

MINUTES
CLEMSON UNIVERSITY
GENERAL FACULTY MEETING
November 16, 2018

1. Call to Order: Chair Robert Jones, executive vice president for academic affairs and provost, called the General Faculty Meeting Senate Meeting to order at 9:19 a.m.

2. Reports:
No reports were provided.

3. Unfinished Business:
None

4. New Business:

Faculty Senate Resolution 2018-01 – Amendment of The Constitution of the Faculty of Clemson University General Faculty Meeting Requirements

Danny Weathers, associate professor in the College of Business, moved for the adoption of Resolution 2018-01 as previously distributed to university faculty. Constancio Nakuma, acting associate provost for academic affairs, seconded the motion. See the attached, distributed resolution for the specific policy language.

Weathers spoke of his support for the resolution mentioning that this resolution was presented to the Faculty Senate at a recent meeting and the senate provided their unanimous support for the revised practice. He noted that the resolution does not limit the faculty’s ability to convene together as a collective body, but it reduces the number of required times to do so. He spoke at length and noted several reasons to support this resolution.

Chair Jones opened the discussion and welcomed questions and comments from all faculty attending remotely. A faculty member made a point of inquiry. She asked if there would be the same level of resources, in terms of notices distributed, scheduling, and other materials, provided for special meetings to which the faculty have been accustomed for previous General Faculty Meetings. The provost assured all faculty that he is committed to providing resources for publicity and encouragement of attendance for all upcoming faculty meetings.

When the discussion concluded, the question was called and votes were cast from each of the remote locations. Tellers at each location counted and gathered ballots and e-mailed them to the provost’s office, which provost staff tallied. As evidenced in the Tellers Vote Records below, the motion passed. These policies need to be forwarded to the Board of Trustees for their final approval and implementation.

Tellers Vote Records for Motion:

Number of Votes Cast	604
Number Necessary for Adoption.....	403
Votes for Motion	583
Votes Against Motion.....	21

Faculty Senate Resolution 2018-02 – Amendment of The Constitution of the Faculty of Clemson University in Regards to Voting and Quorum

Danny Weathers moved for the adoption of 2018-02 as previously distributed to university faculty. Constancio Nakuma seconded the motion. See the attached, distributed resolution for the specific policy language shared with faculty prior to the General Faculty Meeting.

Weathers expressed his support for the resolution, stating that, with today’s technological advancements, revisions to the methods by which faculty can attend and participate in General Faculty Meetings will allow for greater participation of faculty in university governance. Also, as Clemson continues to grow its faculty base, the opportunity to hold quorum in the university’s previously-adopted meeting formats will become increasingly more difficult. He noted that the proposed resolution does not change the process by which constitutional amendments can be changed. He also addressed concerns about the validity of electronic voting and reiterated that elected representatives responsible for the meeting logistics will follow Robert’s Rules of Order to maintain the integrity of the meeting process.

A faculty member from the School of Computing expressed concerns that the current language did not afford every opportunity to ensure attendees can hear and engage with each other. He made a motion to amend the wording to include a statement about the need for synchronicity and two-way communication. The language of the amended segment of the motion (Article V) follows below in bold-face font:

That Article V of the Constitution be amended to read:

...The vote may be taken by voice or by ballot (the form of the ballot to be approved by the Faculty Senate); however, only one methodology may be utilized for all members voting at the meeting. Participation in the meeting, whether corporal or by means of conference telephone, video conferencing equipment, or similar communications equipment shall constitute presence at such meeting so long as all members participating in the meeting can hear each other. **The similar communications equipment must include a synchronous, two-way audio communication channel.** Any amendment passed by the faculty shall become effective upon approval by the Clemson University Board of Trustees.”

The amendment to the resolution was seconded.

The provost’s office conferred with the Office of General Counsel and confirmed that this language was in alignment with South Carolina with state codes and law.

Faculty discussion continued. Dan Noneaker, from the Department of Electrical and Computer Engineering, made an editorial point that synchronicity may have a different connotation from the proposer’s recommendation. They suggested revising the language to say “similar communication equipment should be synchronous and include a two-way audio channel.”

Weathers commented that the proposed amendment was not necessary as the spirit of the new language is accommodated in the proposed amendment, which has previously been approved by the Office of the General Counsel and is automatically in alignment with South Carolina code of law.

Fran McGuire, from the Department of Parks, Recreation, and Tourism Management, questioned the degree to which the entire resolution complies with the Americans with Disabilities Act required compliance for institutions, recommending that the language use the phrase “audio” instead of “hear.” The provost responded by stating that the legal interpretation of “hear” complies with ADA requirements and state code, as reiterated by General Counsel.

Andrea Feeser, from the Department of Art, questioned if we need the language “hear” in the resolution or if we can make it known that information will be provided synchronously by any means. She questioned if the technology planned for these meetings is available to accommodate all accessibility needs.

Philip Fravel, from the Department of Agriculture and Environmental Science, suggested that the language references about “hear” be replaced with “communicate.”

Shontavia Johnson, associate vice president for academic partnerships and innovation, opposed a portion of the resolution that uses the term “should,” which does not seem to ensure that the statement following is a required practice. She interpreted that to mean that it is an optional action.

Jae Takeuchi, from the Department of Languages, proposed that the amendment be further revised to include the phrase “two-way audio and vision communication channel.” The provost noted that visual accommodations are not required by the state, given that the technology available for upcoming meetings allows for closed caption capabilities.

A faculty member from the Department of Electrical and Computer Engineering wished to further change the resolution in the sentence just prior to the amended portion of the resolution, by adding an additional word, which would then read “Participation in the meeting, whether corporal or by means of conference telephone, video conferencing equipment, or similar, **synchronous** communications equipment shall constitute presence at such meeting so long as all members participating in the meeting can hear each other.”

It was noted by the provost’s office that General Counsel has assured that, according to South Carolina law, a public institution cannot hold a meeting in an asynchronous fashion. As a result, all of Clemson’s General Faculty meetings must be synchronous and the proposed change to the amended resolution states the obvious.

Another change was proposed that a clause be added to the end of the Electrical Engineering language revision (as noted in bold), so that the text would state that “...so long as all members participating in the meeting can hear each other, **with reasonable accommodation.**”

The provost clarified for attendees that, according to Robert’s Rules of Order all of the above revisions to the amendment proposed by the School of Computing would require nested votes, where the faculty must vote on each individual revision and then vote on the School of Computing amendment and then vote on the resolution as a whole. To expedite the process and maintain the meeting’s two-hour expected time threshold, he recommended that the faculty member from the School of Computing consider withdrawing its amendment and rewrite an amendment with all of these statements or that those in the meeting move ahead with voting on the amendment under discussion and revise afterward if need be. No one opposed that action.

The faculty member in the School of Computing who proposed this amendment was not interested in withdrawing his amendment in that manner, so the provost called for the vote on the proposed amendment to Resolution 2018-02. Votes were cast from each of the remote locations. As evidenced in the Tellers Vote Records below, the amendment to the motion passed.

Tellers Vote Records for Motion:

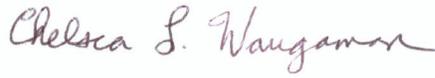
Number of Votes Cast	591
Number Necessary for Adoption.....	297
Votes for Motion	297
Votes Against Motion.....	294

The provost then called for the vote on the amended Resolution 2018-02. After no further debate, votes were cast from each of the remote locations. As evidenced in the Tellers Vote Records below, the motion passed with more than the two-thirds support necessary to do so. The policies outlined in this resolution need to go to the Board of Trustees for their final approval and implementation.

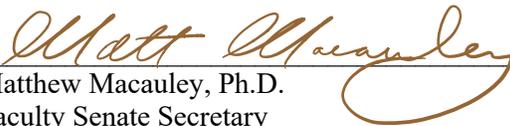
Tellers Vote Records for Motion:

Number of Votes Cast	543
Number Necessary for Adoption.....	362
Votes for Motion	506
Votes Against Motion.....	37

5. Adjournment: Provost Jones adjourned the meeting at 11:01 a.m.



Chelsea Waugaman, Ph.D.
University Faculty Governance Coordinator and Meeting Secretary



Matthew Macauley, Ph.D.
Faculty Senate Secretary