



Report of the Rutgers University Senate University Structure and Governance Committee on Charge S-1501

Charge S-1501: Eligibility, Nomination, and Election of Senate Leadership and Board Representatives - Consider and make recommendations on the eligibility of candidates, and the nomination process and schedule for election of Senate officers, Executive Committee members, and board representatives.

Background: The University Senate Executive Committee serves as the steering committee of the Senate. In that capacity, its officers are responsible for the functioning of the Senate body, as well as the Senate's relationship with the University administration, Boards of Governors and Trustees, and the Senate's many constituencies. Candidates for Executive Committee positions should have a record that demonstrates a commitment to the Senate (e.g., evidence of dedicating time and effort to the Senate's work), and experience in a leadership role within the Senate itself. Senate leaders require a fundamental understanding of how the work of the Senate is accomplished.

In the recent past, questions have been raised regarding:

- eligibility for the positions of chair and vice chair, and
- how the full Senate runs the nomination and election process.

While any candidate would be expected to understand the requirements and prerequisites of attaining those offices, as well as the time and effort they require, USGC recommends a deeper and more detailed understanding of related requirements and qualifications. This report is intended to communicate our recommendations for the necessary qualifications of Senate leadership to:

- ensure that candidates are prepared and able to appropriately serve if elected, and
- guide and facilitate the election process of its leadership.

The University Structure and Governance report on charge S-1307; Consider and make recommendations regarding Senate eligibility and Executive Committee positions in light of the integration of UMDNJ, had some impact on our current charge. USGC used the report on S-1307 to inform how S-1501 recommended policy changes should be structured. Included in this report are three appendices. Appendix A is the current policy 50.2.1. Appendix B contains the changes to policy 50.2.1 according to the Senate-approved report on charge S-1307. Appendix C

contains the changes to policy 50.2.1 based on the reports on both S-1307 and S-1501 combined.

Considerations: A primary consideration of the University Structure and Governance Committee in addressing this charge was to ensure establishment of minimal yet thorough and clear qualifications to serve as officers of the Senate while supporting a systematic, informed, and democratic process.

Nomination and election of candidates to become chair, vice chair and Executive Committee members are some of the most important decisions undertaken by the Senate body. These Senate leaders act on behalf of the Senate when the body as a whole does not or cannot meet. Given the significant responsibilities, those positions call for an established level of experience in positions of increasing responsibility and productivity within the Senate. Members of the Executive Committee interact with the president, vice presidents, chancellors and other executive leaders throughout the university. The Executive Committee has a fundamental understanding of how the business of the university and the Senate is conducted and makes decisions of import during each meeting. The Executive Committee docket charges, discusses reports, receives information from the executive leadership of the University, appoints panels and committee chairs and manages the operation and direction of the Senate. USGC discussed the importance of Executive Committee experience when considering candidates for chair and vice chair. It was also understood that Committee chairs provide valuable input and leadership within the Senate. The business of the Senate is performed by its committees in investigating issues and reporting to the Senate as a whole, thus committee chairs are more likely to understand the processes and the operation of the Senate. Providing a baseline of qualifications or experience that all candidates must have, ensures that they are prepared for the responsibilities of the office. Additionally, submission of carefully considered campaign statements well in advance of the election was considered to be a requirement for demonstrating intent and provide an appropriate profile for the consideration and evaluation of Senators who will be voting for those candidates.

The chair and vice chair regularly meet and interact with the University President and senior University leadership. They work with the Big 10 Academic Alliance, interact with other AAU Senate peers, and are privy to information not generally or publicly disseminated. The sensitive nature of the roles involves access to, and working with, confidential information, including university legal and/or personnel issues, performance reviews and grievance cases to name a few. The Executive Committee considers questions of great import even during times that the full Senate is not in session. These are fundamental considerations when considering

the question of the appropriate qualifications to take on the role of chair and vice chair, and it is one of the central questions which motivated this charge.

The University President and Chancellors ability to seek counsel from the chair and vice chair, as well as the chair's and vice chair's exposure to sensitive employee and promotion data, requires a fundamental understanding of the University and its operations and mission. Providing a baseline of qualifications and experience working in the Senate ensures that candidates have a foundation of requisite knowledge and understanding of Rutgers' policies, processes, and procedures. Working with related confidential information and matters intrinsically calls for Senators who not only have experience in committees but experience leading committees and running meetings effectively. Further, the Executive Committee is vital to the functioning of the Senate and thus experience on the Executive Committee or as a committee chair is an appropriate requirement for a candidate for chair and vice chair.

Based on these factors, the University Structure and Governance Committee (USGC) concluded that only Senators, who have demonstrated increasing levels of leadership within the Senate and with at least three years of experience actively working in the Senate, and who have carefully considered their candidacy and have been nominated or self-nominated at least five days prior to the election, should be considered for these roles. Campaign statements for chair and vice chair should also be received by the Executive Secretary of the Senate at least five days before the election. The intent is to provide the Senate membership with time to consider the slate of candidates, and the full scope of their qualifications for the positions they seek.

Appendix A shows university policy 50.2.1 "Senate – Membership and Organization" sections E and F from the current policy library. The Senate has since adopted changes to this policy recommended by USGC in report S-1307, but these changes have not yet been adopted by the Board of Governors. They are currently being held over pending any recommendations emerging from the current report S-1501. Appendix B shows the current policy as amended in report S-1307.

This report, (S-1501) recommends the addition of a new paragraph 3 to policy 50.2.1 Section E with the following text: Candidates for chair and vice chair of the Senate shall be elected Senators with three or more years of experience (not necessarily consecutive) on the Senate and at least one year as either a member of the Executive Committee or as a committee chair or co-chair.

Section F of university policy 50.2.1, item 1 describes how the Executive Committee will fill a vacancy if one occurs between elections. The USGC wanted to clarify that if

the Executive Committee does appoint a replacement for a vacant position, the Senate will vote on that appointment at the next full Senate meeting.

These changes are meant to clarify the process for filling vacancies when a member is excessively absent or otherwise unavailable to serve. Recommendation 4 of this report provides wording meant to clarify the current process. An additional task was to clarify the addition of the past chair on the Executive Committee. This was not an attempt to make any changes but to simply avoid any ambiguity as to how the immediate past chair of the Senate will participate for a year after leaving their position.

Thus, in university policy 50.2.1, section F, sentence 9, we propose changing the words:

“Vacancies on the Executive Committee shall be filled by the Executive Committee nominating a replacement, which shall be voted upon by the Senate at its next meeting.”

to:

“If a vacancy occurs on the Executive Committee, a replacement will be appointed by the Executive Committee as soon as possible. The Executive Committee should then advance that appointment to the Senate, to be voted upon at the next meeting of the Senate.”

Further, we propose:

“The immediate past chair of the Senate shall become an additional member of the Executive Committee, with vote, for one year following the end of the member’s year serving as chair.”

be changed to:

“If not serving as the current chair of the Senate, the chair from the preceding year becomes the Immediate Past Chair and serves for one year as an additional voting member of the Executive Committee.”

S-1307 removed a definition of “annuals” that is no longer needed, but the term is still referenced in paragraph F of policy 50.2.1 and should be removed.

In line with current conventions elsewhere, USGC also recommends changing the words chairperson and vice chairperson to chair and vice chair wherever they appear in the text of the policy.

The policy as it will be after implementation of the recommendations in S-1307 AND the current report S-1501 is shown in Appendix C. Appendix C also addresses minor issues of changes in school and executive titles, the USGC also recommends, including:

- a change from the Graduate School New Brunswick to the School of Graduate Studies
- removal of the name of Graduate School of Biomedical Sciences
- the change from Executive Vice President of Academic Affairs to the Senior Vice President for Academic Affairs.

All proposed changes subsequent to S-1307 are marked in red in Appendix C.

Finally, as the initial charge was being formulated by the Senate Executive Committee, the committee was reminded that the nature of election processes for student members of the Senate Executive Committee in certain cases, can be negatively impacted by the varied inter- and intra-campus election processes for student Senators being elected to the University Senate. It is often the case that some units have not completed their election of student Senators in time for those Senators to be considered for election to the Senate's Executive Committee, or as board representatives during the Senate's regular election process at the last Senate meeting of the academic year. The affected seats are then vacant until the following academic year. It would be beneficial to the Senate and its operations if student elections across Rutgers were conducted in a timely manner, and on an academic-year basis, including identification of those responsible for running student elections for each unit.

During the November 2017 meeting of the Senate Executive Committee, the student caucus asked that USGC be charged to consider the following:

“Consider the manner in which student representatives to the Senate Executive Committee are elected. Investigate if it is necessary to amend the process by which Student Representatives to the Executive Committee are elected in order to ensure there are no vacancies on the Executive Committee, and if necessary make appropriate recommendations.”

The Student Caucus included this rationale:

“The Student Caucus of the University Senate encourages the Executive Committee to charge the University Structure and Governance Committee with drafting a proposal to refer to the Board of Governors that would amend the Senate Bylaws to allow for Student Representatives on the Executive Committee to be fulfilled by any student who is a member of the University Senate if the position has not been filled by a Student Senator from the campus to which the position is specifically allocated after a specified period of time.

The Student Caucus specifically endorses such a change that would permit any student to fill the aforementioned position, after having been elected by the Senate in accordance with all established bylaws and procedures, after the position has been vacant for the spring organizational meeting and the first fall meeting, provided no student from that campus is nominated at the second fall meeting.

The Student Caucus emphasizes that such a change would still promote student representation on the Executive Committee from each campus while still ensuring full student representation, based on the seats allocated to students, in order to better enable the Senate to act as a unified body of all stakeholders within the university.

The Student Caucus supports a mechanism by which the at large student would continue to consider the best interests of the campus to which the allocated position belonged by frequent communication with the Senators from that campus. The Student Caucus can also serve to provide this forum for communication. This at large student should recuse themselves from issues that unfairly benefit the campus they represent in the Senate if this is to the detriment of the campus to which the allocated position belonged.

This past year there was a vacancy on the Executive Committee due to the absence of an elected student senator from Newark wishing to run for the position of Executive Committee Representative for Newark students. This position is critical for student representation from Newark and student representation as a whole. Additionally, I would like the committee to which this charge is issued, if issued, consider the endorsed language (above) from the Student Caucus.”

USGC discussed this issue at a special meeting in May 2018. The consensus of the committee was to ask that the Student Affairs Committee (SAC) investigate and consider how student senators are elected and how best to encourage participants from all major geographic campuses. We ask that the SAC consider the student election process so that USGC can make recommendations on Executive Committee participation once we have more information.

The USGC requests that the Senate Executive Committee issue a charge to the Student Affairs Committee (SAC) to investigate ways to facilitate conducting student elections in a timely manner, including identifying who is responsible for running student elections for each unit.

Resolutions

Be it resolved that: The Rutgers University Senate recommends adoption of the following recommendations, by substitution for current University Policy 50.2.1 of a revised University Policy 50.2.1 shown in Appendix C of this report.

Recommendation 1: Candidates for chair and vice chair shall be elected Senators with two or more years of experience (not necessarily consecutive) on the Senate and at least one year as either a member of the Executive Committee or as a committee chair or co-chair.

Recommendation 2: Candidates for chair and vice chair must submit campaign statements, that include their committee(s) and Senate attendance records for the two prior years of their Senate membership.

Recommendation 3: Nominations from the floor at the time of the election will not be accepted for chair. Except as specified below, nominations from the floor will also not be considered for vice chair. Nominations and campaign statements for chair and vice chair must be received by the Secretary of the Senate at least one week prior to the election, so that campaign statements can be disseminated to all University Senators in advance of the election. If one or more of the candidates for the position of chair are unsuccessful in the election, they may be nominated or self-nominated on the floor of the Senate to run for vice chair.

Recommendation 4: If not serving as the current chair of the Senate, the chair from the preceding year becomes the Immediate Past Chair and serves for one year as an additional voting member of the Executive Committee.

Recommendation 5: Remove “/annual” from policy 50.2.1 Section F.

Recommendation 6:

1. In policy 50.2.1 Section A., change from “the Graduate School New Brunswick” to “the School of Graduate Studies.”
2. In policy 50.2.1 Section A., remove the name “Graduate School of Biomedical Sciences.”

3. In policy 50.2.1 Section B., change from “the Executive Vice President of Academic Affairs” to “the Senior Vice President for Academic Affairs.”

And be it further resolved that: University Policy be modified to accurately reflect the current structure and function of the Officers and Executive Committee by changing the current wording in University Policy 50.2.1 sections E and F, they read:

E. Officers

1. The elected officers of the Senate shall consist of a chair and vice chair who shall be elected from among the voting membership of the Senate. The officers of the Senate shall assume office on July 1 following the date of their election and shall serve a period of one year.
2. The chair of the Senate shall serve for no more than three consecutive one-year terms.
3. Candidates for chair and vice chair of the Senate shall be elected Senators with two or more years of experience (not necessarily consecutive) on the Senate and at least one year as either a member of the Senate Executive Committee or as a committee chair or co-chair.

F. Executive Committee

1. There shall be an Executive Committee of the Senate consisting of the chair, vice chair, six full-time faculty members, four student members, one part-time lecturer representative, one staff representative, and one alumni member elected by the Senate. All members of the Executive Committee must be voting Senators. One faculty representative shall be elected from each major campus with the additional members elected at large. One student representative shall be elected from each major campus. If not serving as the current chair of the Senate, the chair from the preceding year becomes the Immediate Past Chair and serves for one year as an additional voting member of the Executive Committee. Members of the Executive Committee shall assume office on July 1 following the date of their election and shall serve for a period of one year.
2. The Executive Committee shall be responsible for coordinating the activities of the Senate and its committees, exercising such powers as the Senate may delegate to it and acting on its behalf between

meetings of the Senate. If the Executive Committee deems a member to be excessively absent from its meetings, it may request that member's resignation or recall from the Executive Committee. If a vacancy occurs on the Executive Committee, a replacement will be appointed by the Executive Committee as soon as possible. The Executive Committee should then advance that appointment to the Senate, to be voted upon at the next meeting of the Senate.

And be it further resolved that: if these recommendations are accepted by the President of the University and adopted by the Board of Governors, then the Handbook of the Senate and policy 50.2.1 in the University Policy Library be updated to reflect these changes.

And be it further resolved that: that the Senate Executive Committee issue a charge to the Student Affairs Committee (SAC) to investigate ways to facilitate conducting student elections in a timely manner, including identifying who is responsible for running student elections for each unit.

**University Structure and Governance
Committee 2017 - 2018**

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