Report and Recommendations of the
Ad Hoc Committee on the Senate Executive Committee (SEC)
1 April 2010

The Senate Executive Committee (SEC) created the Ad Hoc Committee on the Senate Executive Committee in January 2010, charging the ad hoc committee with studying and clarifying SEC procedures for handling standing committee reports. The following individuals served on the committee: Darlene Applegate (PCAL, Chair), Janet Applin (CEBS), Molly Dunkum (OCSE), Darbi Haynes-Lawrence (CHHS), Molly Kerby (UC), Joan Krenzin (Senate Parliamentarian), Megan Thompson (BGCC), Carol Watwood (Libraries), and David Zimmer (GFCB).

In our deliberations, the committee reviewed relevant portions of the University Senate Charter, discussed past precedent and previous personal experiences with Senate standing committee reports and the SEC, reviewed relevant information in Sturgis about committee reports, and discussed options for SEC procedures regarding standing committee reports.

In sum, the committee concluded that the existing SEC procedures for handling standing committee reports, which includes the SEC removing items from a consent agenda and sending them back to the appropriate committee or individual, are consistent with provisions in Sturgis. Further, the committee concluded that the procedures that apply to the SEC are parallel to those that apply to Graduate Council and the standing committees of the Senate, especially the Undergraduate Curriculum and General Education committees, regarding their procedures for handling college committee reports. The committee recommends that the Charter be amended to clearly describe these procedures.

In this report we summarize the relevant portions of the Senate Charter, outline the relevant portions of Sturgis, describe the five options considered by the ad hoc committee, and make recommendations for amending the Senate Charter.

Relevant Portions in the Charter  [direct quotes]

The functions of the Executive Committee shall be:
a. to set the time and place of regular meetings and to prepare the agenda for each meeting; …
d. to review standing committee reports and/or ad hoc committee reports and vote to include the reports on the regular Senate agenda; … (p. 6; emphasis original)

The Undergraduate Curriculum Committee shall have two types of responsibilities: 1) to make proposals to the University Senate concerning university-wide undergraduate academic policies, and 2) to review particular undergraduate programs and courses to determine whether they meet established standards. … The Chair of the Undergraduate Curriculum Committee shall submit a report setting forth its recommendations concerning these [academic policy] matters to the Chair of the Senate Executive Committee at least five days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. … Any proposal that the General Education Committee rejects shall be returned to the appropriate college curriculum committee, accompanied by a rationale for the rejection. (p. 7; emphasis added) note discrepancies in deadlines for report submission

The Chair of the General Education Committee shall submit a report setting forth consent and action items approved by it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. … Any proposal that the General Education Committee rejects shall be returned to the appropriate college curriculum committee, accompanied by a rationale for the rejection. (p. 9)
The Chair of the Faculty Welfare and Professional Responsibilities shall submit a report setting forth recommendations it may have relating to faculty issues to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. (p. 10)

The Chair of the Committee on Academic Quality shall submit a report setting forth recommendations it may have relating to issues before it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. (p. 10)

The Graduate Council shall have two types of responsibilities: 1) to make proposals to the University Senate concerning university-wide graduate academic policies, and 2) to review particular graduate programs and courses to determine whether they meet established standards. … The Chair of Graduate Council shall submit a report setting forth its recommendations concerning these [academic policy] matters to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. … Any action item that the Graduate Council rejects shall be returned to the college curriculum committee which submitted it, accompanied by a rationale for the rejection. … The Chair of the Graduate Council shall submit a report setting forth the consent and action items [curriculum proposals] as approved by it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. (p. 12-13)

Relevant Portions of Sturgis [direct quotes]

A committee report should be as brief as possible, consistent with clarity. It should give the background necessary to an understanding of any recommendations the committee is making for decision by the assembly. … Recommendations from the committee should be attached to the report but should not be included in it. Each recommendation should be in the form of a motion or resolution to be presented, discussed, and acted on as a separate motion by the voting body. If opinions and recommendations are included in a report, and the report is approved, they are binding on the organization. Such a blanket commitment is dangerous. (p. 185-6)

A committee report, after being presented to an assembly, is open for comment, questions, or criticism, but the members of the committee and their motives may not be attacked. *A committee report cannot be amended except by the committee, since no one can make the committee say anything it does not wish to say.* A committee report, after it is presented, may be disposed of in any of the following ways:

1. The report may be filed. … A report that is filed is not binding on the assembly but is available for information and may be considered again at any time. …

2. *A subject and the report covering it may be referred back to the committee if further study, modifications, or recommendations are needed.*

3. Consideration of a committee report may be postponed to a more convenient time.

4. A report may be adopted. This commits the assembly to all the findings and opinions contained in the report, and to any recommendations that might be included in it, but not to any recommendations submitted separately. *A committee report can be adopted in part or with exceptions or reservations.* … (p. 187, emphasis added)

Recommendations, which should be presented in the form of motions, may be acted on separately when they are presented with the committee report, postponed to a certain time, or taken up under new business. (p. 189)
Options for SEC Procedures on Committee Reports

1. Up-or-Down Option

*Description:* The SEC accepts the entire committee report as presented and forwards it to Senate or the SEC rejects the entire committee report as presented (due to one or more problematic proposals), does not forward it to the Senate, and returns it to the committee with comments.

*Implications:* If the SEC rejects a committee report due to one or more proposal(s), then no standing committee report will be forwarded to the Senate that month and all business of the committee will be delayed by at least one month. SEC members may be less likely to question problematic proposals if they are concerned about delaying the other business of the committee.

2. Endorse-Not Endorse Option

*Description:* The SEC forwards to the Senate the entire committee report as presented, with endorsements for those portions of the report that the SEC accepts and without endorsements for those portions of the report that the SEC finds problematic. The SEC provides a rationale for each item that is not endorsed and notifies the proposer so he/she can be present at the Senate meeting to address the concerns.

*Implications:* An unendorsed item would not be discussed automatically at the Senate meeting; a senator would have to request that an unendorsed item be moved from the committee’s consent agenda to the action agenda. After such a request, concerns about the proposal are deliberated on the Senate floor.

3. Consent-Action Option

*Description:* The SEC forwards to the Senate the entire committee report as presented, with accepted portions of the report included on a consent agenda and problematic portions of the report included on an action agenda. The SEC provides a rationale for each item that is moved to the action agenda and notifies the proposer so he/she can be present at the Senate meeting to address the concerns.

*Implications:* Agenda items that the SEC does not accept will be discussed automatically at the Senate meeting because the SEC moved them to the action agenda of the committee. Concerns about these items are deliberated on the Senate floor.

4. Negotiation Option

*Description:* The SEC returns problematic proposals to the committee, the concerns are addressed by the committee and proposer, the proposals are re-submitted to the SEC, and the SEC forwards the entire committee report (with revised items) to the Senate.

*Implications:* This option may not be feasible due to logistical issues. There is limited time (eight business days) to accomplish the required correspondence, revision, deliberation, voting, and documentation for reconsidering problematic proposals prior to the deadline for posting the Senate agenda. The SEC meets the first Monday of the month, and the Senate agenda must be posted by the second Thursday of the month. In addition, some committee meeting times do not fall between the SEC and Senate meetings, so their deliberations and voting would have to occur electronically or by special meeting.

5. Forward-Return Option

*Description:* The SEC returns problematic proposals to the committee and forwards the remainder of the committee report to the Senate. [this is the current operating procedure]

*Implications:* Some Senators expressed concern that this course of action constitutes “amending” a committee report and, therefore, is in violation of Sturgis’ rules. This procedure allows closer examination of problematic proposals without delaying the other business of the committee. This procedure affords opportunities to address concerns about proposals prior to the Senate meeting, as opposed to deliberating concerns on the Senate floor.
Committee Conclusions and Recommendations

After careful consideration of Charter provisions, Sturgis rules, and procedural options, the ad hoc committee came to four major conclusions, which are explained below.

Interpretation of Sturgis

Central to the task of the ad hoc committee was interpreting Sturgis’ rule that “A committee report cannot be amended except by the committee, since no one can make the committee say anything it does not wish to say.” One possible interpretation is that “amended” means changed in any way, such as removing items from the report. The ad hoc committee does not agree with this interpretation. Instead, the ad hoc committee concluded that “amended” means added to.

First, Sturgis qualifies the “amended” statement with the phrase “since no one can make the committee say anything it does not wish to say.” We think this is akin to “not putting words in the committee’s mouth,” or adding things to the committee’s report. Second, Sturgis goes on to identify four actions an assembly can take in disposing of a committee report, which includes removing certain subjects in the report and sending them back to the committee. If Sturgis intended for “amended” to mean changed in any way, then the provision for returning report items would be contradictory.

Evaluation of Five Options

The ad hoc committee concluded that all five options comply with Sturgis’ four rules for disposing of committee reports. The first (up-or-down) option complies with Sturgis’ rules that a report may be adopted or filed. However, the ad hoc committee wants to clarify that the SEC does not have the authority to adopt a report, a specific action that, according to Sturgis, makes the report binding on the assembly (Senate). At the same time, the Charter (p. 6) does give the SEC the authority to accept a report by voting to include the report on the Senate agenda.

The second (endorse-not endorse) and third (consent-action) options comply with Sturgis’ rule that a report can be adopted [or accepted, in the case of the SEC] with exceptions or reservations.

The fourth (negotiation) and fifth (forward-return) options comply with Sturgis’ rule that an item can be referred back to the committee for further study or modification.

The ad hoc committee concluded that the five options are not equally desirable. The first (up-or-down) option is not desirable for several reasons. First, it has the potential to cause substantial time delays in proposal review and approval. Second, it has the potential to result in acceptance of problematic proposals. Third, it limits the role that the SEC plays in the routing process; if the SEC’s sole authority is to forward or not forward committee reports, then the need to include the SEC in the routing process is diminished if not eliminated.

The fourth (negotiation) option is not desirable because it would be extremely difficult and burdensome to operationalize. There is insufficient time between the SEC and Senate meetings to review and revise proposals, and it would create a great deal of extra work for the SEC members and the committee chairs.

The ad hoc committee carefully considered the second (endorse-not endorse) and third (consent-action) options as potentially desirable procedures. Advantages of these options are that they allow complete committee reports to move forward to the Senate and, at the same time, allow the SEC to express concerns about and call attention to particular items within the reports. Further, option three insures that Senators will have an opportunity to discuss specific problematic proposals on the floor of the Senate meeting. One disadvantage is that extensive floor deliberations consume the Senate’s limited meeting time. Another concern is that these options, especially option two, limit the role that the SEC plays in the routing process.

The ad hoc committee concluded that the fifth (forward-return) option is desirable. This option represents existing procedural precedent. Through SEC action, this option allows proposal problems to be addressed before the proposals are forwarded to the Senate, potentially saving Senate meeting time.
Perhaps most importantly, this option makes the same action options (especially rejection and return of proposals back to committee) available to the SEC that are available to other Senate committees (Graduate Council, Undergraduate Curriculum Committee, and General Education Committee). The authority to accept or reject items from committee reports provides the SEC with more options for input on committee reports.

Based on these conclusions, the ad hoc committee makes the following three recommendations to the University Senate.

The Senate Executive Committee can but should not use the following options for disposing of committee reports: up-or-down option and negotiation option.

The Senate Executive Committee can and should use the following options for disposing of committee reports: endorse-not endorse, consent-action, and forward-return.

The Senate Charter should be amended as follows. [red = additions, strikethrough = deletions]

The functions of the Executive Committee shall be: …

d. to review standing committee reports and/or ad hoc committee reports and vote to include the reports on the regular Senate agenda; the Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the committee if further study, modifications, or recommendations are needed; (p. 6)

The Chair of the Undergraduate Curriculum Committee shall submit a report setting forth its recommendations concerning these [academic policy] matters to the Chair of the Senate Executive Committee at least five seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Undergraduate Curriculum Committee if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 7)

The Chair of the Undergraduate Curriculum Committee shall submit a report setting forth the consent and action items [curriculum proposals] as approved by it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Undergraduate Curriculum Committee if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 7)

The Chair of the General Education Committee shall submit a report setting forth consent and action items approved by it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the General Education Committee if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 9)
The Chair of the Faculty Welfare and Professional Responsibilities shall submit a report setting forth recommendations it may have relating to faculty issues to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Faculty Welfare and Professional Responsibilities Committee if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 10)

The Chair of the Committee on Academic Quality shall submit a report setting forth recommendations it may have relating to issues before it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Academic Quality Committee if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be placed on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 10)

Chair of Graduate Council shall submit a report setting forth its recommendations concerning these academic policy matters to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Graduate Council if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 12)

The Chair of the Graduate Council shall submit a report setting forth the consent and action items curriculum proposals as approved by it to the Chair of the Senate Executive Committee at least seven days prior to the Executive Committee’s meeting for approval to include the report on the Senate agenda. The Senate Executive Committee may accept a report as presented, forward the report with endorsements and non-endorsements of specific items, forward the report as consent and action agendas, or forward portions of the report and return other portions of the report back to the Graduate Council if further study, modifications, or recommendations are needed. Upon approval by the Senate Executive Committee, the report shall be included on the Senate agenda for the next scheduled Senate meeting. Upon Senate approval adoption, the report shall be forwarded as a recommendation to the Office of the Provost. (p. 12-13)