

**Report of the
Ad Hoc Committee on the Senate Executive Committee (SEC)
1 April 2010
Revised 27 October 2010, 2 February 2011**

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 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), Huanjing Wang (OCSE), 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 committee reports and the SEC, reviewed relevant information in Sturgis about committee reports, and discussed options for SEC procedures regarding committee reports.

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

Relevant Portions in the Charter (directly quoted)

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. ... 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. 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 Undergraduate Curriculum Committee rejects shall be returned to the college curriculum committee which submitted it, accompanied by a rationale for the rejection. (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. 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 (directly quoted)

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. [Note that a report can contain multiple recommendations, as is the case for reports from many of the University Senate committees.] 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: The SEC takes one of two courses of action: (1) accept the entire committee report as presented and forward it to full Senate or (2) reject the entire committee report as presented, due to one or more proposals or motions about which there are questions or concerns, and return the report to the committee with comments or questions. *Observations and Implications*:
 - conforms with provision in Senate Charter that SEC votes whether or not to include committee reports on Senate agenda
 - conforms with one interpretation of Sturgis: committee reports cannot be changed in any way (including removal of items) by anyone except committee
 - if a committee report is rejected due to one or more proposals or motions, then no committee report will be forwarded to the Senate that month and *all* business of the committee included in that report will be delayed by at least one month
 - SEC members may be less likely to question proposals or motions if they are concerned about delaying the other business of the committee
 - questions or concerns are addressed prior to full Senate review
2. Endorse-Not Endorse Option: 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 about which the SEC has questions or concerns. 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, should they be raised by a senator. *Observations and Implications*:
 - conforms with provision in Senate Charter that SEC votes whether or not to include committee reports on Senate agenda
 - conforms with one interpretation of Sturgis: committee reports cannot be changed in any way (including removal of items) by anyone except committee
 - questions or concerns about a proposal or motion are not automatically addressed by the Senate; questions or concerns are addressed only if a senator moves an item to the action agenda during the full Senate meeting
 - questions or concerns are deliberated on the Senate floor
3. Consent-Action Option: The SEC forwards to the Senate the entire committee report as presented, with accepted portions of the report included on a consent agenda and portions of the report about which the SEC has questions or concerns included on an action agenda. The SEC provides a rationale for each item that is included in the action agenda and notifies the proposer so he/she can be present at the Senate meeting to address the concerns. *Observations and Implications*:
 - conforms with provision in Senate Charter that SEC votes whether or not to include committee reports on Senate agenda
 - conforms with one interpretation of Sturgis: committee reports cannot be changed in any way (including removal of items) by anyone except committee

- questions or concerns about a proposal or motion are automatically addressed by the Senate because the SEC moved the item to the action agenda
 - questions or concerns are deliberated on the Senate floor
4. Negotiation Option: The SEC returns to the committee proposals or motions about which it has questions or concerns, the concerns or concerns are addressed by the proposer and/or committee, the proposals or motions are re-submitted to the SEC, and the SEC forwards the entire committee report (with all original proposals or motions, some of which may have been modified after reconsideration) to the full Senate. *Observations and Implications*:
- conforms with provision in Senate Charter that SEC votes whether or not to include committee reports on Senate agenda
 - conforms with another interpretation of Sturgis: portions of committee reports can be acted upon separately and this does not constitute amendment of the committee report
 - there is no provision of a procedure in the case that the questions or concerns raised by the SEC are not addressed to the satisfaction of the SEC
 - this option would require considerable logistical coordination because there is limited time (seven business days) to accomplish the required correspondence, revision, deliberation, voting, and documentation for reconsidering proposals/motions prior to the deadline for posting the Senate agenda
 - the SEC meets the first Tuesday of the month and the Senate agenda must be posted by the second Thursday of the month
 - 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
 - some Senators expressed concerns that such authority by the SEC gives the SEC too much power
5. Forward-Return Option: The SEC returns to the committee proposals or motions about which it has questions or concerns and forwards the remainder of the committee report to the Senate. *Implications*:
- conforms with provision in Senate Charter that SEC votes whether or not to include committee reports on Senate agenda
 - conforms with another interpretation of Sturgis: portions of committee reports can be acted upon separately and this does not constitute amendment of the committee report
 - allows for questions and concerns about specific proposals and motions to be addressed without delaying the other business of the committee
 - allows for questions and concerns about specific proposals and motions to be addressed before consideration on the floor by the full Senate
 - there is no provision of a procedure in the case that the questions or concerns raised by the SEC are not addressed to the satisfaction of the SEC
 - some Senators expressed concerns that such authority by the SEC gives the SEC too much power

- some standing committees of the Senate make use of this option in reviewing reports from the standing college committees