



FACULTY SENATE MEETING MINUTES

February 17, 2021

Online via Zoom

3:00 PM - 5:00 PM

Present:

AGRUSA, Jerry; BANNA, Jinan; BEAULE, Christine; BERGSTROM, Kelly; BIAGIONI, Edoardo; BINSTED, Kim; BOVARD, Penny-Bee; BUSCH, Gerald; BUSINGER, Steven; CHANDRA, Nandini; CHEN, Roger; CLAPP, Justin; CONWAY, Thomas; COONEY, Michael; DAVIS, Katherine; DE SILVA, Kahikina; EICHELBERGER, Ariana; FARRAH, Duncan; GILLILAND, Elizabeth; GUENTNER, Erik; HIGA, Jason Kenji; HOFFMANN, Kathryn; IRVIN, Vanessa; JOHANSEN, Morgen; JULIEN-CHINN, Francie; KAME'ELEIHIWA, Lilikala; KAO, Peiling; KIRS, Marek; LAWSON, Kenneth; LENTZ, Rachel; LENZ, Cory; MAYNARD, Ashley; MCKIMMY, Paul; MEDINA, Richard; MESSINGER, Thane; MIYAMOTO, Camaron; MOORE, Colin; NGUYEN, Trúc; NUTE, Kevin; O'BRIEN, Maureen; PAULL, Robert; PETTIT, Jonathan; POTESMRA, James; RAY, Stacy; RUTTENBERG, Kathleen; SAKAGUCHI, Ann; SALZER, Ku'u'lei; SAND, Shannon; SANDERS, David; SINCLAIR, Gwen; SIPES, Brent; SORESEN IRVINE, Christine; SPEETJENS, Maile; STEPHENSON, Carolyn; STIRR, Anna; THOULAG, Jean; USPAL, William; UYEHARA, Lisa; VARGO, Stephen; VON DOETINCHEM, Sandra; WANG, George; WERTHEIMER, Andrew; WITHY, Kelley; YOSHIOKA-MAXWELL, Amanda; and YUAN, Sarah.

Excused:

BATANI, Sayed; GAL, Roy; JHA, Rajesh; NÍ DHONACHA, Siobhán; STOKES, Alexander; TALLQUIST, Michelle; WONG, Vanessa; and YAGI, Seanyelle

Absent:

HARRIS, Chessa

1. CALLED TO ORDER:

- Called to order by Chair P. McKimmy at 3:01pm.

2. MINUTES:

- [December 16, 2020 Senate \(DRAFT\) Minutes](#)
- Amendments shared in advance to Secretary Nguyen.
 - Senator Clapp, Senator Pettit, Senator Stephenson provided amendments. All amendments accepted.



- Chair McKimmy asked for additional edits from the floor.
 - Senator Maynard (SOCSCI) recommended removing Committee Chair reports links from the minutes and refer to UHMFS website instead. Secretary Nguyen expressed support for the amendment.
 - Senator Stephenson (SOCSCI) recommended clarification to the GEC description. GEC Committee Chair Pettit (CALL) expressed support for the clarification.
 - Chair McKimmy asked for any additional amendments. No additional amendments raised.
 - Chair McKimmy asked for objections to approval of the minutes. No objections expressed.
- Amended minutes approved by acclamation.

3. CHAIR'S REPORT

- Chair McKimmy welcomed senators and expressed thanks for service and time.
- The MFS election timeline was shared. The Committee on Faculty Service had shared the proposed timeline with the Senate Executive Committee, who approved the timeline. The call for senator candidate interest will open on February 22. The elections will begin March 3 and close March 10. The outcome is anticipated to be posted by March 19. Committee interest will be requested starting April 8. The SEC call for nominations will also open on April 8. The SEC election will be from April 14 to April 21.
- An update on vaccinations for UH was provided. The original arrangement between UH and the Department of Health has changed; there are no longer plans for UH to be a point of distribution. UH did a survey of employees who wished to get vaccinated and constructed priority lists. UH administration receives notices of when a specific number of vaccines are available and submit names from appropriate tiers. Those individuals are getting notices to set up appointments for their vaccination.
- The BOR meeting for February 18, which is slated to be at UH Mānoa, was announced. Chair McKimmy will give a presentation that is part of the campus report. Depending on the discussion and vote, the outcome of resolutions at today's MFS meeting would be shared with the BOR immediately after the MFS meeting.

4. BUSINESS

- **RESOLUTION SUPPORTING THE PROPOSAL FOR AN UNDERGRADUATE CERTIFICATE IN SEXUALITY STUDIES**

Recommendation from the Committee on Academic Policy and Planning (CAPP)

Presenters: Carolyn Stephenson, Chair

Supporting document:

- [*Revised Sexuality Studies proposal*](#)
- CAPP Committee Chair Stephenson (SOCSCI) stated that the group proposing the certificate had decided on a name change. CAPP was therefore requesting that the business item be postponed to the next Senate meeting. Chair McKimmy asked if there was any objection. Hearing no objections, the business item was postponed to the next Senate meeting by acclamation.



● **RESOLUTION SUPPORTING THE PROPOSAL FOR AN UNDERGRADUATE CERTIFICATE IN CREATIVE COMPUTATIONAL MEDIA**

Recommendation from the Committee on Academic Policy and Planning (CAPP)

Presenter: Carolyn Stephenson, Chair

Supporting document:

- [Proposal for Undergraduate Certificate in Creative Computational Media](#)
- CAPP Committee Chair Stephenson (SOCSCI) thanked the committee for their work, as well as the proposers of the certificate. Senator Stephenson requested that a spelling error be corrected. The proposal is between four different departments and will rotate leadership. The proposal is considered an innovative and interesting proposal in that it will combine some of the arts and technical information technology, and it builds on the new lab in the Academy for Creative Media. The certificate program will be for a mix of students between these various departments - the Department of Information and Computer Sciences, Academy for Creative Media, the Department of Electrical Engineering, and the Department of Theatre and Dance. CAPP had asked what the implications were if one of these departments such as Information and Computer Sciences is moved to a different school in a reorganization, and the answer was that all four of these departments wherever they are located are supportive of the certificate. There is also support all the way up through the administration. Senator Stephenson invited questions and indicated that representatives of the certificate program as well as the CAPP subcommittee members were present to answer questions if needed. Senator Stephenson urged the senate to support approving the certificate.
- Chair McKimmy called for discussion. No discussion raised.
- RESOLUTION SUPPORTING THE PROPOSAL FOR AN UNDERGRADUATE CERTIFICATE IN CREATIVE COMPUTATIONAL MEDIA
 - 60 aye (100%), 0 nay (0%), 3 abstentions
 - Motion carried.

● **RESOLUTION CALLING FOR ALL PERMANENT EXECUTIVE MANAGERIAL POSITIONS TO BE SUBJECT TO AN OPEN RECRUITMENT, SEARCH, AND HIRING PROCESS**

Recommendation from the Committee on Administration and Budget (CAB)

Co-presenters: Justin Clapp, Chair and Robert Paull, Vice chair

- CAB Committee Chair Clapp (AA) explained that CAB began investigating the topic in Fall 2020. Section R20 of the UHPA contract stipulates that the university “will refer” to faculty senates “participation in the recruitment, selection, and evaluation of academic executive leadership.” CAB analyzed executive policy and Board of Regents policy as it relates to Executive/Managerial (E/M) hiring practices and found numerous instances of conflicting language between the various policies. Some of the conflicting language is pointed out in this resolution. Faculty are concerned that faculty participation may have been lacking in previous E/M recruitment, selection, or evaluation. Concern continues that future E/M appointments could possibly continue to evade faculty participation in their recruitment, selection, and evaluation. CAB felt it important to bring this resolution forward with the ongoing



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consideration of the proposed Phase II reorganization. CAB met with Provost Bruno to discuss the resolution on January 27, and the Provost has signaled that he agrees with the aim of this resolution.

- Chair McKimmy called for discussion. No discussion raised.
- RESOLUTION CALLING FOR ALL PERMANENT EXECUTIVE MANAGERIAL POSITIONS TO BE SUBJECT TO AN OPEN RECRUITMENT, SEARCH, AND HIRING PROCESS
 - 61 aye (98.41%), 1 nay (1.59%), 0 abstentions
 - Motion carried.

- **CAB PROPOSED AMENDMENTS TO THE MĀNOA FACULTY SENATE CHARTER** (First Reading)

Recommendation from the Committee on Administration and Budget (CAB)

Presenter: Ann Sakaguchi, CAB member

- Senator Sakaguchi (SOCSCI) presented background on the work.
 - CAB Chair Clapp tasked a subcommittee to work on the amendments. The subcommittee met 14-15 times by Zoom, meeting two times a week or more. The subcommittee looked over issues with great detail and analysis. The proposed amendments were passed out of the CAB unanimously with a vote of 13 out of 13. Amendments can be made in one of two ways: 1) A petition signed by 25 members of Congress shall be referred to CAB; and 2) Amendments can also be proposed by CAB. For the record, CAB did not receive any petition this round, but did receive requests from individuals and from two standing committees. Although that was not the process, CAB considered all requests carefully. However, it should be noted that the process is such that requests are not automatically included as amendments
 - Senator Sakaguchi stated that though there were a lot of red lines changes, most are related to: 1) Title changes from Chancellor to Provost, and changes in terminology from “Resolutions and Acts” to “Resolutions and Motions.” 2) Identified inconsistencies across the Bylaws, Charter, and Rules of Order, such as which committee certifies election results; 3) Organized documents such as placing a list of committees in alphabetical order to removing duplications and errors (e.g., election results to be kept 5 years vs 1 year), and editing for easier reading (for example, CAB tried to keep the writing style consistent with other parts of the documents, reference to SEC or Executive Committee was changed to Senate Executive Committee).
 - One of the biggest challenges was distinguishing between standing versus permanent committees. The Parliamentarian advisor noted that according to Robert’s Rules of Order permanent committees do not exist. Standing committees that are all senators are different from committees with one or two senators. CAB renamed the latter committees as “continuing” committees in the documents.
 - CAB also checked the university and Regent policy numbers and corrected them if they were in error, and updated colleges, schools, and units, if applicable. CAB thanked the Committee on Faculty Service for also providing the list. Although it is a different rearrangement, CAB checked that all the same constituencies were listed.

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- Changes in the Charter were primarily cosmetic changes, e.g. title changes from Chancellor to Provost/Resolutions and Acts to Resolutions and Motion. Regent's Policy was changed to reflect the correct number. Section 1-10 was changed to RP 1.210, which refers to "Faculty Involvement in Academic Decision-Making and Academic Policy Development". Voting language was added to provide Congress with the ability to vote electronically after its meeting vs. votes collected via campus mail. The current process is such that resolutions and motions passed by the Senate are sent to the Provost, President and Board of Regents after these documents are signed by the SEC Chair and MFS Secretary. The amount of time and effort spent by committees is significant in formulating a resolution, as an example. However, if it is not submitted to these parties in a timely manner, it diminishes the ability of the Resolutions to impact the issues at hand. The added language that the '*resolution and motion be promptly transmitted to the relevant BOR meetings with a record of the vote*', helps ensure that this occurs such that the work of the Senate is represented in a timely manner to the appropriate leadership.

- **CAB PROPOSED AMENDMENTS TO MFS BYLAWS (First Reading)**

Recommendation from the Committee on Administration and Budget (CAB)

Presenter: Ann Sakaguchi, CAB member

- Senator Sakaguchi (SOCSCI) stated that in the Bylaws, the changes are more involved. One change was to clarify 'excluded faculty'. A few interpreted this to mean that to be a Senator one had to be a member of UHPA, which was incorrect. This language here ensures that we eliminate in the future misunderstandings of this nature.
- CAB added some language regarding Robert's Rules of Order, that the Bylaws, Charter, and Rules of Order, take precedence over Robert's Rules of Order, which is consistent with Article I, Section 1 of Rules of Order, Primacy of Charter and Bylaws. CAB also added language about upholding decorum and debate.
- CAB recommended changes to the SEC membership to have no more than two senators from one constituency. The SEC only has seven members and might not have as varying a view as the Senate would like if more than two members are from the same constituency. With the number of changes being proposed by the administration, having a range of views is probably much more favorable to the overall Senate. CAB also looked at how difficult budget and reorganization discussions have become and how a nontenured faculty member is vulnerable if they are on the SEC. CAB expects stronger representation of the Mānoa Faculty Senate from a tenured member, who understands the strengths of being tenured, especially during a time when the tenure is being questioned by the legislature.
- The SEC asked CAB to consider SEC terms of service, for clarification on whether a senator in the last year of their service could run for SEC. Right now, a Senator can run for the SEC at the end of their last year of their service term. If a Senator runs during their fourth year, a Senator could have a six-year term, or three terms. After consideration, CAB recommends that all Senators have the same term of service, i.e. two consecutive terms for a total of four years, so that in the last year of the second term, a Senator will not be able to run for the SEC.
- With regard to the Graduate Council, CAB had learned that the SEC is proposing language so it did not work much on that section.

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- CAB worked on clarification between standing and permanent committees. According to the Senate's parliamentary advisor, she noted that permanent committees do not really exist in the Robert's Rules of Order, and thus the differences if any between standing and permanent were not clear in our bylaws. The CAB subcommittee looked at the composition of the committees, and noted that the standing committees were composed of all Senators. The permanent committees, such as the General Education Committee and the Committee on Educational Excellence have one or two senators on the committees and the rest are non-Senator. Permanent committees may have appointees on the committee from the administration. They also develop their own governing documents. The GEC, as an example, has an MOU that was signed by the SEC, the administration, GEO (General Education Office) as to terms and governance of the GEO office. CAB came up with the term "Continuing" Committees because such committees are different from standing committees. Senator Sakaguchi shared that concerns had already been raised about service on the committee as not counting as a service, and clarified that Senators appointed as Senators to the committees do have that service count. However, if one is already on the committee as a non-Senator and is elected as a senator, Senator service must be on another committee to count.
- CAB clarified language regarding terms of office. Clarification was added to address change in a faculty member's constituency. Currently, senators serve two two-year terms, then are required to have a break in service of one year. An example was shared of a faculty member who was a Senator in one constituency but moved to another constituency; the individual served for eight consecutive years. To honor the spirit of the language--two terms and then a year break--CAB added language that the break in service still needs to happen at year four 'even in the event of a change in constituency'.
- The language referring to certification of election results was clarified due to inconsistencies.

● **CAB PROPOSED AMENDMENTS TO MFS RULES OF ORDER (First Reading)**

Recommendation from the Committee on Administration and Budget (CAB)

Presenter: Ann Sakaguchi, CAB member

- Senator Sakaguchi (SOCSCI) stated that a section on "Regular Business" was added. The rationale is that language exists for only New Business in the current document so CAB included a section on how Regular Business can get on the Senate agenda for voting.
- The practice for decades has been that a resolution/motion voted out of a Standing Committee is considered to have been moved and seconded. This was questioned in an MFS meeting on 10/16/19 by the Parliamentary advisor so the Senate voted and by acclamation it was decided that this practice would be upheld. So CAB has included language to that effect here.
- Constituencies were updated. Thanks were expressed to the Committee on Faculty Service for their contribution. CAB arranged them in alphabetical order but checked the list against that of CFS and the lists should be identical.
- Senator Sakaguchi mentioned that in some instances, particularly in the charter, there are red lines where it seems descriptions were cut out. CAB did not cut those out, but placed them in alphabetical order.
- Chair McKimmy expressed appreciation to Senator Sakaguchi, the CAB subcommittee, and CAB. Chair McKimmy explained that debate and discussion would happen at the next meeting since the presentation



by Senator Sakaguchi is considered the first reading. He suggested people come with requested changes drafted ahead of time rather than trying to wordsmith at the next meeting.

- Senator Nguyen (ED) asked if comments coming from committee still require 25 people (Congress members) to agree or are amendments coming from committee enough to be considered.
- Chair McKimmy responded that Senator Nguyen might be confused with the methods in which amendments to the documents can be raised in the first place, because the 25 signatures are coming from somebody outside the Senate. Discussion of our amendments to these proposed amendments doesn't require any particular number. Any senator can make a motion to make amendments to proposed amendments.
- Senator Nguyen inquired if that was the understanding of CAB also.
- Senator Sakaguchi responded in the affirmative that Senators can make amendments to proposed amendments at the next meeting.

● RESOLUTION EXPRESSING THE MANOA FACULTY'S UNDERSTANDING OF SHARED GOVERNANCE

Recommendation from the Senate Executive Committee (SEC)

Presenter: Paul McKimmy, Chair

Supporting documents:

- [Guidance on Shared Governance](#)
- [Live changes to Guidance on Shared Governance](#)
- Chair McKimmy announced that since he was presenting the resolution, the gavel was being passed to Vice Chair Sorenson-Irvine to preside during this business item.
- Senator McKimmy (ED) stated that the resolution has been under discussion since last year. In multiple instances, administrators sought faculty consultation using different words and terms. Also, some administrators felt that the faculty had been consulted since there had been faculty on committees. There was also confusion over what consultation really meant and if it was adequate to say faculty had been consulted in different contexts. The SEC sought to be proactive and give administrators some guidance as to how faculty want to be consulted and what that means. The changes to the document were shared on screen. A draft was shared earlier this year with the faculty senate and with administration.
- In the first point, the SEC wanted to differentiate what it means when an administrator invites faculty to a non-Senate committee; though we appreciate it, that does not represent consultation with the faculty. That type of service represents a faculty member's individual perspective and should not be considered consultation with the faculty.
- In the second point, the work might be more directly involved with the Senate, which is a committee or work team intended to be inclusive and garner broader faculty perspectives. Administrators request nominations from the Senate for senators and sometimes non senators to sit on these committees and work teams. However, nominations do not constitute faculty senate opinion or endorsement.
- A change requested under consultation was a reordering and not a change. A formal written request to be delivered to the senate via the SEC is identified. The request should be sent to the senate email address

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and specify the feedback requested as well as additional data sources for consideration. Dialogue should happen. This is preceding any proposal. The intent is to prepare a stronger proposal and give input and faculty consideration before any written proposal.

- After good dialogue and discussion, a written proposal is delivered for formal consideration by the Mānoa Faculty Senate through the SEC and perhaps simultaneously with UHPA, if needed.
- At that point, the proposal might be referred to relevant committees, but it is a multi-stage review process. A final vote of the Senate is required after review and recommendations by the committee(s). The chair of the Senate then sends a written response, concluding the consultation.
 - Senator Binsted (NATSCI) commented that the term “continuum” was odd to use when it is a multi-stage process. Stages are discreet. Replacing continuum with process might be possible. Senator Binsted also stated that it should be made very clear upfront that consultation hasn’t happened until all those steps are complete, so the administration can’t do one of the steps and consider consultation complete.
 - Senator McKimmy changed continuum to multi-stage process.
 - Senator Sipes (CTAHR) raised a question if amendments need to be considered by the body. Senator McKimmy clarified that the suggestions were for the document, which is not the resolution itself. Secretary Nguyen clarified that changes to the support document did not need a vote, but amendments to the resolution would need the Senate to approve them.
 - Senator Maynard (SOCSCI) expressed that sometimes issues can be resolved in conversations. She suggested adding language that clarifies that consultation is not finished until all required steps have been completed. Senator McKimmy supported that change in the language.
 - Senator Wertheimer (NATSCI) asked if amendments were considered friendly amendments, to which Senator McKimmy replied yes.
 - Vice Chair Sorensen-Irvine asked if there were any objections to the amendments. Hearing none, amendments accepted by acclamation.
 - Vice Chair Sorensen-Irvine called for additional discussion. No additional discussion raised.
- RESOLUTION EXPRESSING THE MANOA FACULTY’S UNDERSTANDING OF SHARED GOVERNANCE
 - 57 aye (100%), 0 nay (0%), 2 abstentions
 - Motion carried.
- Vice Chair Sorensen-Irvine passed the gavel to Chair McKimmy at the conclusion of the business item.

5. NEW BUSINESS

- Chair McKimmy called for additional business. None was raised.

6. ADJOURNMENT

- Senator Paull (CTAHR) moved to adjourn. Seconded by Senator Maynard (SOCSCI).



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- Meeting was adjourned at 4:09 pm.

Respectfully submitted by Truc Nguyen, MFS Secretary
Approved on March 24, 2021