

KEAN

FULL SENATE MEETING

MINUTES

April 25, 2023

3:15 pm-4:15 pm.

Zoom Webinar

Senators in attendance:

•Ahlawat, •Anderson, •Boateng, •Bonillas, •Boyd-Jackson, •Brandwein, •DiVirgilio, •Donovan, Dowdell, • Evans, ab-Farrokh, •Gover, •Gubi, •Halper, •Konyk, •Mack, •Marks, •Martinez, •Mayhall, •Pena, •Pintado-Casas, •Roebuck, •Rodriguez, •Rosa, •Rosen, •Sanchez, •Sargent, •Verdi, •Webber, •Yucetepe

Student Representative:

None

Guests: Salvatore

[•=present ex=Excused absent=ab]

The meeting called to order by Chairperson Ahlawat at 3:20 pm

I. Minutes – April 25, 2023

A. **Motion:** Donovan

B. **Second:** DiVirgilio

II. Curriculum Items for Notification-Notification and Vote or None

III. New Business-

Chair: It is 3:20 pm. Today is April 25, 2023. I hope everyone had a chance to review the minutes from April 11. I am calling for a motion to approve the minutes.

Senator: I move to approve the minutes.

Chair: All in favor? Anyone opposed? Minutes approved.

Ballots were mailed to constituent homes for the elections. If you don't receive the pin for voting, please call the American Arbitration Association at 1-800-529-5218 between 9 am to 5 pm.

Now, the Senate Constitution revision issue. I plan to hold an anonymous vote today via Qualtrics. You will be able to vote and see the results. We discussed this extensively last year, and the previous meeting was devoted to this issue. I would limit each member to about two minutes and everyone is familiar with the revisions.

Senator: I don't necessarily agree with the proposed changes, as I also mentioned in the last executive meeting. We are in a good place having come together. Instead of going back to separation of administration and faculty, I think we should continue to work together as a team instead of trying to separate. And it should be open for anyone to vote for anyone to be on the Senate. That's all I can say in two minutes.

Senator: I'm proud of this body's progress in the last several years, including developing policies and procedures that align with our goals and current state of affairs. We have these constitutional revisions. However, some of the changes suggested are in opposition to what we've set out to do to provide an opportunity to understand all aspects of this unit experience, curriculum enrollment, and so much more by way of a more diverse membership. The individuals who have stepped forward to serve were not voted in by those who fall into the same employment category as them but rather by all of those with a voice in the university community. The reasons provided for this change are that these people held too much power, did not have anything to add to the body, or did not have the requisite experience to serve adequately. But that's

not at all the case. Moving back to a Senate filled predominantly with those only affiliated with KFT is counterproductive and divisive. Nonunion-affiliated members would be the non-unit managers and would only constitute three votes. I appreciate KFT's hard work, but we must recognize that the Senate handles matters beyond KFT's scope. But adding three voices does not represent the Kean I know, nor does it align with what we've set out to achieve here. What message are we sending about their contributions when they can no longer serve and even vote for the Senate? Instead of segregating these individuals and making the Senate more exclusive and divisive, we should examine ways to include more voices and thank them for bringing their vast experience forward. I encourage my fellow senators to review the letter submitted earlier today by one of the most effective chairs of the Senate this institution has seen. I value her point and encourage you to vote for the amendments she listed or vote no against the Constitution currently set before us. Please also support keeping votes on this matter open for at least 24 hours for our colleagues who couldn't attend today to weigh in. Now let's work together to make Senate one, after which other institutions will want to model themselves.

Chair: Claire Mulry sent an email earlier today to several senators. In a nutshell, Claire is asking removal of all instances of "faculty and staff" be changed to "all community members" in every aspect of the Constitution. Remove the restrictions on job descriptions and how many community members can be elected from different categories in one year/3-year term. Remove the caveat that a democratically elected administrator is unable to vote.

So, just to refresh your memory, the proposal is to maintain the Senate to 30 members with three different constituencies, the faculty, the professional staff, and the non-unit managers. The faculty would vote for faculty, professional staff would vote for professional staff, and non-unit managers vote for non-unit managers. Administrators starting from the President down a few years ago started voting in the Senate elections. Not all faculty are members of KFT; they are eligible to join KFT. Similarly, not all professional staff are members of KFT though they are eligible to be members of KFT. Finally, non-unit managers are not members of any union.

The proposal is for 3 professional staff and 3 non-unit managers to be members of the Senate. Currently, there are seven professional staff and administrators total on the Senate. The system being proposed guarantees they will be elected and represented. In addition, at-large elections are eliminated. Some have objected to eliminating at-large elections, whereas others have supported the proposal.

Senator: Do we know if all Senators got Claire's email? I know I got that email today.

Senator: Not all of us got an email from Claire Mulry.

Chair: 23 Senators received it this morning at 9 am.

Senator: And there are 30 of us. I don't know. I mean, did everybody have a chance to read it?

Chair: It is up to the senators to consider this amendment.

Senator: Just curious why wasn't it sent to everybody.

Senator: Some community members who are interested in speaking after the senators have spoken. Are we opening this up on the floor?

Chair: We are limited in the amount of time we have.

Senator: Should we vote on this amendment in the chat, or should we just vote on the draft constitution?

Senator: An amendment can only be made to a motion that's been already made. If someone wants to make an amendment, there has to be a motion to be amended. The second piece is that you can also discuss something, and the originator of the motion can withdraw and make a friendly motion, but if there isn't motion, we haven't had a reason to make an amendment yet. Not that we can't.

Senator: I would second what Jane said and let everyone voice their opinions.

Senator: We're not ready to consider it formally. Everyone should have an opportunity to read it and consider it.

Senator: Please clarify that someone in the Senate must make a motion.

Senator: Only a voting member can make a motion for an amendment to a motion. If the audience is permitted to speak, we might be here all day, but someone in the membership that could speak on behalf of the motion, but it hasn't been made because an amendment can only be made to a motion that's on the floor.

Senator: it sounds like we need a motion to bring the Constitution to a vote. I would like to move that we bring the Revision to the Constitution to a vote.

Senator: I second

Chair: Okay, Matt is seconding. Don is making the motion to vote. However, Gail has her hand up.

Senator: Pat Ippolito asked if I would read something for him. I'm going to read from the email that he sent me.

Good afternoon, In all of my years at Kean University and all of my varied roles, student, advisor, counselor, assistant to the President, Dean, Vice President and now a faculty member, I have always been a part of the educational process and experience of our students.

I have always considered myself as a member of a team of resourceful individuals dedicated to our students' success. Alexander Astin, founding director of the Higher Education Research Institute, a noted researcher in the field of student retention, assessment and so many more studies has noted that

Astin's scholarship including the power of peers to influence learning and identity development, the value of student-faculty interaction, and the role of co-curricular involvement on student learning.

I believe that we all have a role to play in contributing to student success, no role is less or more than another. Whether you are in financial aid processing a student award, advisor to a club, assisting with registration, admissions, public relations, coaching, mentoring, research, leading a travel-learn, working in the learning commons, or teaching a class and so many other roles which contribute to the whole experience of our students and enable them to achieve their goals and complete our world class educational experience. We are all equal and equally invested in working hard for our students.

I believe that is a regressive and divisive effort to assign differential value to the many aspects of our university structure. I urge each and every one of you to consider carefully the proposition put before you. I urge you to take more time to investigate, inform and obtain a greater perspective through a series of open meetings, campus wide discussion and deliberation.

Senator: Okay. Pat is admired for his long service. I know he's been on the faculty for a long time. And I have great respect for Pat. But I believe he speaks as an administrator on this. That's what I've to say.

Senator: Thank you, Robin, Judy and others, for their comments and notions of inclusivity. I feel that this process has been going on very inclusively and deliberatively for many months, many years. I make the point that we are structurally memorializing the current balance of the constituency. In some sense, it ensures the balance that we currently have in this new and more effective version of the Senate Constitution. I think the objections that seem to suggest this as an exclusive or elitist approach miss the point that those who took the time to put together this language memorialize and formalize the inclusivity. So I would say meaningful points were made, but I think Sucheta best articulated and addressed those concerns.

Michael Salvatore: What I was afraid that would happen is starting to happen. And I know some people like Dan don't necessarily respect the administrator's perspective because your comment about Ippolito struck me as if the admin doesn't want what's best for everybody. The truth is we do. But this is your process. So that's why it's panning out this way. My concern about this is it starts to cause a divide. Some people are beginning to feel like they're less valued or that other people here think they should have less of a voice. So when I see what's happening in the world today, like in Montana, where people are being censured and not having a voice and voter suppression, do you want to do this now? Because I'm wondering what doesn't get passed. What issue got held up because the non-faculty wouldn't agree or support it? I've only been here two years, but anything the faculty ever wanted seems to get passed. I never heard any staff object to that. So, I would say that if this was harmonious, you should proceed. But it does seem to be disruptive.

Senator: I know last time I couldn't speak, but I just want to comment. I was once a CWA member. I started at Kean working in admissions. And then I was a KFT member. Currently, I have a MAD designation. I graduated from Kean University with my master's and my undergraduate degree. I want to point out that I don't feel comfortable not being able to vote for faculty members or anyone I please to do so.

So, I just want to bring that to the attention of everyone. But I also look through the minutes since it's been going up for a long time. I didn't see anything in the past minutes that there was a discussion about this.

Senator: We know that governance lies with the Regents, the board, and their appointees. The Academic Senate provides an advisory role to these groups. This advisory role has long had a history of challenging what they see as bad campus policies and decisions. In the past, in this country, we've seen universities looking to have loyalty oaths, discriminatory hiring practices, and more. Right now, some states are looking to muzzle faculty, their research, and the testimony they can give. And so, what we have, the only privilege we have, the only power we have is a voice of trying to speak what we think of as truth to power. And that's very hard to do when your economic security is on the line. And that's one of the reasons that Senates have traditionally been made up of if not all, primarily tenured faculty. We do have that one privilege that we hope we can at least speak about what we think is true without the risk that our contract will not be renewed. We want the voices of all those who advise us here - the hired managers and professional staff, to be included in our deliberations and decisions. We enshrine it; there is no situation going forward where any group could vote and preclude any successful candidates from serving in the Senate. Currently, a majority could ensure there were no successful candidates from certain groups.

I simply want to urge that we act now; I believe it's vital that we take a vote and decide today. Then, we can always review what we approve today and amend it if needed. We have spent two years to get to this place. And the idea that we are still not ready to have a vote is wrong. I think we need to come out of this with some choice. As written, this revision of the Constitution is an excellent document reflective of the best practices, not just here but at other institutions that we worked with to create this document.

Senator: Well, following up on what Craig just said, I think this document has evolved over the last two years. Much work has gone into this; I had input as a professional staff person on the University Senate. The fact that at least three professional staff are guaranteed a seat on the Senate I'm totally in favor of that because I know in the past when you run slate, some people the Administration slate, the union slate, you know, it's possible that no professional staff would be serving on the Senate. So, while this may not be a perfect document, I think it is time to vote on this document and move it on to the President to see if we can get it past the Board of Trustees.

Chair: I also want to mention that I spent many days reviewing the records in the Senate. I find no records that the Constitution on the Senate website dated May 2010 was approved and voted on. This one document, the meeting minutes from 2011 that I am sharing, indicates a discussion in the Senate of University Senate Constitution not been officially revised since 1987. The Senate was even thinking about having an external attorney review the Constitution and maybe develop an ad hoc committee to review it. I checked minutes for the last 20 years and found no records of amendments to the Senate constitution. This time we will vote via Qualtrics and have proper documentation of the voting results. In reality, the valid Constitution of the Senate is from 1987. I also reviewed the election manual on the Senate website indicates the Senate Constitution was ratified by the Senate in 2002. I did not find records for that either. But even if we go with this document, it lists the voting constituents. It lists professional staff and non-unit managers. Nowhere are administrators listed as voting members.

If we go with everyone voting as Claire Mulry suggested, do CWA and adjunct faculty vote too? Considering inclusivity, should the President's Council include us? We can stretch inclusivity to the point that no efficient or effective decision-making bodies will exist.

The proposal is for the upper administration to be ex-officio. Administrators are the ultimate decision-makers. Senate is an advisory body. So if administrators vote in senate elections, they are sort of appointing the advisory body.

We need to move forward. I'm going to send out the link for the vote, and it may be that this will fail. And if it fails, it fails. Some Senators said that we should keep the vote open till midnight. So I will leave it up to senators how they wish to proceed.

Michael Salvatore: Is this about the administration voting?

Chair: We would exclude upper-level administrators such as vice presidents etc. And you, of course,

Michael Salvatore: It's not really about the number of seats that is pivotal, but I think prescribing the seats

is attempting to limit the voice of some here. That's what's causing a bit of disruption. I don't hear anybody saying we want the admin to vote. So what is the driver here? I did ask a question, and nobody answered. What has not been approved through the Senate with the existing structure, and was there ever a time when the majority should have?

Senator: I've only been here for a small portion of the Farrahi years beforehand. But I've seen a change in how the administration works. You've been here two years; I've been here a little longer than you. I saw enough of the previous administration to sense what was happening. And I think your administration, what you're doing in your work, and Dr. Repollet, everyone is fantastic. And it's much different. There were a lot of very unfortunate things that happened before I was here.

The proposal is not about the vote against the administration. The revisions protect future faculty and staff through proper procedures from what could happen in a future administration. It is a fair, moderate way to look at things in that we're ensuring staff representation. But we're also ensuring that future administrations aren't able to influence things in unjust ways.

Chair: Anyone before we vote.

Senator: I would just say we reflect on what Aaron has said. We are coming up on the end of the current governor's term. We are one vote away from another Chris Christie, who could have a very different view of the role of higher education in the state, the role of the faculty, and the role of free speech. We know that the good times whatever we think, never last; they go back and forth. We must create a process and a document that is satisfactory not just for when things are going well as they are now but for when things are not going well. This document does that. So, it does preserve the ability of all those who have a voice and should have a say in our academic issues to have one and that their peers select them.

I would therefore call the motion to submit the vote. As far as I know, there is no voting mechanism beyond the actual Senate meeting period.

Senator: I want to commend the committee as a parliamentarian for over four or five decades. I was on that committee earlier until a tragedy happened in my own family; you know, it is an amazing document that tries to make the best needs of everyone and will eventually have bylaws or bylaws amendments, most likely. Still, if you look at it, we have not had, and I did, the same kind of research that Sucheta did. We have not had an approved constitution and possibly three decades, if not more. If you get this done, and I admire everyone who stuck with it, tweaks will be made. But this is a time that we can get a document approved and move on with it. And I just want to thank the committee for sticking with it because it's hundreds of hours of work. No document will be perfect, and there's a process of change. I would just caution against starting over.

Senator: I just wanted to answer Mike Salvatore's question partially. Thank you for inquiring about the history; it is a story that must be told. I do not have that kind of archival knowledge of the past decade-plus, but I will allude to a few incidents. There was an elimination of programs, a very precipitous and somewhat secretive elimination of programs. And it led to the de-tenure and removal of two colleagues in a program, which was really a lapse on the Senate's part. That incident sent shockwaves that a program was eliminated without due process. The Senate was remiss in its duties without getting into further details. The constitution revision attempts to address and formalize the procedures and processes of a well-functioning Senate.

Chair: I share the screen to show no IP addresses or emails are collected, and the voting is anonymized.

Senator: I think it's fair that everyone should have a voice. Some couldn't be here today.

Senator: Well, how would it skew the voting if the people who are voting have until 630?

Senator: People can let others know that this is what the vote is? How many voted for? Yes.

Chair: A screenshot of the final results will be shared if voting is past the meeting.

Senator: Why is there no option to abstain?

Chair: Well, if you don't fill out the survey, you're abstaining.

Senator: That's very different. Not voting is very different than voting to abstain.

Senator: In elections, you don't have the option to abstain. You just don't vote that's abstain.

Senator: That's a standard practice in electronic voting.

Senator: I'm all for giving people an opportunity. I just want to know what the parliamentary procedure is because this is unlike any other body or group that I sat on to keep a vote open past the time of the actual meeting.

Chair: Nicole, we can just end as soon as everyone has voted. Rachel texted earlier to keep it open till midnight.

Senator: Yeah, I'm not opposed to it being open, I just want to know it. But if that is not, if that's outside of the procedure of what's normally done, then I'd have to say no, let's close the vote now. I'm all for allowing everybody the opportunity to vote even for those that aren't here, just like Matt's abstention to vote for the minutes. He abstained because he wasn't at the meeting.

Senator: That would be the decision of the chair.

Senator: Matt. I'm going to refer to Jane again to see if we can get her parliamentary knowledge. It seems to be abnormal to let the vote go beyond the actual meeting itself. I'm not familiar with that. A parliamentary body usually votes within its session. Jane, could you enlighten us on this?

Senator: Having on Zoom provides everyone an opportunity to vote. It would be the decision of the chair and the majority would have to overrule the chair by extending it. And the same thing, if you're not voting, you don't have to have an abstain vote on an electronic one. I would support what you just said.

Chair: In the meantime, Craig Konyk, can you give me your email, so I may send you the ballot?

Senator: May I make a motion that we the body vote on whether to extend or not. And therefore, majority voice to make that decision here. What would be the way to formulate this?

Senator: I will make a motion to close the vote with the end of this Senate session.

Senator: There's a motion on the floor to close the vote after Craig has an opportunity to vote at this meeting. Is there anyone else that has not been able to vote?

Senator: So, the motion could be amended that it's closed after Craig Konyk votes.

Senator: I'd like to amend my motion as such.

Senator: Is that acceptable to the seconder?

Chair: Yes. All in favor? This is all in favor of closing as well Correct.

Senator: I show 22 yea's and 7 nays So that's what majority

Senator: I count five hands raised in opposition to extending the vote.

Senator: I see no hands for abstention. Motion carries

Chair: Senate account is 27 responses plus Craig Konyk's vote coming in.

Senator: On the attendees in the Zoom link, it says that there are 22 people as panelists. Those are the folks that are voting correct.

Chair: Some have left after voting for their classes. The votes are in and 20 in favor and eight against. The revision to the Constitution passes.

Senator: You given the time of day. I make a motion to adjourn. It's 4:29 pm. Class start in a minute.

All right. Thank you, everyone.

Meeting adjourned at 4:30 pm

IV. Next Meetings

- A. Executive Committee Meeting – May 2, 2023 – Zoom at 3:15 pm.
- B. Full Senate Meeting – May 9, 2023 – Zoom Webinar at 3:15 pm.