

IDAHO STATE UNIVERSITY  
**PROVISIONAL FACULTY SENATE**  
MINUTES

**VOLUME I, MEMO 1**

May 5, 2011, 5:00 PM

Library Conference Room LIBR 112

In Attendance: Bishop, Cole (elected Chair), Delehanty, Ellis, Francis, Frantz, Gross, Leavitt, Skidmore, Smith, Wilson, Young

Via Telephone: Croker, Gray, Molinari, Mason

Excused: Galindo, Pearce

Temporary Recording Secretary: Frantz, assisted by Francis

**Introductions**

Delehanty, a member of the new provisional ISU Faculty Senate, proposed the following agenda and associated motions for the first meeting of the Provisional Senate. Some of these motions are suggestions from Roberts Rules of Order in forming any new organization.

**ACTION:** Moved by Delehanty, seconded by Croker. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** The agenda proceeded as follows:

1. Election of Chair for this meeting
  - a. Chair—Phil Cole

**ACTION:** Moved by Delehanty, seconded by Croker. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** Cole began to run the meeting.

2. Election of Provisional Senate Officers (**results in bold**)
  - a. Chair—**Phil Cole**, MS Delehanty & Croker, unanimous.
  - b. Vice Chair—**Dave Delehanty**, MS Ellis & Young, 15-1 in favor.
  - c. Executive Committee (2 to 3) **Robert Croker**, MS Delehanty & Young, unanimous.  
**Chad Gross**, MS Leavitt & Ellis, unanimous.
  - d. Volunteer to serve as temporary Recording Secretary: Frantz.

3. Organization motion

Be it Resolved, that it is the sense of this meeting that a Provisional Faculty Senate now be formed at ISU with the authority and responsibility to act for and on behalf of the faculty at ISU.

**ACTION:** Moved by Frantz, seconded by Ellis. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** The Provisional Faculty Senate of Idaho State University is hereby constituted.

4. Parliamentary Authority

Be it Resolved, that the rules contained in the current edition of Robert's Rules of Order newly revised shall govern the Provisional Faculty Senate in all cases to which they are applicable and not inconsistent with any special rules of order the Provisional Faculty Senate may adopt.

**ACTION:** Moved by Francis, seconded by Leavitt. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** Roberts Rules of Order will be followed.

5. Summer Representation

Be it Resolved, that the Chair and Vice Chair, in consultation with other members of the Executive Committee, shall act as the official representatives of the Provisional Faculty Senate at ISU during the summer. The Chair and Vice Chair are not empowered to commit the Provisional Faculty Senate to any policy or action without the express consent of the Provisional Faculty Senate as a body.

**ACTION:** Moved by Bishop, seconded by Gross. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** Summer representation is established.

6-A. Faculty Governance

Whereas:

The following constitutional preamble is identical to the new Boise State University constitutional preamble except that the word "Idaho" substitutes for "Boise" to cause the preamble to apply to Idaho State University.

Whereas:

This preamble will be reviewed by the Provisional Faculty Senate when it reconvenes during the Fall 2011 semester and revised for final approval by the faculty at large.

Be it resolved, therefore that we accept the following provisional preamble to a provisional constitution:

To facilitate communication, understanding, and cooperation among the officers of Idaho State University, and to ensure the orderly development of educational programs and policies committed to our trust, we, the president and faculty of Idaho State University, do hereby subscribe to this constitution establishing principles of organization, authority, and responsibility of the Idaho State University faculty. In adopting this constitution the president and faculty of Idaho State University affirm our belief in academic freedom and responsibility as specified in the Idaho State Board of Education policy (Section III.B, April 2002) and the American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure.

Whereas, institutions of higher education are established for the common good and not to further the interest of either the individual teacher or the institution as a whole, and the common good depends upon the free search for truth and its free exposition through scholarship.

Academic freedom is essential to these purposes and applies to teaching, research, and service. Academic freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. Academic freedom in research is fundamental to the advancement of truth. Academic freedom in service is fundamental to the advancement of the common good and the development of educational programs and policies. Academic freedom should not be abridged or abused. Academic freedom carries with it duties correlative with rights. Limitations of academic freedom for any institutional reason should be clearly stated in writing at the time of the appointment.

Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.

Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Faculty are entitled to speak or write freely without institutional discipline or restraint on matters pertaining to faculty governance and development of educational programs and policies.

College and university teachers are citizens, members of a learned profession, and officers of the educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

**ACTION:** Moved by Delehanty, seconded by Young. **VOTE ON ACTION:** Approved unanimously.

**RESULT:** Provisional preamble was approved.

Senator Croker exited prior to the vote; Senators Mason and Smith exited after the vote.

#### 5-B Provisional Constitution

Whereas:

The following provisional constitution is adapted from the new Boise State University constitution and differs in areas appropriate to Idaho State University.

Whereas:

This provisional constitution will be reviewed by the Provisional Faculty Senate when it reconvenes during the Fall 2011 semester and revised for final approval by the faculty at large.

Be it resolved, therefore that we accept the following provisional constitution.

[The body of the new BSU constitution was distributed prior to the meeting, so members had time to review it. The text is not included here as it was not approved in its entirety. See #7.]

**ACTION:** Moved by Frantz, seconded by Francis.

**ACTION:** Moved by Delehanty, seconded by Frantz, to postpone 5-B and address #6.

**VOTE:** Approved unanimously.

**ACTION:** Motion to take up item 5-B (after #6 was addressed), moved by Leavitt, seconded by Ellis.

**VOTE ON ACTION:** Defeated unanimously.

**RESULT:** A different motion ensued (see #7).

## 6. Resolution

Moved to adopt this resolution:

**Whereas:** One week after the faculty-wide 4:1 vote of no confidence in President Vailas, on February 17, 2011 the duly-elected ISU Faculty Senate was dissolved at the request of President Vailas;

**Whereas:** The majority of the newly-formed Provisional Faculty Senate consists of former duly-elected senators from the disbanded ISU Faculty Senate;

**Whereas:** The ISU Faculty chose to restore the entire Executive Committee of the disbanded ISU Faculty Senate;

**Whereas:** The ISU Faculty chose former senate chairs from the three most recent academic years as voting representatives on the Provisional Faculty Senate;

**Whereas:** The Provisional Faculty Senate will serve as a stepping stone towards constitutionally restoring shared governance to ISU;

**Be it Resolved:** The members of the Provisional Faculty Senate recognize and honor the hard-working, highly professional ISU Faculty for their resounding vote of confidence in faculty governance as demonstrated by choosing their duly-elected senators to represent them in ISU Faculty's continuing effort to restore true shared governance at ISU to all of its former purviews including Academic Standards, Budget, Campus Planning, Undergraduate Curriculum, Cultural Affairs, Faculty Professional Policies, Teaching and Learning, and Research.

**ACTION:** Moved by Delehanty, seconded by Bishop. **VOTE ON ACTION:** Approved by a vote of 11-2.

**RESULT:** The Provisional Faculty Senate expresses appreciation for the support of the ISU Faculty.

Note: One of the three Health Sciences Senators voted against.

7. Motion introduced to replace 5-B, which was defeated.

Whereas:

The following provisional constitution Article V.2 and V.3 is adapted from the new Boise State University constitution and differs in areas appropriate to Idaho State University.

Whereas:

This provisional constitution Article V.2 and V.3 will be reviewed by the Provisional Faculty Senate when it reconvenes during the Fall 2011 semester and revised for final approval by the faculty at large.

Be it resolved, therefore that we accept the following provisional constitution Article V.2 and V.3.

#### Article V: The Faculty Senate

##### Section 2: Authority and Functions of the Faculty Senate

###### a. Authority

The Faculty Senate will have the authority and responsibility to act for and in behalf of THE FACULTY. Actions of the Faculty Senate will be effective without approval of THE FACULTY, except that such actions will be subject to challenge, by the Academic and Administrative Faculty (as specified in Article IV, Section 2, Paragraph e) or by the president of the University.

###### b. Functions

Within the framework established by the Idaho State Board of Education, the Faculty Senate will, as the representative body of THE FACULTY:

- (1) Recommend to the president and provost and vice president of academic affairs requirements for admission and for degrees.
- (2) Act upon all new courses and curricula, changes in established curricula, and curricular policies involving relationships between colleges, divisions, or units.
- (3) Recommend to the president and provost and vice president of academic affairs criteria for academic rank, tenure, and professional welfare.
- (4) Provide for the review and mediation of disputes involving professional ethics and grievances.
- (5) Recommend to the president and provost and vice president of academic affairs policies and procedures governing the performance of research, scholarship and creative activities.

- (6) Maintain such committees and councils as are necessary for the implementation of Article III, Section 1, of this constitution.

Councils to be established initially are:

- Academic Standards
- Budget
- Campus Planning
- Cultural Affairs
- Faculty Professional Policies
- Research
- Teaching and Learning
- Undergraduate Curriculum

- (7) Receive and consider reports from committees and councils and take appropriate action thereon.

- (8) Inform THE FACULTY of its actions.

### Section 3: Organization of the Senate

#### a. Officers

- (1) The Senate shall elect annually from among its academic members a Chair and Vice Chair.

#### b. Meetings

- (1) Regular and special meetings of the Faculty Senate will be held throughout the academic year at times specified in the bylaws.
- (2) Regular and special meetings of the Faculty Senate are open.
- (3) Non-Senate members may only address the Senate when called upon by the Faculty Senate presiding officer.
- (4) Executive session of the Faculty Senate may be called for by the Chair of the Faculty Senate. An Executive session is a closed meeting of the Executive Committee.

c. Rules

The Faculty Senate is empowered to make rules governing its own organization and procedure subject to the conditions of this Constitution and the following:

- (1) A simple majority of voting members of the Senate members will constitute a quorum. If quorum is lost, the meeting will be immediately adjourned and the discussion will continue at the next regularly scheduled meeting or special session of the Faculty Senate.
- (2) All actions of the Senate will be by simple majority of members present and voting, unless otherwise specified in the bylaws.
- (3) A digest of the Senate meeting minutes will be distributed to THE FACULTY without delay.

d. Agenda

At least three business days prior to any Senate meeting, the Chair of the Faculty Senate will have an agenda published and distributed to THE FACULTY. Any Senator may submit items for the agenda. Any item submitted by at least ten percent of THE FACULTY through petition of whose signers half must be Academic or Administrative Faculty must be placed on the agenda for the next regular Senate meeting. Items not on the agenda of a given meeting may not be brought to formal vote at that meeting without unanimous consent of those present.

**ACTION:** Moved by Wilson, seconded by Gross. **VOTE:** Approved unanimously.

**RESULT:** Two sections of a provisional constitution are established, to be paired with the provisional preamble. The provisional preamble and constitution will be forwarded to President Vailas for his approval as provisional, with the request that he forward both to the State Board of Education for approval, with the understanding that a final constitution will be forthcoming during Academic Year 2011-12. The Provisional Faculty Senate will take up where it left off in the Fall 2011 semester to complete a full constitution, which will be placed before the faculty as a whole for approval. Once the ISU faculty has approved the constitution, it will be forwarded to President Vailas for his approval before being placed on a SBOE agenda for final approval.

**Meeting Adjourned 7:15 p.m.**