

**Rutgers University Senate**  
**University Structure and Governance Committee**  
**Report on Senate Handbook Revision**  
**Response to Charge S-0324, in part**

*Charge S-0324, Senate Bylaws Review: Review Senate bylaws and enabling University Regulations as outlined in the Senate Handbook, and make recommendations for revisions, particularly regarding Senate membership, officer eligibility and requirements. Consult with Senate secretary and chair to identify specific aspects of the bylaws and regulations to be examined. Preliminary Report to Senate Executive Committee by January 2005.*

**Standing Charge of the University Structure and Governance Committee:** Study, report on, and make recommendations to the Senate on all matters pertaining to University governance, including the structure of the Senate itself. Responsible for initiating reviews of governance issues in accordance with these guidelines including: to review all matters relating to the composition of the Senate (University Regulations 2.2.1. through 2.2.1.D.); to study and make recommendations to the Senate on matters relating to the role and function of the Senate as a body within the University governance scheme (University Regulations 2.2.2. through 2.2.2.C.) as well as the role and function of internal structures and processes of the Senate itself (University Regulations 2.2.3. through 2.2.3.K.).

**Overview:** Following is a summary of the work of the committee prepared by the co-chairs. As part of its review and revision of the Senate bylaws, the committee also reviewed and revised: the Senate Handbook, which summarizes for Senators the role of the Senate; the interpretation of the Senate bylaws; and the standing rules, rules of order, and practices of the Senate. As part of this review, and in accordance with its standing charge, the committee also examined the operation of the Senate and how the Senate Handbook could improve the operation of the Senate by a more effective description the operating principles and practices enumerated in the Senate's bylaws. This report includes an overview of the committee's work, a summary of the Handbook changes, and the committee's Resolution.

**Background:** Organizations are normally governed by a series of regulations adopted by that organization. These regulations may be of several kinds, and include bylaws, rules of order, special rules of order, and standing rules. Bylaws are those regulations that define the basic characteristics and function of the organization, and the important rules of the society. Rules of order include the rules of parliamentary procedure, most commonly Robert's Rules of Order. Special rules of order define procedures unique to the society, such as the order of business. Standing rules are generally those rules related to administration of the organization, rather than to the parliamentary procedures it follows. For most university senates or similar governance bodies, bylaws are part of university regulations, and define the role and basic operations of the senate. Bodies may approve standing rules to govern less fundamental matters not defined in the bylaws, but such rules may not conflict with the bylaws. The Rutgers University Senate's bylaws are contained in Book 2 of University Regulations. These bylaws define the fundamental responsibilities and powers of the Senate, its membership, and its officers. University Regulations can only be adopted or modified by the Board of Governors. Although these bylaws are part of University Regulations, they have been included as part of the University Senate Handbook. The Handbook also includes actions adopted by the Senate itself that more properly fall under the definitions of rules of order, special rules of order, and standing rules. The committee undertook a review of both the bylaws and the Handbook. The Committee's revisions to the bylaws proper (Book 2 of University Regulations) were first presented to the Senate for review in January 2005, and were adopted by the Senate at its February 18, 2005 meeting.

This separate report on the Senate Handbook looks more closely at how the Senate runs and administers itself. Our report evaluates how effectively the Handbook communicates the operating principles and practices of the bylaws, and how effectively the operating practices of the Senate enhance Senate effectiveness and influence. The Handbook attempts to provide information that helps senators understand their role and that of the University Senate.

The committee deliberated from the spring of 2004 to March 30, 2005, and considered: the history, archives, and past operating practices of the Senate; input on the Handbook from past Senate chairs and the Senate

secretary; **input from various senate constituencies**; the practices and work of other AAU public University Senates; and its observations on the usefulness of the current Senate Handbook and ways to improve Senate effectiveness.

## Summary of Handbook Changes

The editorial and clarifying changes to the Handbook are:

- Reorganizing the text of the Handbook in a way that: makes more thematic sense; reviews and improves the writing quality and style of the Handbook; adds a preamble on the mission of the Senate, a brief history of the Senate, and relevant footnotes; and describes the existing responsibilities of Senate officers and committees with more clarity.
- Updating the Handbook by adding language from relevant University Regulations on the Senate: Article I Section B (2) on the set of procedures determined by the Board of Governors for the President to act on certain matters after having received the advice of the Senate; Article I Section C (2) on the procedure developed by the Board of Governors by which the Senate may appeal to the Educational Planning and Policy Committee of Board of Governors an action by the President under certain conditions; Article II Section 6 on the set of procedures determined by the Board of Governors for the President of the University to inform the Senate prior to Board meetings of his/her recommendations regarding Senate actions, and providing for an additional Senate representative to be invited to directly present the Senate's views at board meetings where Senate actions or recommendations are docketed.
- Clarifying the following: a) that the election process for at-large Senators on each campus applies to elections for faculty or any other respective groups or members of the Senate in Article IV Section D (I and III); b) that each constituency of the Senate may have a caucus in Article IV Section E; c) that attendance at all full Senate meetings and committee meetings is the primary responsibility of Senators and essential to the operation of the Senate in Article V Section B; d) that governing board representatives of the Senate should provide written reports on the actions and proceedings of those boards before each Senate meeting in Article VI Section E; e) that the Secretary and Executive Committee create committee rosters by balancing constituency, campus affiliation, and new and continuing Senators while respecting Senators' preferences whenever possible in Article VIII B; **f. that communications to the Executive Committee as well as the Senate should be addressed to the secretary of the Senate in Article IV B.**
- Further clarifications, including: a) that the Executive Committee, the University Structure and Governance Committee, the Instruction, Curricula and Advising Committee, and the Academic Standards, Regulations, and Admissions Committee are responsible for identifying matters where the Senate exercises its legislative authority in Article VIII D (1a), Article VIII D (3), Article VIII D (6), and Article VIII D (7); b) that Senate candidates from respective campuses must "work" at that campus rather than "reside" there in Article IV D; c) that the request for being excused from a Senate meeting must include a valid reason such as professional commitments, illness. etc. in Article VI Section B.
- Updating the Handbook to reflect an administrative procedure whereby each campus shall have the option of conducting elections of at-large faculty Senators through action of its respective campus-wide faculty body/group (e.g., New Brunswick Faculty Council, Newark Faculty Council, Camden Faculty Senate) in lieu of campus-wide elections. (Note: This is only effective if the Board of Governors approves the February 18, 2005 Senate recommended changes to the bylaws.

The **major substantive** changes in the administrative procedure of the Senate in the Handbook are:

- Clarifying the procedure by which matters are introduced for Senate consideration to specify that issues, charges, or resolutions normally should be forwarded to the executive Committee for committee assignment and come to the Senate floor only after consideration by a committee (Article III C (2)). [Note: This is already current operating practice of the Senate.]

- Creating a procedure whereby resolutions from any Senator can be considered new business if: a) the available time and circumstances preclude the resolution going through the normal process of consideration by a committee; b) the resolution has been submitted in writing to the Secretary before its introduction; and c) the issue is pertinent to the mission of the Senate (Article III C (4)).
- **Clarifying that senators who plan to move an amendment of a committee resolution should notify the committee chairperson before the meeting when possible (Article III D (3))**
- Creating a procedure for notifying the constituency or unit of a Senator when that Senator has been absent for more than two Senate meetings without a valid reason in case the unit or constituency wants to consider recalling that Senator and selecting a new one (Article VI Section B)).
- Adding an administrative responsibility that the Chair of the Senate, as a primary responsibility, and with the assistance of the Vice Chair, have frequent and meaningful communication with the University President, and proactively seek from the President and the President's representatives information on upcoming issues or projects that may require action by the Senate (Article VII Section A,B).
- Specifying that the full Senate will be notified of all requests for Appeal of a University decision (under University Regulation 2.2.2.C.) and all decisions of the Senate's Appeal Panel, and that copies of written appeals will be available for inspection (Article I Section C).
- Creating an administrative procedure whereby substantive amendments must be given to the Secretary in writing before being put to a vote (Article III Section D (3)).
- Creating or reinforcing administrative procedures whereby the Secretary is responsible for: a) issuing the Nominating Panel report to Senators at least five (not ten) days before the annual Organizational meeting; b) referencing either the legislative, advisory or initiative authority of the Senate in letters to the President (Article IV Section B; c) informing the Senate and Executive Committee when Senate bylaws, Handbook policies or practices or protocols are breached; (Article VII Section C); d) maintaining an online archive of Senate actions and documents; (Article VII Section C); and e) receiving all communications addressed to the Senate or Executive Committee (Article IV B).
- Modifying administrative procedures for committees so that: a) the Executive Committee is responsible for adopting a Senate Calendar for the next year before the last Senate meeting (Article IV B); b) the Executive Committee must report to the Senate the results of its annual evaluation of committee performance (Article VIII Section D (1c); c) for each committee, the chair and the majority of committee members must be Senators and, to the extent possible, one quarter of the committee members must come from the previous year's membership (Article VIII Section B (1)); d) the Student Affairs Committee will look at both student disciplinary procedures and policies (addition) (Article VIII Section B (4)); and, e) the Faculty Affairs and Personnel Committee (corrected name) will also consider human-subject policies (Article VIII Section B (5)); **f. members of the Executive Committee are responsible for: representing the views of their constituencies, insuring that the Executive Committee carry out its responsibilities under Article VIII D (1), and serving as liaisons to the standing committees (Article VII D), and g. consistent with current operation of the Senate that the Academic Standards, Regulations, and Admissions Committee has jurisdiction over the University Academic Calendar (and not the Instruction, Curricula, and Advising Committee as the Handbook currently reads.)**
- Modifying the Senate timeline so that the election of Senators in the various sub-units must be completed by March 15th (Article IV C).

**Resolution of the Committee: The committee approves the revision of the Senate Handbook and delegates editorial changes dealing with grammar, punctuation, style, and format to an editorial committee whose work will be reviewed and checked.**

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