

Report of the University Structure and Governance Committee on Charge S-0712: Enhanced Shared Governance, and University Senate

Charge: Review the Senate Handbook and Bylaws, and make recommendations or suggestions for revision based on the USGC's self-submitted "Proposal to Review Senate Operations to Enhance Shared Governance. Respond to Senate Executive Committee by March 2010.

Background: During the 2006-2007 year, the University Structure & Governance Committee (USGC) addressed University Senate Charge S-0604 (Shared Governance). On April 12, 2007, a report was issued to the University Senate. Within that report, various recommendations were made that would enhance the state of shared governance at Rutgers, including that:

- Both structural and procedural recommendations (for enhancing shared governance) are carried out through a process of shared governance
- The University Senate, through this committee, continue to assess its own operations with regard to the representation of all community members through the Senate, in order to make it a more effective deliberative body for the university community
- Given the relatively recent advent of Staff Senators, special attention is paid to considering staff representation in processes entailing shared governance.

In the spirit of acting on these recommendations, the USGC proposed to explore internal operations of the Senate to ensure that all constituent bodies are equally represented and that all elected Senators have opportunities for leadership. The committee was charged to address these issues by reviewing the *University Senate Handbook* and related university policies.

Recently, at the behest of the University Structure and Governance Committee Co-chairs, the Executive Committee has convened a Senate Ad Hoc Task Force on Shared Governance.

Considerations: The *University Senate Handbook* was last revised in April 2005. Since then Senate has acted on a number of Resolutions that required changes in the *University Senate Handbook*. The major part of the USGC's work in relation to this charge arose from identifying those matters and updating the *Handbook* accordingly. An updated version of the *University Senate Handbook* incorporating all changes already acted upon by the Senate has been passed to the executive secretary of the University Senate to be posted online.

At the same time, the USGC has identified six further areas where it believes improvements should be made, requiring further action by the Senate:

To resolve and clarify practical issues that arose in the 2009–2010 Senate year, the USGC recommends that the Handbook explicitly specify that in the absence of the Chair, the Vice Chair shall assume the Chair's responsibilities; and that in the temporary absence of the Vice Chair the Executive Committee be explicitly given authority to appoint a Vice Chair *pro tem*. Of course, it is expected that if either the Chair or the Vice Chair is absent for a period expected to be more than temporary, new elections would be needed, and the USGC is not recommending any change to this procedure.

Given that staff members are eligible for staff senator positions, the USGC believes the restriction preventing the executive secretary of the University Senate from being a senator should now be removed. However, this should be subject to the constraint that an elected senator serving as secretary should not be allowed to hold any other Senate leadership or board representative position for which senators are otherwise normally eligible.

Once again to resolve and clarify practical issues that arose in the 2009–2010 Senate year, the USGC recommends that the Handbook specify that in the absence of the Parliamentarian the Executive Committee has the authority to appoint a Parliamentarian *pro tem*.

At present the Handbook permits nonsenators with expertise appropriate to a committee's work to be invited to hold membership to increase committee effectiveness. However, it does not specify who has the authority to issue such invitations. The USGC believes that the appropriate authority should rest with the standing committee chairs and/or the Executive Committee. In addition, the USGC proposes to clarify that such an invitation is temporary in nature, since committees are re-constituted each senate year.

In practice, because of the nature of the work of the USGC, it regularly has need of the experience and expertise of the executive secretary of the Senate, and proposes that the executive secretary should be an *ex officio* member of the committee. Similar circumstances already exist for other committees: for instance, the Vice President for Faculty and Staff Affairs serves as an *ex officio* member of Faculty and Personnel Affairs committee.

There have been ongoing concerns regarding the Nominating Panel because of the restriction that serving on the panel prevents an individual from being nominated for office if no alternative nominee has been identified (the restriction being "At least one nominee for each office must not be a member of the Nominating Panel"). The USGC proposes to remove this restriction so as to encourage service on the panel; but, recognizing that it was an attempt to ensure a fair and transparent process, the USGC also proposes to add the safeguard that the panel itself must have at least three serving senators.

Recommendation: The University Structure and Governance Committee recommends adoption of the following resolution by the University Senate:

Be it resolved that the Handbook of the Rutgers University Senate be amended as follows:

1. Append to Article VII. A. a new paragraph containing the sentence: "In the absence of the Chair, the Vice Chair shall assume the responsibilities of the Chair."
2. Append to Article VII. B. a new paragraph containing the sentence: "In the temporary absence of the Vice Chair, the Executive Committee shall if necessary appoint a Vice Chair *pro tem*."
3. In Article VII. C. delete from the end of the fourth sentence the clause ", and is expected not to be a senator", and insert a new fifth sentence: "Therefore, if an elected senator, the executive secretary shall hold no other Senate leadership or board representative position."
4. Append to Article VII. F. a new paragraph containing the sentence: "In the absence of the Parliamentarian, the Executive Committee shall appoint a Parliamentarian *pro tem*."
5. Amend Article VIII. B. 3. by replacing the first sentence: "Nonsenators with expertise appropriate to a committee's work may be invited to hold membership to increase committee effectiveness." with the sentence: "Standing committee chairs or the Executive Committee may invite nonsenators with expertise in the committee's work to hold temporary membership to increase the committee's effectiveness."
6. Append to Article VIII. D. 3. a new final bullet point containing the sentence: "The executive secretary of the Senate shall serve as an *ex officio* member of the University Structure and Governance Committee."
7. Amend Article VIII. D. 10. by: (i) inserting in the Standing Charge, after the words "The Nominating Panel shall be appointed by the Executive Committee in March or April of each year" the words " and shall consist of at least three Senators"; (ii) replacing in the first bullet point the words "To select" with the word "Identify"; and (iii) deleting from the second bullet point the second sentence, which reads "At least one nominee for each office must not be a member of the panel."

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