Item 1.

Each time the word chairman appears, replace it with "chair". Each time the word "his" appears, replace it with "his or her". Each time the word "him/her" appears, replace it with "him or her".

Item 2.

In Article II, section 2, replace the current sentence with the following: "A secretary shall be elected by the Senate for a three-year period from among its members eligible to serve on the Senate Council."

Item 3.

In Article II, section 3, replace the word "stated" with "regular".

Item 4.

In Article III, section 1, replace the phrase "associate deans, and assistant deans" with "along with associate and assistant deans, and vice chancellors of all ranks".

Item 5.

In Article III, subsection 1(d), replace the entire current text with the following: "The secretary of the Senate shall be a member of the Senate Council and shall serve as its secretary."

Item 6.

In Article III, subsection 2(b), strike the words ", in May,".

Item 7. Clarification.

In Article IV, subsection 2(d) replace the sentence "For the initial appointment of these officers, the chancellor shall consult with the chairman of the Senate Council and a subcommittee of three members of the Council, who shall be elected by the Council at its first meeting of each year" with the sentence "For the initial appointment of these officers, the chancellor shall consult with the Senate Council or the Senate Council Executive Committee." and in Article III, section 1, add a subsection e, to read in its entirety:

"At its first meeting each year, the Senate Council shall constitute a subcommittee, known as the Senate Council Executive Committee, consisting of the Senate Council chair, the Secretary of the Senate, and two other Council members selected by the Council."

Item 8.

In Article IV, subsection 2(d), sentence 1: replace the word "which" with "that".

Item 9.

In Article IV, section 3, sentence 1: replace the phrase "The Senate acting through the Senate Council shall exercise" with "The Senate Council shall also exercise".

Item 10.

In Article I, eliminate the numbering of section 1.

II. Amendments to the Senate By-laws.

Item 1.

The title of the By-laws shall be amended from "By-laws" to "By-laws of the Faculty Senate".

The title of Article One shall be amended from "Membership" to "Membership of the Senate". The title of Article Two shall be amended from "Organization, Officers, and Duties" to "Organization and Officers of the Senate". The title of Article Three shall be amended from "Organization, Election, and Duties of the Senate Council" to "Organization and Election of the Senate Council."

Item 2.

Each time the word chairman appears, replace it with "chair". Each time the word "chairmen" appears, replace it with "chairs". Each time the word "his/her" appears, replace it with "his or her". Each time the word "him/her" appears, replace it with "him or her".

Item 3.

In Article One, eliminate the numbering of section 1.

In Article Three subsection 2(a), change the format of the sub-subsections from arabic to roman numerals ("1" is replaced with "i", "2" is replaced with "ii", "3" is replaced with "iii").

In Article Three subsection 2(a), the last paragraph (which begins "The various faculties") shall be renumbered subsection 2(b).

In Article Three subsection 2(b), the first paragraph (which begins "During the first half of April") shall be renumbered subsection 2(c); the second paragraph (which begins "On the seventh day") shall be renumbered subsection 2(d).

In Article Three Sections 4, 5, and 6 shall be merged to become section 4, and subsequent Sections renumbered accordingly. Delete the period that ends what was section 5, and substitute the following for the entirety of what was section 6: "by the Senate Council, using such methods as it shall determine, for a one-year term."

In Article Three the final sentence of the final section shall be renumbered section 7.

Item 4.

Each time the phrase "the University Registrar" appears, replace it with "an appropriate University administrative official designated by the chair of the Senate Council". In Article Three section 2 ", assisted by two tellers appointed" shall be replaced by "and assisted by two tellers designated".

Item 5.

In Article Three, section 2(d) strike the words "proceed to".

Item 6.

In Article Three, section 2, delete the words "at-large" in the phrase "at-large nominee or nominees", and replace the phrase "their faculty" with "their faculties".

Item 7.

In Article Three, section 4, replace the phrase "before the last day in June in" with the phrase "between June 1 and July 31". In the same sentence, delete "school" and replace it with "year".

Item 8.

In Article Three, section 5 (changed by item 3 above to section 4), replace the phrase "each school year" with the phrase "this period".

Resolution B: Amendments regarding Senate Council Representation and Elections

Resolved, that the Constitution and By-laws of the Faculty Senate shall be amended as follows. All punctuation shown inside quotation marks is to be included in the insertions and deletions.

I. Amendments to the Constitution.

The following amendments to the Constitution of the Faculty Senate will take effect upon approval by the Board of Trustees.

Item 1. Change to Article I to reflect organizational change in Art and Architecture.

In the Constitution, Article I, delete the phrase "viz., Architecture, Art" and insert the word "namely"; and following "Business," insert the phrase "Design and Visual Arts,".

Item 2. Change to Article III to reflect organizational change in Art and Architecture.

In the Constitution, Article III, section 1, subsection a, delete the phrase "the School of Architecture, the School of Art,,"; and following the word "Business," insert the phrase "the Sam Fox School of Design and Visual Arts,,". Delete the phrase "the School of Medicine,,". Immediately before "Faculty of Arts and Sciences", insert the phrase "School of Medicine and the". In the same sentence, insert "each" following "shall" and "elect" following "entitled to". Insert the following sub-subsection at the end of subsection a:

i. The Senate shall provide in its By-laws for an orderly transition from the previous system of Senate representation of the Schools to the system described above.

Item 3. Change in term length for at-large members from two to three years.

In the Constitution, Article III, section 1, change subsection b to read as follows in its entirety:

b. All council members, whether elected by schools or colleges or at-large, shall be elected for terms of three years.

Item 4. At-large members to be elected from particular Schools.

In the Constitution, Article III, section 1, change subsection c to read as follows in its entirety:

c. Five members-at-large shall be elected by the Senate membership as a whole. Two of these members-at-large shall be members of the School of Medicine; two shall be members of the Faculty of Arts and Sciences; one shall be a member of one of the other schools.

II. Amendments to the Senate By-laws.

The following amendments to the Senate By-laws will take effect upon approval of the constitutional amendments in Title I above by the Board of Trustees.

Item 1. Vacancy of the position of secretary.

In Article Two, renumber the current section 2 as 2(a), and add the following subsection

b:

b. In the event the position of secretary becomes vacant, the Senate Council shall appoint an interim secretary to serve until the next meeting of the Senate, at which a new secretary shall be elected following the procedure in subsection 2(a) of this Article."

Item 2. Nominations for at-large members.

In the By-laws, Article Three, section 2, change subsection a and its sub-subsections to read as follows in their entirety:

a. In January, February, or March, the faculties of the University shall nominate candidates for the members-at-large of the Senate Council as follows:

i. When a member of the Faculty of Arts and Sciences is to be elected, that Faculty shall nominate two of its members.

ii. When a member of the School of Medicine is to be elected, the faculty of that school shall nominate two of its members.

iii. When a member of one of the other schools is to be elected,

one candidate shall be nominated from and by each of the faculties of the School of Engineering and Applied Science; the Sam Fox School of Design and Visual Arts; the John M. Olin School of Business; the School of Law; the George Warren Brown School of Social Work.

Item 3. Instant run-off voting process for small schools' at-large representative.

In the By-laws, Article Three, section 2, change subsection c (formerly subsection b, in the By-laws as of April 2005), to read as follows in its entirety:

c. During the first half of April, ballots containing the names of the nominees for each at-large position, arranged alphabetically and accompanied by the vita of each (received in accordance with the preceding subsection), shall be prepared and distributed by an appropriate University administrative official designated by the chair of the Senate Council, to all members of the Senate. In the case of a representative to be elected from the Faculty of Arts and Sciences as described in section 2a(i) above, or from the School of Medicine as described in section 2a(ii) above, ballots shall instruct voters to choose one candidate. In the case of the representative to be elected from the five schools as described in section 2a(iii) above, ballots shall be accompanied by the following instructions to voters:

i. The winner will be determined through an instant run-off procedure.

ii. You may rank as many of the candidates as you wish, indicating at most one candidate as first choice, at most one candidate as second choice, and so on in order, skipping no ranks; but you may leave some candidates unranked.

iii. If you assign identical or non-consecutive rankings to any candidates, such candidates, and all whom you rank below them, will be treated as unranked on your ballot. An unranked candidate receives no vote from you at any stage of the instant run-off counting process.

Item 4. Deletion of superseded election criterion.

In the By-laws, Article Three, section 2, subsection d (formerly subsection c, in the By-laws as of April 2005), delete the final phrase "the candidates who receive the largest number of votes shall be declared elected, and the name of the first runner-up shall be noted".

Item 5. Ballot counting processes for at-large representatives.

In the By-laws, Article Three, section 2, subsection d (formerly subsection c, in the By-laws as of April 2005), append the following subsections:

i. For representatives to be elected from the Faculty of Arts and Sciences as described in section 2a(i) above, or from the School of Medicine as described in section 2a(ii) above, the candidate receiving the highest number of votes cast shall be declared the winner. In case of a tie, the winner is to be determined by random choice.

ii. For the representative to be elected from the five schools as described in section 2a(iii) above, the person receiving a majority of all first-choice votes cast shall be declared the winner.

(a) If no person receives such a majority, an instant run-off shall be held between the two candidates receiving the highest numbers of first-choice votes, as follows: The remaining candidates are eliminated, and each ballot indicating one of the eliminated candidates as first choice shall now be counted instead as a first choice for whichever of the two remaining candidates is listed as the higher choice on that ballot. Any ballot not listing either of the two remaining candidates as being a higher choice than the other shall be disregarded. If a ballot leaves a candidate unranked under the criteria described in section 2c(iii) above, that candidate receives no vote from that ballot. The candidate in the run-off stage whose total of such re-counted first-choice votes plus original first-choice votes is higher shall be declared the winner. If a tie occurs at this stage, the runoff is resolved by random choice.

(b) If, because of a tie in the first-choice vote totals, more than two candidates qualify for the instant run-off, then the second-choice votes cast for all candidates involved in the tie shall be used to resolve it. Counting all second-choice votes for the tied candidates that are valid according to the instructions in sections 2c(ii) and 2c(iii) above, the candidates receiving the smallest numbers of valid second-choice votes shall be successively eliminated until only two candidates remain for the run-off. Any ties remaining after the counting of second-choice votes shall, by an identical procedure, be resolved by the valid third-choice votes cast for the candidates involved, and so on, until the number of instant run-off candidates is reduced to two, or until all choices on all ballots are exhausted. Any ties remaining after this process shall be resolved by removing tied

candidates through random choice, one at a time. Once the set of candidates for the instant run-off is reduced to two, the procedure in section 2d(ii)(a) above determines the winner.

Item 6. Initiation of new divisional representative seats.

In the By-laws, Article Three, section 3, following the phrase "representing the various schools and colleges of the University", insert ", as described in Article III, section 1a of the Senate Constitution," set off by commas as shown. Append to this section the following subsections:

a. The election of the second member from the Medical School will begin with the 2006 election, upon the expiration of the regular term of the current member from the School of Architecture.

b. Upon the seating of new members following the 2006 election, the continuing member from the School of Art shall be re-designated as the member from the Sam Fox School of Design and Visual Arts. Upon expiration of that member's regular term in 2007, the faculty of the Sam Fox School of Design and Visual Arts shall elect its first new representative to a full three-year term.

Item 7. Superseded procedure for filling vacancies in at-large seats.

In the By-laws, Article Three, section 6 (as numbered following the passage of Resolution A: Technical Changes), delete all the text (as amended by Resolution A) beginning "an appropriate University administrative official designated by the chair of the Senate Council" and ending with "after two such vacancies have been filled in the above manner,". This was originally section 8 in the By-laws as of April 2005, prior to passage of Resolution A; and the phrase to be deleted began "the University Registrar shall certify".

Item 8. Vacancy of the position of Chair of the Senate Council.

In Article Three, section 6 (which was numbered 8 in the By-laws as of April 2005), add the following sentence to the end: "If the position of chair becomes vacant prior to completion of the annual term, the members of the Senate Council shall elect a replacement to serve out the remainder of that term."

Item 9. Transition to new procedure for election of at-large members.

In the By-laws, at the end of Article Three, add the following new section, to be denumerated 8 (following the section formerly denumerated section 8, in the By-laws as of April 2005):

8. The terms of office of the five member-at-large seats shall be determined as follows:

a. Of the three seats that expire in 2006, one each shall be filled according to the procedures in subsections 2a(i) (from the Faculty of Arts and Sciences), 2a(ii) (from the School of Medicine), and 2a(iii) (from the other faculties) above.

i. The seats of the representatives elected in 2006 through the procedures in subsections 2a(i) and 2a(ii) shall each expire in 2008, and subsequently in 2011, 2014, and so on every three years.

ii. The seat of the representative elected in 2006 through the procedure in subsection 2a(iii) shall expire in 2009, 2012, and so on every three years.

b. Of the two seats that expire in 2007, one each shall be filled according to the procedures in subsection 2a(i) (from the Faculty of Arts and Sciences) and subsection 2a(ii) (from the School of Medicine), each to expire subsequently in 2010, 2013, and so on every three years.

Item 10. Retention of Past Chair on Council.

In the By-laws, at the end of Article Three, add the following new section, to be denumerated 9 (following the section formerly denumerated section 8, in the By-laws as of April 2005, and following the section added by the previous Item of this Resolution):

9. After serving as Chair of the Senate Council, the Chair becomes the Past Chair for one year. If the Past Chair's original term on the Senate Council has ended, the Past Chair shall serve as an ex officio, and hence non-voting, member of the Senate Council.

Resolution C: Amendments to the procedure for voting and agenda-setting.

Resolved, the Constitution and By-laws of the Faculty Senate shall be amended as follows:

I. Amendments to the Constitution.

The following amendment will take effect upon approval by the Board of Trustees.

Item 1. Special Meetings.

In Article II, section 3, strike from the word "upon" in the second sentence to the end of the section, and substitute "by the Senate Council on its own initiative or on the signed petition to the Senate Council of any twenty-five members of the Senate.". In Article III, subsection 2(a), insert the word "signed" between "the" and "petition", substitute "twenty-five" for "ten", and substitute "Council" for "Chairman".

Item 2. Amendments.

In Article IV, subsection 1(c), strike the words "Constitution and" and add to the end of the sentence the following: ", and, subject to the approval of the chancellor and the Board of Trustees of the University Corporation, the Constitution and the Policy on Academic Freedom, Responsibility, and Tenure".

Add to the end of the Constitution the following new Article V (which replaces By-laws Article 6):

"V. Amendments

Amendments to the Constitution and to the Policy on Academic Freedom, Responsibility, and Tenure passed by the Senate shall become effective upon approval by the chancellor and the Board of Trustees of the University Corporation."

Item 3. Powers of the Senate Council.

In Article IV, section 3, add new subsections d and e, and renumber the last sentence, currently designated subsection d, as subsection f:

"d. It shall consider proposals made by any member of the Senate for amendments to the Constitution, the By-laws of the Senate, or the Policy on Academic Freedom, Responsibility, and Tenure, and shall report its views on those proposals to the Senate."

"e. It shall set the agenda for every Senate meeting (regularly or specially scheduled). The agenda shall include any item proposed by signed petition of twenty-five members of the Senate, or by the chancellor."

II. Amendments to the Senate By-laws.

The following amendment will take effect upon approval of the constitutional amendments in Title I above by the Board of Trustees.

Item 1. Special meetings.

In Article Two, section 4, strike the current text in its entirety and substitute the following:

"Special meetings of the Senate may be called by the chancellor or by the Senate Council. The Senate Council may call a special meeting on its own initiative, and shall call a special meeting on the signed petition of twenty-five members of the Senate presented to the Senate Council."

Item 2. Notice.

In Article Five, section 3 (renumbered section 2 by item 3 of this resolution), add the following text after the phrase "regular annual meetings": "and any special meetings called by the chancellor, or by the Senate Council on its own initiative or on the signed petition of twenty-five members of the Senate". After the word "The notice" add "shall include the meeting agenda, and". Delete sections 4 and 5 in their entirety.

Item 3. Elimination of the ordinary quorum.

Strike Article Five section 2, renumber prior section 3 as section 2, and add the following new section 3:

"3. No quorum is required for duly noticed meetings, except that where the notice provided is not through the ordinary University delivery channels or where notice is provided less than ten calendar days before the meeting, ten percent of the membership of the Senate shall constitute a quorum."

Item 4. Voting procedures.

In Article Five, add the following as new sections 4 and 5:

4. Whenever the Senate's agenda includes an item requiring a vote,
 - a. All votes on proposed amendments to the Constitution; to the by-laws of the Senate; or to the Policy on Academic Freedom, Responsibility, and Tenure shall proceed by ballot as described in subsections d-f of this section. On other matters, the Senate Council shall decide whether the intended vote should be held at the meeting or via the ballot procedure. When the Senate Council has decided to conduct the vote at the meeting, if during the Senate's deliberation the item is amended in a manner that renders it substantially different from its description in the notice of the meeting, the chair of the Senate Council may instead declare that item subject to the ballot procedure described in subsections d-f of this section.
 - b. The agenda item shall be duly noticed to the members of the Senate, by an agenda distributed in accordance with Section 2 of this Article. The agenda shall specify whether the intended vote will be held via the provisions of subsection d of this section, or at the meeting itself. Any non-procedural vote that occurs without such prior notice shall be advisory only unless confirmed by a subsequent vote after a duly noticed meeting.
 - c. The Senate Council shall report its views on the item at the duly noticed meeting, and other members of the Senate shall be afforded opportunity to present their views on the item.
 - d. For votes that occur via ballot following the meeting, rather than at the Senate meeting, the Secretary shall distribute ballots for the item through the University delivery channels. The Secretary shall ensure that each ballot indicates (in a manner to be determined by the Secretary) the school of the voting member's primary appointment, and is accompanied by the minutes of that part of the meeting in which the relevant items were debated. Proponents and opponents of the item on the ballot may provide the Secretary with brief statements of the issues, which the Secretary shall include along with the minutes. All members of the Senate may then vote by submission of a ballot. Such voting will proceed for seven days following distribution of the ballots.
 - e. On the seventh day following the distribution of the ballots, an appropriate University administrative official, designated by the chair of the Senate Council and assisted by two tellers also designated by the chair, shall tabulate the results.

f. An item subjected to a vote via the ballot procedure described in subsection d passes only if receives both: (1) a majority among all the ballots cast; and (2) a majority among the ballots cast from each of at least two schools and at least six affirmative votes cast from each of these two schools. Each member's vote is considered to be cast from the school of the member's primary appointment.

5. For any vote proceeding by ballot, whether relating to an agenda item or an election, ballots may be either paper or electronic at the discretion of the Senate Council.

Item 5. Amendments.

Strike Article Six (which has been replaced by Constitution Article V, in item 2 of title I, above.)