I. Call to Order
   • The meeting was called to order at 3:17 p.m.

II. Approval of Agenda
   • Motion by Jacobs.
   • Second by Westrin.
   • Approved 11-0-0.

III. Approval of Draft Minutes of March 14, 2019 Meeting
   • Motion by Worden.
   • Second by Stringer.
• Approved 11-0-0.

IV. Remarks

• Chair Amanda Tickne was out of town, so Vice Chair Tyler Silvestri gave a brief update as to The Steering Committee’s decision to refrain from sending the vast majority of the Bylaws reform package to University Council until General Counsel reviews it.

• Associate Provost Gaboury was absent and did not give remarks.

• Secretary for Academic Governance Hoppenstand thanked UCAG for their hard work throughout the year.

V. Review of College Bylaws

• Silvestri explained that because the College of Law was set to merge with the University proper, an extensive review of the College of Law’s Bylaws would need to be done soon anyway. As such, the group responsible for the College of Law Bylaws declined to meaningfully critique them at this time.

• Westrin explained that the group responsible for James Madison College did not have any substantive edits to the College’s Bylaws. However, Westrin raised the question of why James Madison College, Lyman Briggs College, the Residential College in Arts and Humanities, and the College of Law share representatives in Academic Governance bodies given that the practice is not in the Bylaws.

  • Hoppenstand suggested that a recommendation instructing JMC, LB, RCAH, and the College of Law to develop language in their respective Bylaws specifying the practice might be in order.

  • Silvestri pointed out that the Bylaws for Academic Governance certainly don’t suggest a vote-sharing mechanism and arguably don’t permit it. Silvestri sought input from UCAG as to whether the practice violated the Bylaws for Academic Governance, suggesting that the answer could either be to follow Hoppenstand’s suggestion or make clear to the Colleges that each should each have its own representative.

    • Westrin motioned to instruct James Madison College to either specify the vote-sharing in its Bylaws or stop doing it.

      • Second by Silvestri.

      • Worden suggested a friendly amendment to instruct all four Colleges to do the same. Westrin agreed.

    • Discussion ensued, and Westrin suggested placing this issue on the 2019–2020 UCAG’s agenda in the fall. Everyone agreed.

• Motion approved 11-0-0.

• Following further discussion, Silvestri raised the issue that this practice might violate the Bylaws for Academic Governance, as they say that each College “shall” have one representative on various academic governance bodies, and that four Colleges sharing one seat violates that.
• Silvestri made a motion to inform James Madison College, Lyman Briggs College, the Residential College in Arts and Humanities, and the College of Law that UCAG interprets their vote-sharing practice as being inconsistent with 3.3.1.1., 4.3.1., 4.4.1., 4.5.1., and 4.8.1. of the Bylaws for Academic Governance. It was emphasized that the determination is not accompanied by any action or penalty, but is simply a
  i. Second by Dilley.
  ii. Approved 11-0-0.

• Jacobs explained some of the problems his group had with the Bylaws of the College of Agriculture & Natural Resources, including a reference to “Academic Council” rather than “University Council.”

  Jacobs pointed out that part of an appendix to the Bylaws regarding the selection of a Dean said, “The Bylaws’ position in these negotiations is to be developed based on the following guidelines, which are modified from the agreed-upon procedures that were used in the 2012 Dean search.” Jacobs wanted to see those 2012 procedures. Jacobs also called attention to an appendix of the College’s Bylaws dealing with the faculty grievance procedures for the college; notably, the procedures were in an appendix, not the Bylaws themselves, and Jacobs wanted them moved.

  It was informally resolved that Jacobs would ask the College of Agriculture & Natural Resources for the 2012 procedures and ask the College to move the faculty grievance procedures to the College Bylaws themselves. It was also suggested that the Faculty Grievance Officer be brought into these discussions, and that next year’s UCAG follow up on the issue at the first meeting.

• Dilley explained the Communication Arts and Sciences group wanted to table their review until fall. UCAG informally agreed to do so.

  Dilley also raised the issue of the Bylaws for Academic Governance trumping all College Bylaws, noting that it was somewhat ambiguous across Colleges. Spiro recommended adding an explicit statement in all College Bylaws making explicit that if any College’s Bylaws are inconsistent with the Bylaws for Academic Governance, the latter prevails. Dilley pointed out that the Bylaws for Academic Governance are deliberately vague at points, and that it might not be prudent for them to always supersede College Bylaws.

  Recognizing that this issue extends past any one college, Dilley motioned to “put as an agenda item for the fall the matter of inconsistencies in bylaws of the University vs. Colleges, or by extension Colleges vs. Units. This shall include, but not be limited to, matters of representation—for instance, the matter of vote-sharing—and grievance policy—for instance, the matter of greater specificity of grievance process and whether the less-specific or more-specific process prevails.”
    • Second by Jacobs.
• Approved 11-0-0.

• Spiro led the discussion for the **College of Nursing**.
  
  • 1.3.3. says that “The Faculty shall represent the College in the University according to the Bylaws.” Spiro notes that “the Bylaws” is ambiguous as to which set it is referring.
  
  • The College of Nursing allows for electronic ballots for faculty votes, but do not mention electronic participation in meetings.
  
  • 1.4. says there should be one faculty meeting per semester and provides a procedure for special meetings. Later, however, 1.4. mentions that “minutes of meetings shall be distributed prior to the next meeting.” Spiro notes that this is ambiguous as to when minutes for special meetings must be distributed.
  
  • 3.1.9. says that the Dean is subject to regular review by the Provost, but it is not clear how often “regular” is or what force this review has. Some members noted that this problem was highlighted by the Strampel scandal.
  
  • 3.1.9. also mentions that there is a process for reviewing Assistant Deans and Associate Deans every five years, but there is no analogue for the faculty’s ability to call for a review of the Dean. Hoppenstand notes that there is no analogue because the Assistant/Associate Dean doesn’t work for the faculty, but for the Dean, who conducts the review; it might be a good idea to involve faculty in that review, but that is the explanation for why there is no analogue.
  
  • 4.0.3. talks about “approximate” values. Spiro argues this is imprudent.

• Dilley moved that UCAG finalize feedback to Colleges for Bylaws under consideration in the fall rather than at the end of this semester, not counting the vote-sharing ruling.
  
  • Stringer seconds.
  
  • After discussion, Dilley withdrew the motion.

• Dilley moved that UCAG revisit College Bylaws evaluations for Colleges currently under consideration next year.
  
  • The difference between this motion and the preceding one is that Colleges would receive the feedback this summer.
  
  • Second by Silvestri.
  
  • Approved 11-0-0.

• Dilley moved that UCAG “put on its agenda for the fall matters to include, but not be limited to, recommended or obligatory actions to be taken in the case of negative administrator reviews, and whether faculty can call for reviews of Assistant or Associate Deans.
  
  • Second by Spiro.
  
  • Approved 11-0-0.

VI. Language to Send to FRIB and Academic Specialist Committee Regarding Election Laws in Bylaws
• Hoppenstand noted that the issue is complicated and should be dealt with next year. This specifically referred to items 7.2 and 7.4.3. of the agenda.
• Silvestri moved to move it to next year's agenda.
  • Second by Westrin.
  • Approved 11-0-0.

VII. Revisions to Address Number of Representatives Issues
• Hoppenstand explained that the issue of addressing concerns with 3.3.1.1. and 3.3.1.2.1. of the Bylaws for Academic Governance to establish clear-cut wording on the number of representatives and the cycle of elections that would take into account the College Advisory Council Chair's one-year term should be addressed next year.
• Silvestri moved to address it next year.
  • Second by Worden.
  • Approved 11-0-0.

VIII. Absences and Removal, Discussion of Attendance Policy
• Hoppenstand explained that a relatively recent rule expelling Standing Committee members who violate attendance rules in 1.4.3. of the Bylaws for Academic Governance has been unpopular with those who violate them. The question for UCAG was whether the rule should stand.
• Silvestri noted that three UCAG members had three absences this year and one member with six absences. Silvestri argued this is also an issue of enforcement.
• Worden moved to keep the rule as it is.
  • Second by Weisses.
  • Approved 11-0-0.

IX. The meeting adjourned at 4:55 p.m.
• Motion by Silvestri.
• Second by Worden.
• Approved 11-0-0.