Hi Joel and current / future Executive Committee members (cc: Helen, outgoing Academic Senate Chair; Ellen and Robyn, ad hoc GEC co-chairs; Joni Onishi, VCAA):

As a faculty member accorded a seat in our college’s Academic Senate of the whole, I am writing to formally make the following four requests to the Executive Committee of the Academic Senate:

1. Recall the 5/9/14 Academic Senate vote on GE-course designation due to a. violation of the Academic Senate Charter and b. violation of Robert's Rules of Order, Revised (RROR):

   a. The Friday, May 9, 2014, slate vote on GE-course designation prevented 14 faculty senators from exercising their rights to discuss or vote on individual courses proposed for GE designation.

   Preventing senators from discussing the proposed courses and preventing senators from freely voting on those courses violates our own Academic Senate charter, which states: "All senators have the rights of voice and vote" (Article III, Section 1; emphasis added).

   b. The Friday, May 9, 2014, vote on whether to hold a slate vote was held after debate was blocked in violation of both our charter (see above) and in violation of our governing rules, Robert's Rules of Order, Revised, which state: "If two-thirds of the assembly wish to close the debate without allowing all the time desired by others, they can do so.... These motions require a two-thirds vote, as they suspend the fundamental right of every member of a deliberative assembly to have every question fully discussed before it is finally disposed of" (Article VII, 44; emphasis added). More than one-third of senators present voted against closing debate.

2. Moving forward, ensure that all votes protect every senator's right to vote, as guaranteed by the Academic Senate charter:

   Friday's forced slate vote on GE-course designation disenfranchised 14 faculty senators present at the meeting who wanted to exercise their right to vote on each course-designation decision separately, based on consideration of each individual course, which is how each course was recommended to the senate.

   Moving forward, bundling separate senate proposals together for vote as a slate must be handled very carefully, in order to fully protect each senator's right to vote, as guaranteed by our charter, which states, "All senators have the rights of voice and vote."

   If any senator wishes to vote on proposals separately, his/her right to do so must be protected.

   Without such protection, the senator who does not wish to vote uniformly "Yes" or "No" on the bundled proposals is disenfranchised, as s/he is placed in the position of having to choose between voting "Yes" for proposals that s/he would vote against, voting "No" for proposals s/he would vote for, or abstaining and losing the ability to vote at all. Such choices negate the senator's right to vote.

   For that reason, the decision to hold a slate vote should have unanimous approval from the voting body so that no senator is disenfranchised.

   From my reading of our charter, such a stipulation should not require an charter amendment, as it is necessary to ensure compliance with the charter's right-to-vote provision.

3. Take steps to ensure that Call for the Question does not abridge the right each senator has to a voice, as
guaranteed by our charter:

Friday's call to end debate clearly violated RROR because it did not meet the required two-thirds vote in favor of ending debate.

Beyond RROR, however, our Academic Senate charter clearly specifies, "All senators have the rights of voice and vote" (Article III, Section 1; emphasis added).

The charter also specifies, "In the event of a procedural conflict with [Robert's Rules of Order], the Senate Charter will be the final authority" (Article VI, Section 2; emphasis added).

I would like the Executive Committee to consider whether senators' right to voice is being abridged if debate is forced to close before a senator has had his or her voice heard, even if there is a two-thirds majority vote to end debate.

My concern is that, as we saw on Friday, voting blocks can turn out to effectively squelch the debate and deny other senators who may feel differently from the block the opportunity to be heard.

Denying a senator his or her right to express a viewpoint on a matter under discussion is a clear violation of our charter. It also is bullying.

4. Take steps to ensure the integrity of Academic Senate meetings and respect for the deliberative process:

Problems at Friday's meeting stemmed in part from the need to support the following:

a. The purpose for Special Meetings must be properly attended to: The special meeting of Friday, May 9, scheduled from 12-2 p.m., was expressly for the purpose of discussing and voting on courses for GE designation, yet GE did not receive attention until the final 30 minutes of the scheduled meeting time. "Running out of time" was used as a reason by those insisting that the separate course designation decisions be voted on as one slate.

b. Committee chairs must be given the opportunity to report and recommend: In the case of Friday's meeting, ad hoc GE Committee co-chairs Ellen Okuma and Robyn Gartner / Kalaui were denied the opportunity to present their report and recommendations to the senate.

In closing, violations of the Academic Senate charter and rules, as well as failure to ensure the integrity of the senate's processes, resulted in denying senators their rights to voice and vote. Fourteen faulty senators were denied the right to vote their consciences regarding individual GE-course designations.

This prevented the senate from fulfilling its function as an assembly of the whole and resulted in the senate's failure to deliberate on matters of real importance to our students, who are the people depending on us to carry out our responsibilities as their faculty.

Thank you all for your attention and action regarding these important matters.

Best regards,

Jeanne