

RUTGERS UNIVERSITY SENATE

University Structure & Governance Committee

Progress Report to Executive Committee (April 2009)

CHARGE

S-0902 Consider proposals to limit discussion during University Senate meetings, when motions are on the floor, to that of Senators and specifically invited guests. Also consider proposals to provide for public input to issues before the Senate, such as possibly providing for opening the Senate meetings to the public during the President's Annual Address to the Rutgers Community, as well as during the three annual campus reports, and at other times, such as in public hearings or forums by the Senate or any of its committees, and possibly when the Senate is in committee of the whole.

This charge has been discussed at two meetings of the USGC (February and March), but complete consensus has not yet been reached. There is agreement as to certain points, however, and these may be used as a springboard toward achieving a broader accord. It is clear, for example, that once a motion is on the Senate floor, only senators (or specifically invited guests) may speak to the issue. It is also clear that the president wishes to give his Presidential Address to the Rutgers Community to the widest public possible, and that no limitation ought be imposed on attendance or participation at that assembly, except the reasonably brief time limit currently set for each speaker. This principle could be extended to the campus reports of the Camden and Newark campus Chancellors (or, in the case of New Brunswick, Executive Vice President of Academic Affairs), where there may be considerable interest among the Rutgers community in interacting with the leadership. It is also clear that the Senate, while benefiting from a degree of input from the public at large, is not per se a public forum. It needs to maintain an atmosphere of reason and order so as to do its business. Although not widely known of or used, there currently exists a Speakers List for non-senators to reserve time to address the University Senate. The USGC thinks that the Speakers List ought to be reactivated as a partial solution to the problem of giving the public limited access to the Senate floor.

An obstacle to the revival of the Speakers List is a general lack of awareness as to its existence. A cost-efficient method for raising its profile may be to post a prominent announcement on the first page of the University Senate website. This announcement could be hyperlinked to a reservation list, managed by the Executive Secretary of the University Senate, wherein it was stated explicitly that only the first five subscribers could speak per meeting and that each speaker had to limit him/herself to germane business for a three-minute period (there was some disagreement among committee members as to exactly how many speakers and how long each should be permitted to speak, and whether spontaneous speech ought to be allowed if the time wasn't already used up, with a 15-30 minutes total encompassing the range of discussion. Please see the Appendix below for a draft of a possible announcement of this sort. The Senate agenda is set by the Executive Committee; exactly where the open session would fit in the overall agenda, and how long it would remain open, is to be determined by that body. As always, extensions could be granted by the Senate Chair, but the committee hopes that this would occur only exceptionally and thinks it shouldn't be put in writing.

Additional considerations include:

- a.) using the Senate's power to declare committee of the whole to accomplish a similar purpose. On a given occasion, the Speakers List could be used to establish the order of public participation (this could be used on an occasional basis or could be built into every meeting).
- b.) reserving time for public input **before** voting on motions to adopt recommendations, so that the input could be synchronous with Senators' decision making.

- c.) rearranging the current sequence of activities at meetings so that any Senate business that involved voting on standing committee recommendations, which requires a quorum, preceded other activities, such as council, board, or campus reports or addresses from the administration, which does not require a quorum.
- d.) holding hearings of individual committees or of the entire Senate to allow the public to express itself on especially controversial issues. There are many logistical problems associated with holding hearings, such as getting members of committees or of the entire Senate to attend them. Hearings could be scheduled during the noon hour (when caucuses normally meet), but the drawbacks to this are obvious: no lunch, no caucus. Holding hearings before committee meetings or after Senate meetings is even less desirable. Scheduling hearings on non-Senate-meeting Fridays might provoke sufficient interest among senators, depending on the particular issue in question. In general, though, the idea of holding hearings, unless presided over by someone of the rank of Chancellor or higher, may prove to be more noble than realistic. Hearings may be necessary in order to appease a hostile public, but they should not be allowed to become part of the Senate's normal way of functioning. We return to the Speakers List as a manageable and reliable safety valve and source of diverse views and information.

Appendix: University Senate Website Announcement for Speakers List

The University Senate Has a Speakers List!

If you would like to speak briefly to the Senate at the next meeting, scheduled for Friday, _____, starting at 1:10 p.m. in the Rutgers University Campus Center, you should reserve a slot *in advance*. Comments must be germane to the business of the University Senate and be limited to three minutes for each of a maximum of five speakers. Once a motion is on the Senate floor, only University Senators may speak. The Speakers List closes at 1:10 p.m. on Wednesday, _____, two days before the start of the meeting. Please click [here](#) to sign up on a first-come, first-served basis.