

- I. The October 29, 2014 meeting of the University Senate was called to order at 3:07 pm. (Collins)
- II. Roll Call (Sadowsky) Present: Alvares, Ambrose, Benfield, Brook, Chapel, Chatterjee, Collins, Jerry Cutler, Fails, Ficke, Gainor, Gaynor, Gingerich, Goeke, Hollister (rep), Jacobson, Kelton, Lin, McCann, Mengara, Montesinos (Isaacs), Murray, Oosting, Pardo, Peterman (Lucas), Powell, Prezant, Rubin, Sadowsky, Salzman, Samuels, Specchio, Sweeper, Trubatch, Wilson, and Wolfson.
- III. Approval of September 17, 2014 minutes – Motion by Alvares, 2nd by Mengara, motion passed.
- IV. Good News/Announcements
 - a. Dr. Jamal Matthews from Educational Foundations presented on “Multiple faces of identity: Understanding adolescent identity formation within the urban education context” to 6 faculty and 15 students at the first cross-disciplinary lunch. The next two will take place from 12:00-1:30 in the SC ballrooms on November 24 and December 1. We are still looking for presenters.
 - b. At the last meeting a question was raised about being approached by people to present in classes. On September 26 Chief Cell sent out an email advisory about unauthorized solicitors. These should be reported to Campus police.
 - c. The Call for Proposals for the Emerging Learning Design conference has gone out. You are encouraged to submit a proposal.
 - d. We have asked for undergraduate and graduate student reps to the Senate, but they have not yet responded.
- V. Elections Committee (Alvares) –
 - a. Jennifer Goeke was elected and Patricia Salzman will serve as a one-year replacement.
 - b. Senator Benfield self-nominated and Alvares seconded the motion to have Senator Benfield serve as the NAL rep. Motion passed with one abstention.
- VI. Report from Administration – Provost Gingerich – OneMontclair Update
 - a. Leaders of the project include Sam Bakane, the chief executive, Robert Luczak Associate Director for Enterprise Systems Implementation, David Etherton, student project manager, Kathy Ragan, student team lead, and Allyson Straker-Banks and Joanne Cote-Bonanno.
 - i. OneMontclair is a broad, deep amalgamation of several different ERPs representing “best of breed” that will touch every area of the university. Peoplesoft is for finance, Workday is for Human Resources, and Ellucian- Banner is for Student and Campus Services.
 - ii. The Student module will have a rolling go-live through 2016. Internet Native Banner will replace SIS+, and Self-Service Banner will replace WESS and FASS. DegreeWorks will be our new degree audit system. We have also purchased several 3rd party systems including CourseLeaf for the course catalog and curriculum management.
 - iii. A portal and mobile app will be available to all users. Course signals is an early intervention tool that will enable you to identify at-risk students as early as two weeks into the semester.
 - iv. Senator Trubatch called attention to the comments he made at the ATC meeting regarding who is able to look at data in Canvas. There needs to be a policy about who can look at the data and when. He hopes the senate discusses this issue at great length.
 - v. Regarding data, it will all be integrated between systems. Backup data is in the cloud with the exception of Workday data which will be at multiple locations. Historical data from SIS will be archived if it is not brought into the new system.
 - vi. The new system will help to eliminate a lot of paper. Personnel actions may also be put into the system, and local 1904 will be consulted on that.
 - vii. A communications strategy will be starting shortly, which can also include encouragement to use Canvas. The system will work if not everyone uses it but you will not have all the analytics.

VII. Academic Affairs Council Report

- a. Kirk McDermid gave an update on updating and clarifying gen ed category descriptions to ensure they are more accessibly pitched to students, faculty and the gen ed committee. He welcomes any feedback to category descriptions at gened.referata.com or email gened@montclair.edu

VIII. Administrative Affairs Council Report (Kelton)

- a. The council reviewed the published social media policy and forwarded a tracked document of changes. A substantial section on violations was added and the council requested more clarity. The provost will review the recommendations and will present any changes to the senate president before they are posted.
- b. The ATC issued an acknowledgement of thanks to VP Chapel for his 14 years of service to MSU. They approved a motion regarding removal of students from Blackboard due to non-payment which will be considered at the next ATC meeting. If you wish to be included in a Canvas community about this issue email Senator Kelton Subcommittee edits
- c. He will report at the next meeting on the issues of Bond Lot safety and bake sale fire exit issues.

IX. Student Affairs Council Report – None

X. NAL Report (Benfield)

- a. Homecoming was a big success and lots of people came by the union table
- b. The union worked with HR and the provost on new contracts so instructors will earn a bit more per credit on winter session courses. A paid leave bank is coming. The union is ensuring everyone is getting credit for their 21 hours of furlough. The union is discussing the appropriate number of online credits faculty should be teaching. Negotiations will begin soon. Full members of the bargaining unit will be asked for their top priorities for state negotiation.

XI. Constitution Committee Report (Mengara)

- a. President Collins recused herself from presiding over this section of the meeting. Senator Alvares presided.
- b. Senator made the following motion: “Moved that the University Senate recognize and affirm the 1995 Constitution as the current, operative, and official Constitution of the University Senate of Montclair State University.” Senator Kelton seconded the motion.
- c. In support of the motion, Senator Mengara read a statement (attached) outlining the research of the Constitution Committee. Part of this research consisted in ascertaining whether a 2005 Constitution distributed during the September 2014 meeting was the valid constitution. According to the statement, the Senate has been operating by the 1995 Constitution since 1995 and there is no evidence that any amendments to the Constitution (specifically regarding term limits) were ever implemented or promulgated.
- d. A very spirited discussion ensued. It was questioned whether the Constitution Committee had examined all minutes, agendas and websites for the last 20 years and determined there has been no action on the constitution. Senator Mengara stated that in looking at official documentation of the senate the committee came to this conclusion.
- e. It was suggested that if the only difference between the two constitutions is an amendment on term limits, to vote on that amendment now. The issue some had with this suggestion is that many changes need to be made to the constitution so the Senate should be voting on a new proposed document.
- f. It was questioned whether the committee and eboard were suggesting that documents brought forth were made up. Senator Mengara stated that the documents were supposed to represent the amendments voted on in 2003 but after two years of fact-finding these did not surface until Sept of 2014. Senator Samuels stated that he found the document after hours of searching. He was president at the time. Senator Samuels further asserted that Sandra Collins was acting chair of the committee who brought the document forward to the Senate for approval in 2005. Mengara stated that he received 162 documents from Senator Wolfson, but he did not determine any of those documents to be conclusive.

- g. Senator Kelton reported that he consulted with the University Senate Recording Secretary of 2003 and she indicated that her minutes showed that there was some discussion of term limits but no vote. It was also revealed that there was no recording secretary from 2003-2005.
- h. Senate President Collins provided clarification on the 2005 document. She indicated that she was not the Vice President under Jack Samuels and therefore did not present any documents to the Senate. She further indicated that of the committee members referenced, Jack Sacher died in 1999; Kay Wilkins left the University In 2003; and Alyce Miller left the University Senate in 1999 therefore none of these individuals could have presented a document to the University Senate in 2005.
- i. Senator Wolfson proposed that someone make a motion that we continue using the existing document without affirming any documents, do what needs to be done to immediately seat the adjuncts, and charge the constitution committee with completely restructuring the constitution with a commitment to shared governance. The second to the original motion would need to be withdrawn to make this motion. Senator Kelton declined to withdraw his second to the original motion.
- j. After further discussion, Senator Alvares called the question on the original motion, which was reread. 11 voted in favor, 5 opposed, and 5 abstentions. The motion passed.

XII. New Business

- a. Issues from Campus Senators
 - i. Senator Samuels requested that the administrative affairs council look into field trip forms. There is a page on the website about field trips referencing a form that cannot be found on the website.
 - ii. Senator Brook requested that the Senate ask the administration about what the University's Ebola policy is.
- b. Voices from Community
 - i. There will be a panel discussion sponsored by the Adjunct Union and Women's and Gender studies next Thursday at 5:30 in Cohen Lounge.

Bob Noonan, president of the adjunct union presented a petition signed by five senators: "In accordance with Article XII Section A Paragraph 2b of the University Senate Constitution we petition that the following amendment to the constitution be placed on the agenda of the next scheduled University Senate meeting for purposes of giving the amendment a first reading in accordance with procedures for amending the Constitution.

SECTION B. Composition of the University Senate

University Senate members shall be elected representatives in accordance with the following constituencies and apportionments and as defined in Article III. A.

Membership = 59 **60**

Voting membership = 37

18 Faculty Representatives from Schools:

- 3 from the School of Business
- 3 from the College of the Arts
- 3 from the College of Science and Mathematics
- 4 from the College of Education And Human Services
- 5 from the College of Humanities and Social Sciences

12 At-large Faculty/Librarians

4 Professional Staff (including Academic Advisors)

1 Librarian

2 Students: One undergraduate student and one graduate student. Each of the two voting students shall be chosen from a group of five student representatives: the SGA President, the Board of Trustees non-voting student member, the GSO President, 1 at-large undergraduate full-time student, and 1 at-large undergraduate part-time student.

Non-voting memberships: 22 **23**

1 Faculty Representative to the Board of Trustees, ex officio, to be elected for a term of 2 years from the tenured, full-time teaching faculty according to at-large election procedures.

1 Local 1904 AFT President, ex officio

1 Local 6025 AFT President, ex officio

7 Vice Presidents, ex officio

8 Deans, ex officio

1 Chairperson of the chairperson's Council

1 Administrative Professional Representative, to be appointed annually by the Provost.

3 Students, to be the other graduate/undergraduate holders of the titles listed under the Student section of voting members”

Below is the text of the statement read by Vice President and Constitution Committee Chair Mengara:

October 29, 2014 —Constitution Committee Report and Motion

To: Members of the University Senate

From: Daniel Mengara—Chair of the Constitution Committee of the Montclair State University Senate

I hereby submit this motion both as a report and a formal motion of the Constitution Committee to the University Senate. The report is presented to update the Senate on the ongoing work of the Constitution Committee and the motion is intended to resolve substantive issues which, since the Spring of 2013, have made it challenging for the Constitution Committee to finalize its work and present its proposals for amendment to the Senate. Depending on the outcome of the discussions today, the Constitution Committee is prepared to make a much more detailed presentation to the Senate that will clarify fully the background and reasons for this motion.

Motion: Moved that the University Senate recognize and affirm the 1995 Constitution as the current, operative and official Constitution of the University Senate of Montclair State University

Background, Rationale & Report: During the Spring of 2013, the Constitution Committee was charged with the task of revising the Constitution, primarily as a result of a number of requests from constituencies that either sought official representation, or increases in the number of their representatives. Specifically, the Executive Board had received:

- a request from the Adjunct Union president for a non-voting, ex-officio membership,
- a request for an increase in Professional Staff representation and their ability to run in at-large elections,
- a request for Support Staff representation,
- a request for the Graduate School to have a voting representative,
- a request for Enrollment Management and Student Academic Support Staff representation.

These requests could not be satisfied until the operative version of the Constitution was thoroughly revised and modernized. We had to engage in what ended up becoming a substantial overhauling of the operative version of the constitution that would put it in line with the current realities at Montclair State University.

In the Spring of 2013, in order to be sure it was using the most up-to-date version, the Constitution Committee (membership detailed below) began its due diligence and fact-finding process by looking into Senate history to see what, or if any, changes had been officially made to the Constitution. Although we were approached in the Fall of 2013 and again in the Spring of 2014 by some senators with recollections on a vote on term limits that is said to have taken place on January 29, 2003, the Constitution Committee’s fact-finding process concluded that there had been no changes nor revisions officially implemented or promulgated to the Constitution since 1995 and that, as a result, the 1995 Constitution was the operative and official constitution of the University Senate of Montclair State University.

After a year and a half of hard work using the 1995 Constitution as the basis for the various amendments to be considered, it was brought to the committee’s attention on September 16th of this Fall that there had been discovered a 2005 document that some felt should be recognized as the Constitution of the University Senate. After careful deliberations and research with regards to the history, background and other issues as determined and uncovered throughout the course of our work, the Constitution Committee and Executive Board are unanimous in their conclusion that:

1. The Senate has been operating by the 1995 Constitution since 1995. This Constitution has been the operative Constitution of the University Senate of Montclair State University since 1995, and every single act of the Senate

as well as every single vote that the Senate has ever taken since 1995 has been based on, and informed by, the 1995 Constitution. This 1995 Constitution has continued to guide every decision-making process by the Senate since then.

2. There is no conclusive evidence that any amendments to the Constitution that may have been undertaken since 1995 by the various Executive Boards were ever implemented or promulgated. As a result, the only Constitution which, since 1995, has been in the public eye and deemed properly promulgated, and therefore properly published, disseminated and made available to the university community by all the Senate Executive Boards since 1995 is the 1995 Constitution. This important point bears repeating: all the Senate Executive Boards, without exception, since 1995, have recognized, used and continued to use the 1995 Constitution as the sole operative version.

3. The work done by the Constitution Committee since the Spring of 2013 to respond to the need for modernization of the University Senate's Constitution has itself been fully based on the 1995 Constitution, which was used as the frame of reference for the various amendments to be proposed.

Due to the circumstances presented above, and representing the Senate Constitution Committee and the Executive Board here today, I move that the voting members of the University Senate vote to recognize and affirm the 1995 Constitution as the current, operative and official Constitution of the University Senate of Montclair State University.

The Constitution Committee finished its work in May 2014. A "Yes" vote will allow the Constitution Committee to be able to finally present its proposed constitutional amendments to the Senate at our November meeting.

Senate Constitution Committee

Daniel Mengara, *Chair*

Patrali Chatterjee

Gabriel Rubin

Nyieta Charlot

Todd Kelshaw (Fall 2012-Spring 2014)

Senate Executive Board

Saundra Colling, *President*

Daniel Mengara, *Vice President*

Kathleen Sadowsky, *Recording Secretary*

Jean Alvares, *Corresponding Secretary*

Jonathan Cutler, *Academic Affairs Council Chair*

AJ Kelton, *Administrative Affairs Council Chair*

Michael Allen, *Student Affairs Council Chair*

David Benfield, NAL Rep

XIII. Senator Kelton moved and Senator Alvares seconded the motion to adjourn at 5:21 pm.

Minutes Approved November 19, 2014

Respectfully Submitted by Kathleen Sadowsky, University Senate Recording Secretary