

# **Report and Recommendations of the Ad Hoc Committee on the Forum Constitution**

## **A. Statement of Problem**

1. Under the current interpretation of our rules, any issued deemed a “substantive motion” is sent to the full faculty for a vote. Technically, we would not have to do that if 40% of the faculty came to a forum vote, but it seems likely that we would send most votes out even in that situation. Where we do not have 40% attendance, a mail ballot always occurs.

2. The current practice of deeming an idea as substantive and sending it out without the vote of the faculty in attendance clearly violates appropriate standards as set by Robert’s Rules of Order.

a “Once a main motion has been brought before the assembly through the three steps described above, there are three further basic steps by which the motion is considered in the ordinary and simplest case (unless it is adopted by unanimous consent, as explained on pp. 51-53). These normal steps are as follows:

- 1) Members debate the motion (unless no member claims the floor for that purpose).
- 2) The chair puts the question (that is, puts it to a vote).
- 3) The chair announces the result of the vote.” [RONR (10th ed.), p. 40, 20-30.]

3. Our current procedures violate this norm in several ways:

- a We have sent substantive motions out without any debate.
- b The chair seldom puts the question to the floor on a substantive issue.
- c The chair cannot announce the result of a vote that was never taken.

4. Our current process violates Robert’s Rules in another very important way – the chair frequently shuts off debate early. This is done both because of time constraints and because, without a vote being taken on the floor, debate is less important than it ought to be. However, it is a clear violation of Roberts:

“The presiding officer cannot close debate so long as any member who has not exhausted his right to debate desires the floor, except by order of the assembly, which requires a two-thirds vote.” [RONR (10th ed.), p. 42, 20].

## **B. Recommendations (Motions for Changes in the By-Laws of the Faculty Forum)**

**Motion: Amend section 6 of the By-Laws of the Faculty Forum by striking the phrase “for passing procedural motions”.**

Proposed 6. A quorum shall consist of twenty percent of the members of the Faculty Forum.

Current 6. A quorum for passing procedural motions shall consist of twenty percent of the members of the Faculty Forum.

Would leave the current section 7 as is.

Current 7: Procedural motions may be passed by a majority of those present and voting if a quorum is present.

**Motion: Strike section 8 and renumber.**

Current 8. A quorum for passing substantive motions shall consist of forty percent of the members of the Faculty Forum.

**Motion: Amend section 9 of the By-Laws of the Faculty Forum to read as follows:**

**Proposed 9: Substantive motions receiving the support of the majority of the voting members if a quorum is present will be forwarded for final decision by a written ballot of the entire Forum. (Note: Amendments to the Faculty Handbook will follow the procedure prescribed by the Handbook.)**

Current 9. Substantive motions may be passed by a majority of those present and voting if a quorum is present. In absence of a quorum, substantive issues will be decided by a written ballot of the entire Forum. (Note: Amendments to the Faculty Handbook will follow the procedure prescribed by the Handbook.)

If approved, the By-Laws would read:

6. A quorum shall consist of twenty percent of the members of the Faculty Forum.

7: Procedural motions may be passed by a majority of those present and voting if a quorum is present.

8: Substantive motions receiving the support of the majority of the voting members if a quorum is present will be forwarded for final decision by a written ballot of the entire Forum. (Note: Amendments to the Faculty Handbook will follow the procedure prescribed by the Handbook.)

## **C. Alternatives Considered**

1. To eliminate the practice of sending votes out by mail to the full faculty
2. Leave the constitution as it is.

## **D. Results Expected**

1. This proposal fixes the problem by returning to the approved process:
  - a) A member makes a motion;
  - b) Another member seconds the motion;
  - c) The chair states the question;
  - d) Members debate the motion;
  - e) The chair puts the question to a vote;
  - f) The chair announces the result of the vote
2. We add an element deemed important by this faculty, by submitting those motions that passed on the floor to the full body for ratification. That is a normal process for many institutions. ADDING additional protections is a perfectly acceptable process. SHORTCUTTING the debate and floor debate is an unheard of process that clearly violates Robert's Rules.