

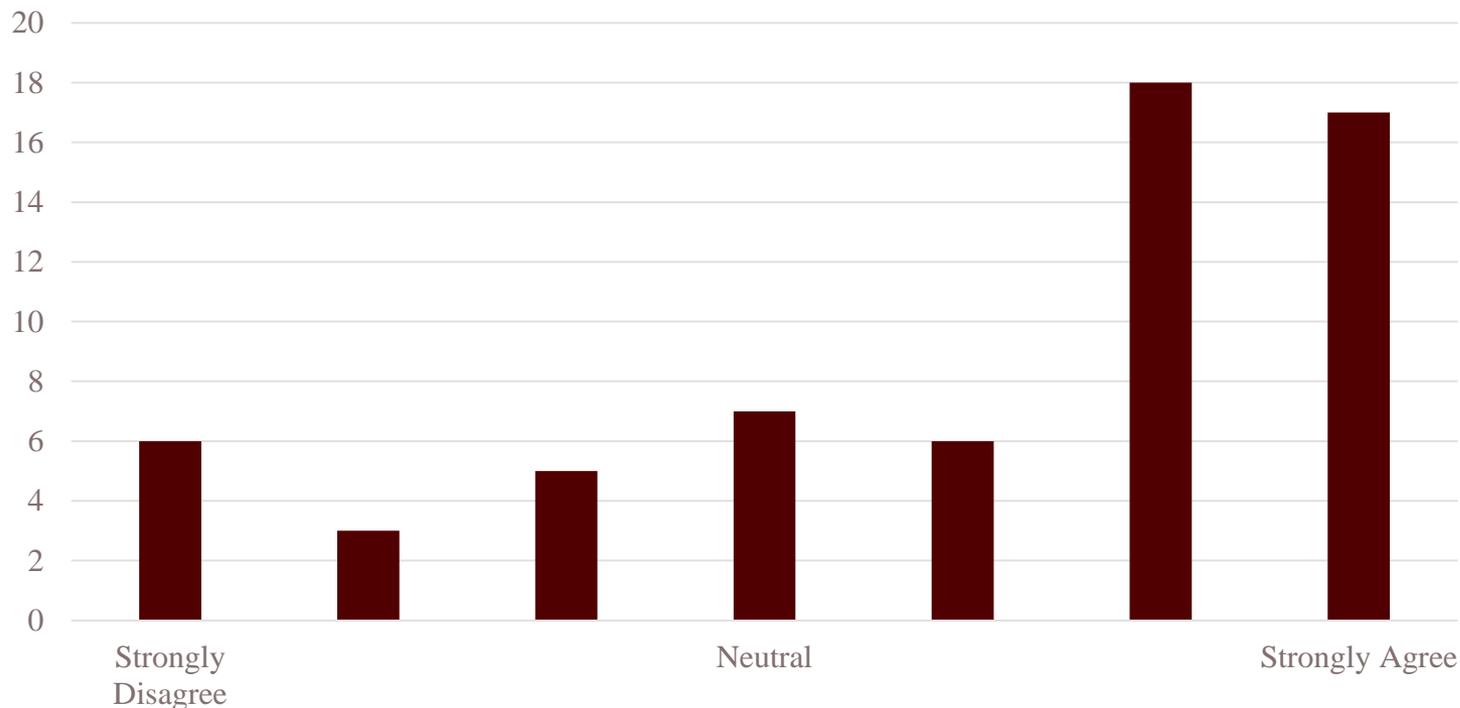
Bylaws Committee Report

Faculty Senate Bylaws Committee
Bruce Neville, Chair
December 2019

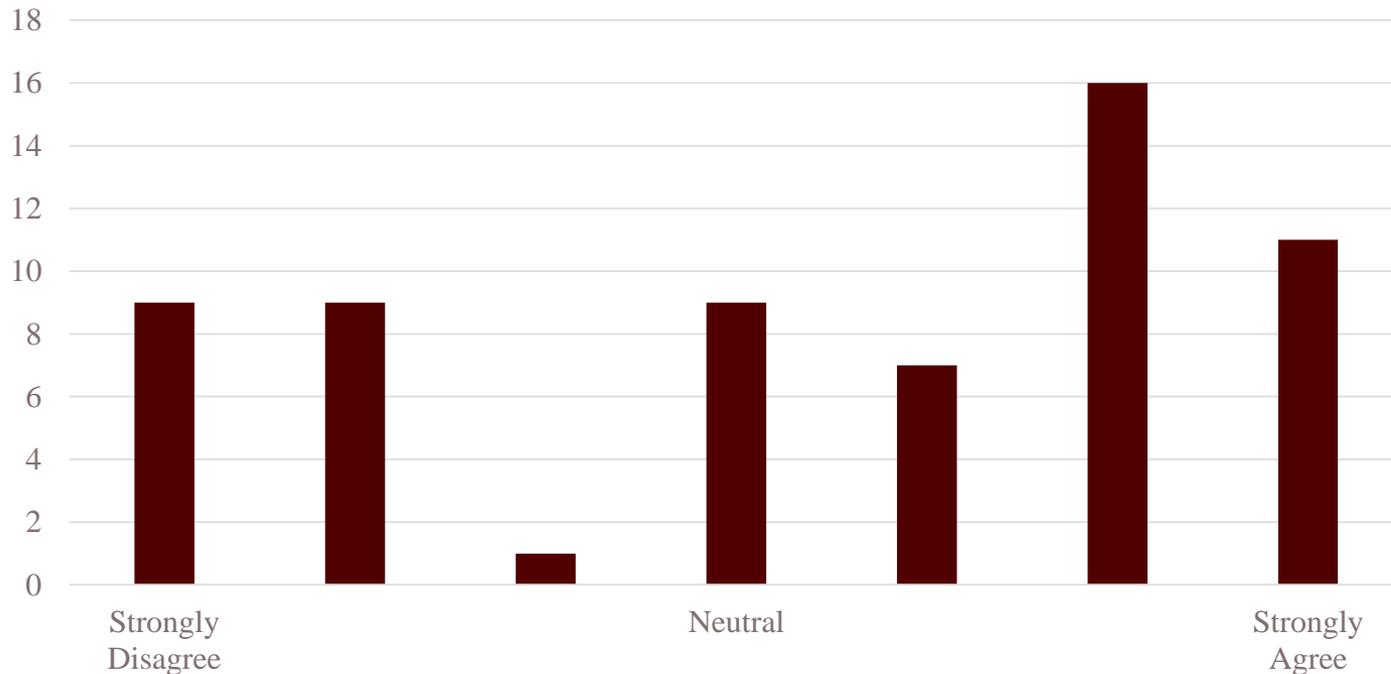


TEXAS A&M
UNIVERSITY.

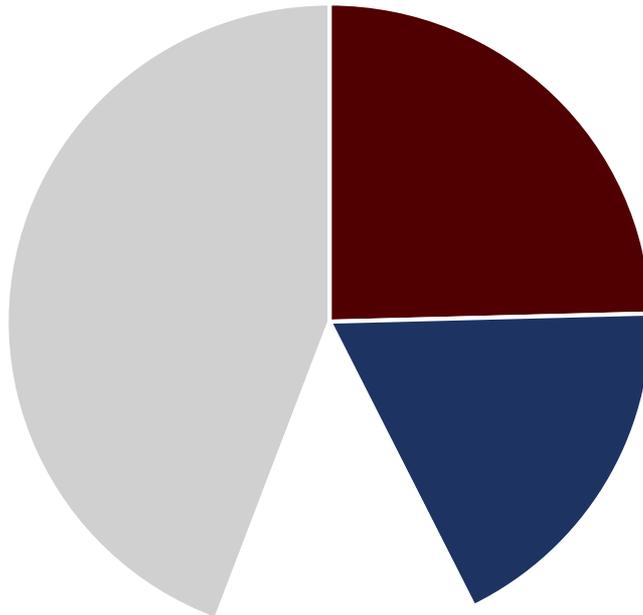
1. The Bylaws and Elections Committees recommend reducing the requirement for election of at-large members of the Executive Committee (*not* officers) from a majority to a plurality. This will require both a Bylaws (II.B.2.e) and a Constitution (II.E.2.a) change. Do you support this change?



2. The Bylaws and Elections Committees have proposed reducing the number of *at-large* seats on the Executive Committee for any electoral unit from two to one. If this change were approved, the Officers would not count toward the maximum. This will require both a Bylaws (II.B.2.e.(1)) and a Constitution (II.E.2.a) change. Do you support this change?

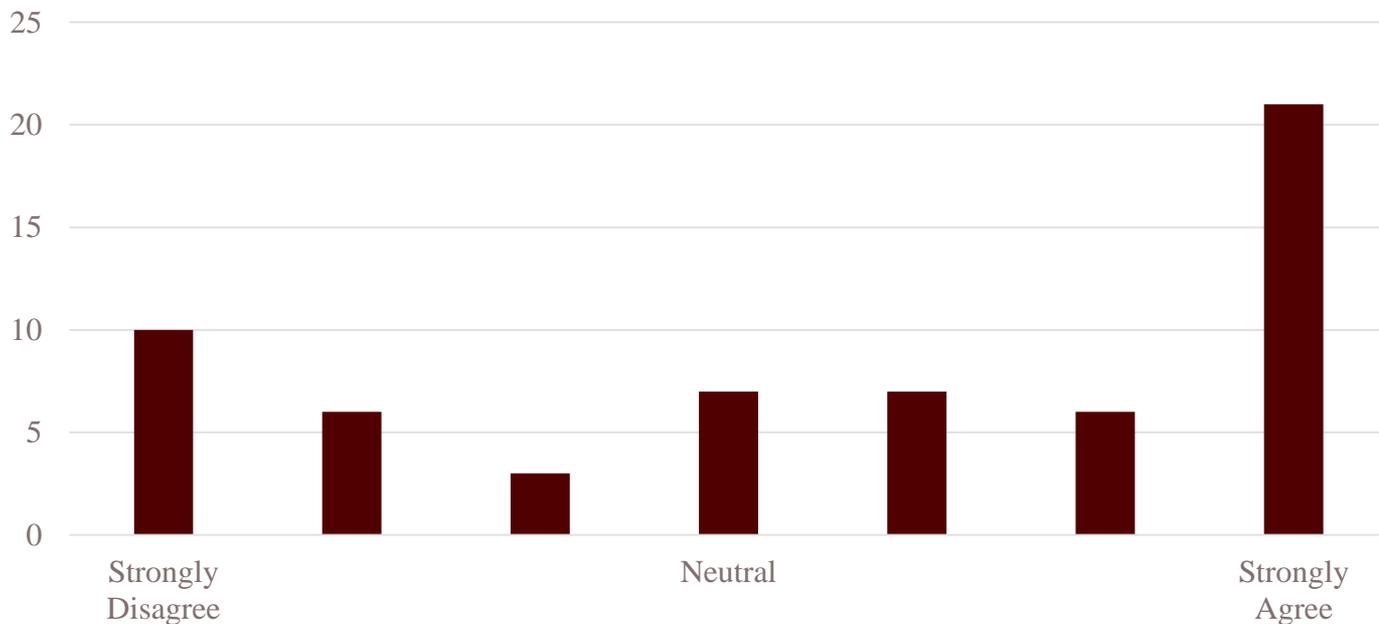


3. With simultaneous election of Speaker-Elect and Secretary, there exists the potential that all three officers could be from the same electoral unit. This would violate the Constitutional limit on the number of EC members from a single electoral unit. How should this paradox be avoided?

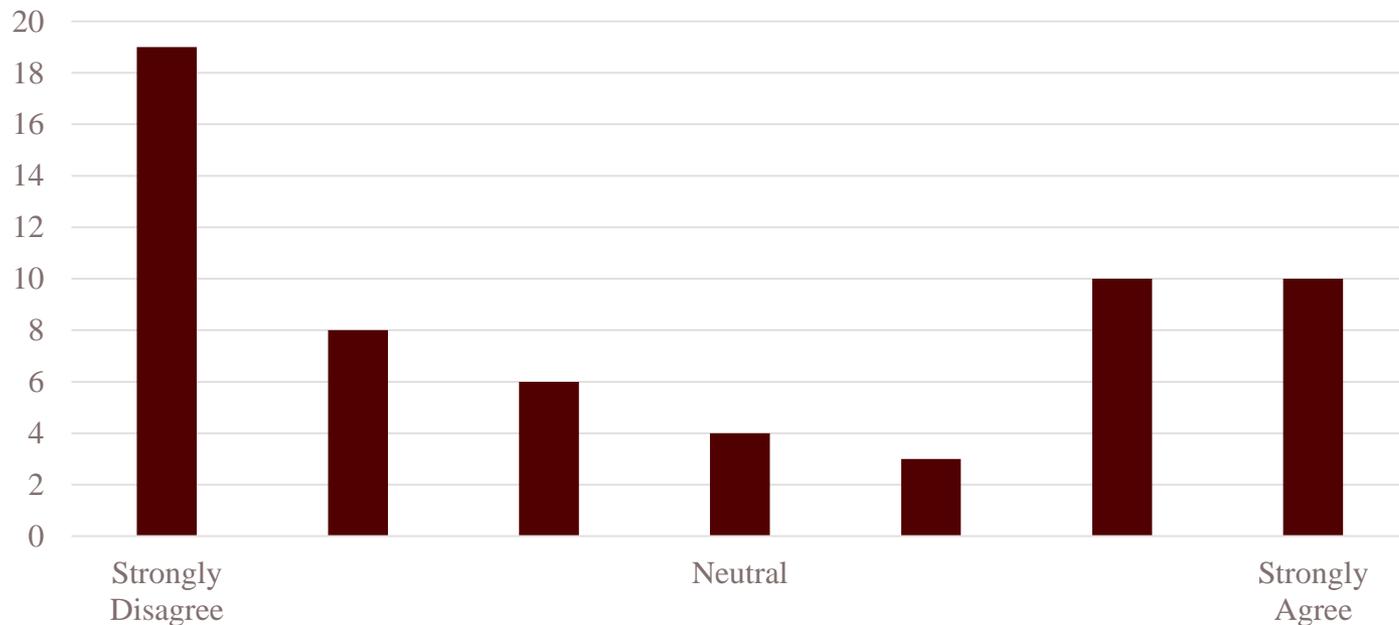


- 1. Exempt Officers from Limit
- 2. Disqualify Secretary
- 3. Disqualify officer receiving lesser majority
- 4. Require Speaker-Elect be from different EU from Speaker

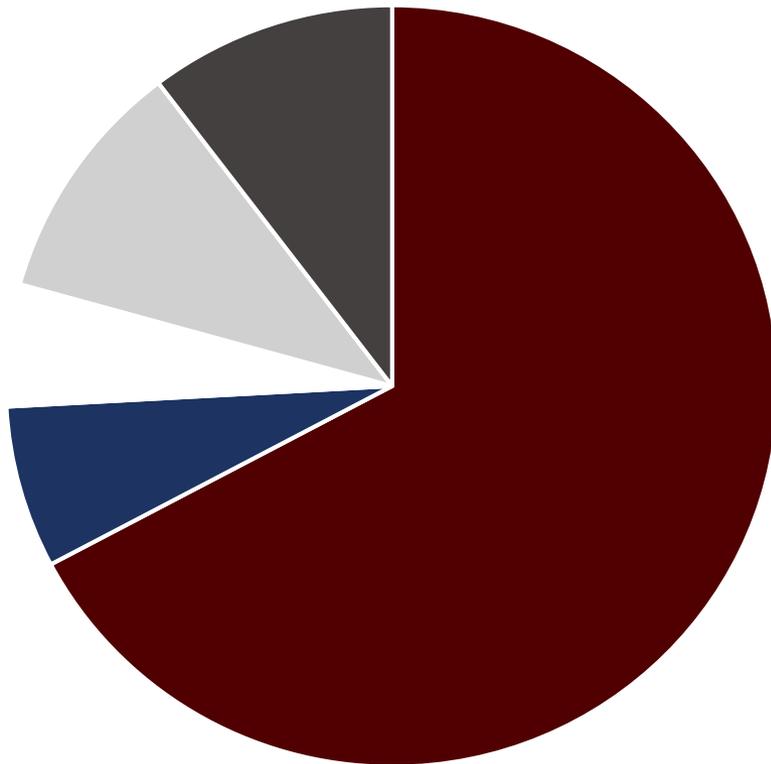
4. The Bylaws and Elections Committees recommend eliminating the “place” system for electing Senators within the electoral units, such that nominees would run for any open seat, with those receiving the largest majorities being elected until the available seats are filled. Note that a majority of votes from faculty voting, not a plurality, would still be required for election as a Senator. This will require both a Bylaws (VII.E.4) and a Constitution (II.D.2.a) change. Do you support this change?



5. The current Bylaws (VII.C) and Constitution (II.B, and II.C.4) permit “administrative faculty” to nominate and serve as Senators, members of the Executive Committee, and Officers of the Senate. Only the President of Texas A&M is prohibited from being a member of the EC (but not of the Senate) (Const. II.E.2.a). Do you support allowing administrative faculty to serve on the Senate?



5a. If you do not, “administrative faculty” must be defined. How would you define “administrative faculty” for purposes of Senate membership?



- Any faculty member with an administrative assignment >50%
- Any faculty member with the word "Dean" in their title
Any Department Head or Department Chair
- Any faculty member who has sole responsibility for hiring, tenure, or dismissal
- Other (6 responses, 1 each)

The “Other” Suggestions:

- I would exclude Deans and Vice Deans as well as department chairs
- Faculty Administrator
- Any with dean, provost or president in their title
- Tenure track faculty only
- Faculty with DH, or “Dean” in their title or who have sole responsibility for tenure, hiring, and dismissal decisions.
- This issue is how each senator deals with a conflict of interest--we need a code of conduct that requires senators with such a conflict to recuse themselves from those matters in which they have a conflict of interest--as such the definition of "Administrative Faculty" becomes irrelevant.



Comments to Bylaws Committee Survey

1. The Bylaws and Elections Committees recommend reducing the requirement for election of at-large members of the Executive Committee (*not* officers) from a majority to a plurality. This will require both a Bylaws (II.B.2.e) and a Constitution (II.E.2.a) change. Do you support this change?

Comments (7)

- electronic with at least 1 or 2 rankings would make sense
- I am open to ranked voting, but it can get complicated.
- Creating automatic runoffs is not difficult. Just have people rank their choices. This isn't hard.
- I would like to see exploration of a ranked-choice system
- A more appropriate balloting method is clearly called for here, but I support the plurality proposal as a stopgap.
- Having a majority is clearly superior to a plurality; but the business of the senate should not be prohibited by lack of a majority. I support another method of determining the "majority candidate".
- The decision to elect an EC member should require deliberation and not tepid support through plurality

2. The Bylaws and Elections Committees have proposed reducing the number of *at-large* seats on the Executive Committee for any electoral unit from two to one. If this change were approved, the Officers would not count toward the maximum. This will require both a Bylaws (II.B.2.e (1)) and a Constitution (II.E.2.a) change. Do you support this change?

Comments (6)

- From a Faculty Senator: The argument is that the Executive Committee (EC) represents the University, the Senate, and the Faculty, not the EUs. I believe the sentiment was that a meritorious third nominee from a college should not be penalized simply because there were already two members on the EC from that EU. Thus, having any limit on the number of members from one EU did not make sense. Reality: Senators are not always selected by merit. We had senators in the EC that fell asleep at every meeting but they came from large colleges. The reality is that some may select by merit but most select by party, familiarity, looks or whatever that has nothing to do with merit.
- Yes, we need more representation from all the Colleges.
- Some of the larger units have a deep talent pool and we would miss out on good EC members with this limit.
- As long as the officers were excluded I think this is a very preferable system. Will the officers have requirements based on electoral unit?
- This appears unnecessary, and it may worsen other problems.
- The EC represents the senate not the colleges. This forces representation on us.

3. With simultaneous election of Speaker-Elect and Secretary, there exists the potential that all three officers could be from the same electoral unit. This would violate the Constitutional limit on the number of EC members from a single electoral unit. How should this paradox be avoided?

Comments (4)

- If we do not have a limit of 1 on the proceeding then lets eliminate all number so that a unit can move forward all its member and create the dynasty as is right now.
- Officers are supposed to represent the whole faculty, not just the ones in their units.
- voters typically do this 'on their own'
- by limiting the speaker-elect to be from a different college, we would be limiting the senate from making a choice on who we want to represent us for no reason

4. The Bylaws and Elections Committees recommend eliminating the “place” system for electing Senators within the electoral units, such that nominees would run for any open seat, with those receiving the largest majorities being elected until the available seats are filled. Note that a majority of votes from faculty voting, not a plurality, would still be required for election as a Senator. This will require both a Bylaws (VII.E.4) and a Constitution (II.D.2.a) change. Do you support this change?

Comments (6)

- The place system is antiquated and many seats are filled without a challenger. Also, running against a candidate for the same place while some other seats are not contested, does not make sense.
- There are some candidates who are so outstanding they merit being unopposed...
- It is important to allow for the deliberate running against an unpopular Senator. We should also pass whatever amendments necessary to prohibit incumbents from running for a place other than the one they currently hold. The problem of nominees crowding into the first place due to ignorance can be fixed by designing an algorithm that, by default, places nominees into the place that has the fewest, but which also allows nominees to override the default and pick a specific slot.
- Ability to run against other candidates is important.
- This still allows someone to run against someone else (by definition they run against everyone else. It does not allow them to eliminate an otherwise popular candidate who might have been easily electable by the majority of the electors.
- A place system is necessary in some form, in order to facilitate logistical issues like term expirations (especially when a partial term is vacated and completed by another appointee). I recommend the committee consider all candidates from a certain EU be considered to be running against each other and that place numbers be assigned after the top candidates have filled all open seats. This is largely a difference in the language describing the issue as whether or not to "eliminate" the place system.

5. The current Bylaws (VII.C) and Constitution (II.B, and II.C.4) permit “administrative faculty” to nominate and serve as Senators, members of the Executive Committee, and Officers of the Senate. Only the President of Texas A&M is prohibited from being a member of the EC (but not of the Senate) (Const. II.E.2.a). Do you support allowing administrative faculty to serve on the Senate?

Comments (5)

- Having administrative faculty as officers in the senate could lead to a wide range of conflict of interest issues. At what point would they side with faculty vs. administration when important matters arise? Why would they like to be part of the faculty senate if they are already serving the university as administrators? Moreover, faculty members in the senate should feel that any discussion in any FS committee is not going to have any negative repercussion(s) for them. Besides, administrative faculty should be loyal to their respective supervisors or chain of command when potential issues arise.
- Administrators are faculty. If they are outstanding, they could be a bridge between faculty and administration. If they are not, they could be defeated at the ballot.
- You should be able to choose multiple answers above
- The "sole responsibility for tenure" option appears like an elegant form of honorably protecting faculty members on the senate, but since senate meetings are not secret, it is not actually protective. The rub appears to be that the senate is advisory to certain administrative parties, who should naturally be excluded from the senate: where is this actually stated, and how is it defined? I suggest the committee consider defining the term Executive Administration (perhaps as meaning those with "President" or "Provost" in their titles or the titles of offices in which they work, with any modifiers) and excluding them from Senate eligibility—this would exclude the DoF (both as part of the Office of the Provost and as an Associate Provost herself) but not the dean of any college. I don't see how the senate would ever be advisory to a specific EU and therefore to its dean, but if I am short-sighted here, perhaps this can be mitigated by excluding the target of any senate's advice from any votes on that matter (e.g., the Dean of Liberal Arts could be a senator, but she would be prohibited from voting on any senate proclamation addressed to her).
- Administrators who are also faculty should remember that they are faculty first. We should not create a gulf between the administrative faculty and non-administrative faculty- that was the wisdom of the founders of the Senate