Minutes of Regular Meeting

April 25th, 2011
Meeting

Executive meeting of the Senate convened at 3:15 PM. One item was addressed on the agenda: University Honors.

The full meeting of the full senate convened at 3:43 PM, Kendall-Cram Room, LBC. 46 members were present.

Presiding: The chair, President Cowen.

Attendance:

Ex Officio: S. Cowen, M. Davies, B. Sachs, T. Lorino, Y. Jones, C. Adams, J. Wiese

Deans: P. Buekens, R. Marks

A. B. Freeman School of Business: H Sujan, M Sujan, J. McFarland,

Newcomb-Tulane College: M. Kalka

Architecture: None

Continuing Studies: L. Green, K. McLennan

Law: R. Scalise, J. Carriere

Liberal Arts: H. Howard, T. Cole, V. Mayer, M. Thompson,

Medicine: H Andersson, L. Morici, M. Kahn (as proxy for K. Desalvo), M. Kahn (as proxy for D. Mushatt), S. Landry, A. Betancourt

Public Health and Tropical Medicine: H. Long, S. Hassig, J. Lefante, N. Mock

Science and Engineering: P. Colombo, C. Walker, D. Mullin

Social Work: L. Pearlmutter, M. Lewis

Student Senators: E. Nicoll, B Hambley

Staff Senators: S. Barrera, R. Platner


Absent Voting Senators:


Minutes:

The minutes of the April 4th meeting were approved with the following amendment: “It was noted that the contractors were given two permits, but could purchase an unlimited number of daily permits.” The final amended minutes are posted on the Senate Wiki under both April meeting agendas.

ELECTIONS

1. Election of Faculty Representatives to The Board of Administrators
Nominations were opened. M. Davis nominated Harish Suhjan from the A.B. Freeman School of Business. There were no other nominations. A motion was made to elect H. Suhjan; the motion was seconded, and H. Suhjan was elected.

**Introduction of New Members**
Bryan Hambley was introduced and welcomed as the new GAPSA President.

**President's Report**
President Cowen deferred his report in light of the pending business before the Senate.

**UNFINISHED BUSINESS**

1. A Second Reading was heard regarding an amendment to Section III of the Faculty Handbook. The amendment involves Part III, Article I, Section 2 and 6. Senator Long moved an amendment stating that the provision contained in Part III, Article I, Section 2 and 6, as previously passed by the Senate on April 4th, read: "Amendments to these sections of the faculty handbook will only be applicable to faculty not already enrolled as a Professor of Practice (as of April 4th, 2011)."

The motion was seconded.

A question was raised regarding whether the amendment applied to POPS currently enrolled, or all faculty currently enrolled. It was confirmed that the amendment is as written in minutes, as posted on the wiki, and as noted above. The amendment would exclude only “faculty not already enrolled as a Professor of Practice.”

Senator Kahn raised the issue of non-productive clinical faculty member’s in the School of Medicine, and whether the original amendment (as passed on April 4th) would result in adverse patient-care outcomes for faculty deemed to be not competent in their field.

P. Buekens and M. Kahn were asked whether this amendment, as stated, was acceptable. Both agreed that it was.

The motion passed, 35-0-1.

**COMMITTEE REPORTS**

1. Athletics

D. Culbertson noted that the report addressed the core areas of: Academic integrity, governance and rules compliance, gender equity, diversity and athlete well-being.

D. Culbertson noted that the full Athletics report is posted on the wiki. The roster of the volunteers, including students, faculty, administrators, and Board of Administrators participants is listed within the document.

The NCAA estimates 400 hours of person power and $300,000 of expenditure on the part of their members involved in this report.
Specific attention was called to the leadership efforts of Debora Grant (Diversity), Dave Feldman (Rules), and Chris Wilson (Academic integrity and support services) in enacting this report. The report contains a timeline outlining the return of Tulane sports since Katrina. It was noted that the University is making good progress towards meeting the 16 athletic teams need for Division One qualification, as well as the proportional gender requirement for NCAA certification.

D. Culbertson specifically addressed the gender equity and diversity sections of the report. The full report can be found at the Senate wiki, under the Athletics committee link.

A question was raised regarding the proportionality percentages, and the acceptable margin of error. D. Grant noted that 3% is the acceptable margin of error; which is where the University will be.

President Cowen noted that this was an extraordinary piece of work, and while it is pending NCAA approval, the Committee should be congratulated for their diligent work, and we look forward to the results.

D. Culbertson requested that the Senate officially approve the recommendation as stated below:

“The Committee recommends that the Senate leadership formally request of Deans of the various Schools of the University that all possible consideration be given to the appointment of women and minority faculty to the membership of this Committee. As 54% of our student-athletes will be female by 2012, we hope that university governance will reflect this balance either through appointments to existing slots or through expansion of the Committee’s membership.”

A motion was made to officially endorse this recommendation. It was seconded, and approved.

2. Assessments

K. Busby provided the report. The full report can be found at the Senate wiki, under the Assessments Committee link.

3. Social Issues

Senator Carriere presented the Social Issues report. The full report is posted on the Senate Wiki.

J. Carriere noted that the committee had been charged by the President to “review a draft Labor Code of Conduct for Tulane University presented to him by a group of students. That code proposed standards to govern treatment of all workers on Tulane’s campuses. The President instructed the Committee to consider the submission and render recommendations to the University Senate concerning the advisability of adoption of the code with respect to the conduct of “the various outside vendors that we [i.e., Tulane University] contract with.” In
specific, the committee focused upon the “legal, equitable and practical issues associated with labor codes.”

The committee heard from people such as A. Banjos (diversity of types of vendors, the reasons Universities might move to vendors vs providing services themselves, competitiveness of vendors), and S. Schneider (obligations under labor law, the risk of private enforcement).

J. Carriere noted that the committee’s recommendations address the practical and legal pitfalls, while preserving the ethical values set forth in the committee’s charge, including fairness, honesty, and clear presentation of the rights of all parties.

A motion was made to adopt the report.

A motion was subsequently made to postpone the motion to adopt to the May 2nd Senate meeting. The motion to postpone passed, and the motion to adopt the report was postponed to the May 2nd Senate meeting.

NEW BUSINESS

J. Wiese noted that all of the following proposed amendments regard codifying currently in-place “standing rules of the Senate” by inserting them into the Bylaws or Constitution. J. Wiese noted the importance of doing so, in as much as amendments to the Bylaws and Constitution require a super-majority (2/3 of Senators present and voting), thereby protecting the minority voice with respect to alternations in Senate procedures. Standing rules, on the other hand, which have a similar potential to change the course of the Senate’s procedures, do not require this super-majority, and thus do not protect the minority voice.

1. J. Wiese provided a first reading of a proposed amendment to the Bylaws; Bylaw III, Section M: Research Committee. The proposed amendment is posted to the wiki. The proposed amendment would insert a current “standing rule” into the bylaws with respect to the membership of the two subcommittees of the Research Committee.

2. J. Wiese provided a first reading of a proposed amendment to the Constitution, Article V, Section 3: Senate Committees, Personnel. The proposed amendment is posted to the wiki. The proposed amendment would insert a current “standing rule” into the Constitution which would read, “Faculty positions on standing committees of the University Senate are reserved for regular faculty members whose teaching and/or research activities constitute a majority of their university responsibilities.”

3. J. Wiese provided a first reading of a proposed amendment to the Constitution, Article VI, Section 1 and 2: Meetings. The proposed amendment is posted to the wiki. The proposed amendment would insert a current “standing rule” into the Constitution which would read, Section 1: “Regular meetings of the
University Senate are limited to Senators and invited guests.”

Section II: “(b) An open meeting of the University Senate can be called by the Chair, or by 2/3 of the voting membership of the University Senate.
(c) Open meetings of the Senate may be audio-taped and video-taped only by the Secretary of the Senate.”

The proposed amendment to Section 1 re-words the text to further clarify that it is the Chair of the Senate, and not the Secretary, who may postpone a Senate meeting based upon insufficient business to be conducted.

4. J. Wiese provided a first reading of a proposed amendment to the Constitution, Article V, Section 5: Reports. The proposed amendment is posted to the wiki. The proposed amendment would insert a current “standing rule” into the Constitution which would read, Section 1:
“(d) Formal records of formal actions of Senate Committees are to be made available to the Chair of the Senate upon request.”

The proposed amendment to Section 5 also strikes, “with a sufficient number of copies for distribution to the Senate membership,” as paper distribution has been replaced by electronic communications, and is not environmentally friendly.

V. Mayer proposed a further amendment which would insert, “…and all members of the Senate, one week...” into the following sentence: “Each Standing committee shall submit an annual written report and shall furnish the Secretary and all members of the Senate, one week in advance of the meeting at which it is to be presented.

J. Wiese noted that, as this was a first reading, and no second had been placed, he was willing to incorporate this as a friendly amendment into the proposed Constitutional amendment.

5. J. Wiese provided a first reading of a proposed amendment to the Constitution, Article II, Section 7: Membership. The proposed amendment is posted to the wiki. The proposed amendment would insert a current “standing rule” into the Constitution which would read, Section 7: “(d) Elected Senators whose schedules determine they will be unable to attend three or more meetings of the Senate should be replaced according to procedures determined by the division from which they are elected. The Dean of the division should notify the Secretary of the Senate the name of the replacement and duration of the term prior to the first meeting the replacement is scheduled to attend.”

V. Mayer made a motion, “Senate minutes will be posted to the public website within one week after the senate approves them.” The motion was seconded and approved.
Adjournment

Having no additional new business, the meeting was adjourned at 4:44 PM.

Respectively Submitted,

Jeff Wiese, MD

Secretary, Tulane University Senate

Secretary's Note: All written reports mentioned in the minutes, together with the full text of approved Handbook revisions and other policy changes, are available on the Tulane University Senate Wiki located at: tulanesenate.pbworks.com