



FACULTY SENATE MEETING MINUTES

October 21, 2020

Online via Zoom

3:00 PM - 4:30 PM

Present:

AGRUSA, Jerry; BANNA, Jinan; BATENI, Sayed; 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; FARRAR, Christine; GAL, Roy; GILLILAND, Elizabeth; GUENTNER, Erik; HARRIS, Chessa; HIGA, Jason Kenji; HOFFMANN, Kathryn; IRVIN, Vanessa; JHA, Rajesh; JOHANSEN, Morgen; 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, Truc; NÍ DHONACHA, Siobhán; NUTE, Kevin; O'BRIEN, Maureen; PAULL, Robert; PETTIT, Jonathan; POTEMRA, James; RAY, Stacy; SAKAGUCHI, Ann; SALZER, Ku'uilei; SAND, Shannon; SANDERS, David; SINCLAIR, Gwen; SIPES, Brent; SORENSEN IRVINE, Christine; SPEETJENS, Maile; STEPHENSON, Carolyn; STIRR, Anna; STOKES, Alexander; TALLQUIST, Michelle; THOULAG, Jean; USPAL, William; UYEHARA, Lisa; VARGO, Stephen; VON DOETINCHEM, Sandra; WANG, George; WERTHEIMER, Andrew; WITHY, Kelley; WONG, Vanessa; YAGI, Seanyelle; YOSHIOKA-MAXWELL, Amanda; and YUAN, Sarah.

Excused:

JULIEN-CHINN, Francie, SIMANU-KLUTZ, Fata; RUTTENBERG, Kathleen

Absent: None

Guests: (Note: Phone numbers removed for privacy reasons and listed as “Phone” if name not known)

BRUNO, Michael; (BLANK), Merle; (BLANK), Ernie; CHONG, Vanessa; DUFFY, David; FLYNN, David; FRENCH, Sandy; HAGHIGHIPOUR, Nader; ISHII, Debra; KUWAHARA, Rheta; LEONG, Jaret; LEONG, Peter; LYONS, Laura; MINATODANI, Dore; NISHIDA, Dawn; OVERSTREET, Maryann; POWELL, Brian; PEARSON, Wendy; RAI, Sarita; REYES, Ken; ROSS, David; SCHIFFNER, Amy; WHEELER, Ralph; and WILKENS, George; (Phone).

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1. CALL TO ORDER:

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

Chair McKimmy reviewed technical details of online meeting participation—Senators should rename selves so that SEN appears in front of their name in the participant listing. Minutes would generally be by acclamation. Discussion would be managed through the Raise Hand function of the Zoom participant window. If Raise Hand in the participant window was not possible, then Senators were to use the Chat function. Onscreen, Chair McKimmy displayed the processes during the Zoom meeting including how to request to speak by “raise hand” in the participant window; using the chat if needed, including “calling the question”; and voting using a Google form with directions to private chat MFS Secretary Nguyen or MFS Admin Officer Kinder if unable to use the form. SEC members were asked to assist Chair McKimmy with monitoring the discussion. Guests were reminded that they should not vote on issues; the spreadsheet is programmed to catch all non-senator votes, but MFS Secretary will need to check if there is a non-senator vote, which will delay the outcomes. Question was asked whether voting is connected to their names; the response from MFS Secretary Nguyen was that in the audit, names are removed from the votes that are cast.

2. MINUTES:

- September 16, 2020 Senate (DRAFT) Minutes
- Question was asked whether voting is connected to their names; response from MFS Secretary Nguyen was that in the audit, names were removed from the vote that they cast.
- Chair called for a motion to approve the minutes, noting that no one would be muted in the meeting and could use the mic anytime judiciously.
- Motion to approve made by Senator Jim Potemra, seconded by Senator Wertheimer.
- Instead of asking for acclamation, used Google Form to practice voting.
- 59 ayes, 5 abstentions. MFS Secretary indicated that she had not fully verified since non-senators voted too. Senators were reminded to close their voting window after each vote so that the system could be reset for the next vote; hitting refresh will not work.

3. CHAIR'S REPORT

- Phase 2 UH Mānoa reorganization: Formal consultation is slated to be in October; UHMFS has not yet seen anything but Chair McKimmy has been informed that it is forthcoming. The Phase 2 reorganization is expected to take up a good bit of senate review time.
- Planning for post pandemic Hawai'i:
 - Senators were encouraged to check the MFS website where issues are posted and several updates are available. Available are the Senate executive committee's responses to the documentation received from the provost

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- Draft guidance on shared governance document is on the website along with link to the October 12 Dean's and directors meetings.
- Request to Senators on 1-2 page statement: Email request was sent as a request for comment on the degree and quality of faculty input that went into the Oct 12 recommendations. There were questions received about the process to use; SEC is leaving it up to the senators within each unit to pool voices and make a statement. Intent is to take the temperature of the faculty, through their representative senators and find out how much the faculty are really feeling like their voices were heard and incorporated into those statements from deans and directors.
- Provost is continuing to meet with academic departments and units. Chair McKimmy was informed that summaries from each of those meetings will be posted if they are not already.
- MFS Survey: The survey, put together with some input from the Committee on Professional Matters, will be open Oct 15th to 30th. Chair McKimmy explained the timing was different and a revised period from the original communication. Senators asked to encourage colleagues in all of your units to take the survey. It is an opportunity to provide some individual input as to how things are going.
- Bi-weekly meetings have started by Provost with the consultative bodies, including the MFS that includes the unions and student governance organizations. The first meeting was just a few days ago. Chair McKimmy did not have anything to report as of yet.
- SEC sent communication to President Lassner on Monday, Oct 19 with cc to Provost Bruno and the Board of Regents. Two items were pointed out. 1) Needs to be better articulation and communication of a unified vision for this planning and budgeting process; we noticed that there are several different efforts going on and they have not really been discussed in aggregate as the unified division. 2) Asked for a strategic prioritization process and pointed to some other universities who have done similar prioritization processes, including UH's own processes in 2008-2009. SEC is anticipating continued dialogue on that. Chair McKimmy indicated that Provost Bruno's initial communications back are encouraging.
- Chair McKimmy reminded Senators to visit the UHMFS website regularly (URL and email provided on screen: <http://hawaii.edu/uhmfs/> and uhmfs@hawaii.edu) and to email with any advice and inputs.
- Questions and Comments
 - Senator Paull (CTAHR). Asked if meetings of Provost and department should be attended by the Deans. Dean and Associate Dean invited themselves. Chair McKimmy responded that Provost was willing to meet with any department or unit. From Chair McKimmy's understanding from his own College (of Education), the meeting did include the Dean and Associate Dean and they were part of the conversation. Chair McKimmy stated that he thought the intention is primarily to give additional voice to the faculty in the units, but that excluding executives is not intended.
 - Senator Gal (ORU). Shared that for Institute for Astronomy, director was invited to meet with the Provost, and director suggested that faculty be involved. So, not sure whether the faculty participating is widely known; does not seem to be consistent across units.

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4. BUSINESS

- **RESOLUTION REASSERTING MĀNOA FACULTY SENATE OVERSIGHT OF ALL ACADEMIC PROGRAMS**

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

Presenter: Carolyn Stephenson, CAPP Chair

Senator Stephenson (SOCSCI) stated that resolution is one that addresses the crisis that we are in, but also some of the longer-term questions about oversight of faculty curricular initiatives. Resolution is part of the criticism of the lack of consultation over these various COVID cost-cutting initiatives, but also broader than consultation because in the area of curriculum, there really is a requirement for shared governance, and that's more than just consultation. Shared that the resolution is about long-standing problems raised by previous CAPP, but this resolution was focused mostly on what the administration has been doing in these COVID cost-cutting initiatives. CAPP wants to make a point that while the focus in this resolution is particularly on oversight of interdisciplinary studies programs, there is no intent for the resolution to be a criticism of interdisciplinary studies as a program. The criticism is of the way the administration has been using interdisciplinary programs, CAPP has been told, as a potential dumping ground for programs that they might wish to get rid of. And that is not acceptable. Senator Stephenson went over the points of the resolution itself. The first five whereas were delineating the background documents--documents from the Board of Regents, from the faculty senate charter, and bylaws, and from the UHPA agreement R-20. All make clear that the Senate has the oversight of initiation, review, and evaluation of proposed probationary, or established research instructional and academic programs. The action that CAPP wishes is for MFS to reassert that oversight by the Faculty Senate. The next whereas statements point out that the suggestions from the Mānoa budget team recommended cuts to some academic programs, and recommendations to run some programs through interdisciplinary studies were absent faculty consultation, both in graduate programs and undergraduate programs. Interdisciplinary Studies program wrote to CAPP that they were not consulted or even informed about the suggested moves of academic degrees to Interdisciplinary Studies, among those were programs like ethnic studies, women's studies, and German. Additionally, Interdisciplinary Studies program faculty were not consulted about what it means to partner, that they would be unlikely to be able to take on new programs without additional resources since they would actually require additional resources; no additional resources were provided. The next whereas were described as addressing the questions of the process of the way Interdisciplinary Studies works, as opposed to the way a proposal for regular academic major works, where students can create self designed courses of studies, and faculty and departments can provide pre-planned or major equivalency programs. The concern is that pre-planned degrees may have the possibility of conflicting with academic units, and do not come before Faculty Senate, as previous CAPP committees have stated. Senator Stephenson said that CAPP is proposing five steps to resolve the issues. That the Mānoa Faculty Senate 1) asserts its right to carry out its oversight of all academic programs at UH Mānoa; 2) expects and requires that the university will refer the following topics to the Senate; 3) decides that the UH administration cease and desist from referring pre-planned academic programs to be in Interdisciplinary Studies, without faculty senate review effective Fall Semester 2020; 4) decides that programs that are not interdisciplinary shall not be moved to Interdisciplinary Studies. (Senator Stephenson said that this was specifically in reference to German, which is not interdisciplinary); 5) decides that Interdisciplinary Studies shall not be used by the administration, or by academic

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other units as a way around faculty senate oversight. Lastly, CAPP recommends that faculty senate demand that the UH administration report to the Senate, and to the whole faculty, in a fully transparent matter any proposed creation or termination or move of any academic program, whether under budget crisis conditions or otherwise, so that the Senate can exercise its oversight over establishment and modification of degree programs and curriculum as provided in those documents cited at the beginning.

- Amendments

- Senator Stephenson introduced a set of amendments as friendly amendments to the previously circulated resolution to remove language that might be seen as criticism of Interdisciplinary studies, which was not the intent of the resolution. CAPP approved this set unanimously. Proposed amendments were displayed on screen as tracked changes.
- From 9th Whereas
 - Strike “and thus should not be a major part of the IS offerings”
- From 11th Whereas and 3rd Be it Further Resolved
 - Strike “pre-planned”
- In 5th Be It Further Resolved
 - strike “programs which have come under question in review by CAPP shall not be sent to Interdisciplinary Studies”
 - insert “and thus IS should communicate with CAPP to see if any problems have been identified in proposed programs”
- Chair McKimmy recognized the amendments as a subsidiary motion. Chair McKimmy restated that the amendments in the subsidiary motion on the floor were moved and seconded by CAPP. Chair McKimmy asked if anyone objected. Chair McKimmy, hearing no objections, declared amendments accepted by acclamation.

- Discussion

- Senator Beale (CALL) – Problematic in that it confounded two issues. First was with the Mānoa Budget Committee about recommendations. All the partnerships that she was aware of were reversed, so might be a moot point. Second was about the oversight of academic programs being longstanding issue of CAPP with new degree program and interdisciplinary programs coming to MFS for review. Putting both the issues together is problematic. Senator Beale stated her intent to vote no.
- Chair McKimmy invited other Senators to speak to the resolution. Hearing none, Chair McKimmy recognized Guest Amy Schiffner.
- Guest Amy Schiffner (Office of Undergraduate Education, Theatre and Dance). Hoped whole second half of the resolution specific to IS could be tabled into a different resolution so there can be more opportunity for CAPP and Interdisciplinary Studies to communicate. Had spoken to the Chair of CAPP, but had yet to speak to the whole committee, which Guest Schiffner considered important to be able to do. Larger concern is that functional purpose of IS for over 30 years was to provide a place for faculty to pilot to different types of academic synergies, programs, and concentrations to evaluate, assess, and determine if they would go forth with an approval to plan to try to formalize it into an independent stand-alone degree. Would hate for that ability to go away, a space for faculty collaboration and innovation around academic areas. Furthermore, as a faculty member within CALL, Guest Schiffner expressed concern over precedent

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this resolution will set in terms of limiting new concentrations or program modifications. Does this resolution set forth precedent that this would happen in all departments?

- Chair McKimmy recognized motion in the chat from Senator Beaule (CALL) to table the motion indefinitely or until such time as it can be modified to reflect greater collaboration between CAPP and IS. Chair McKimmy asked for parliamentary clarification about the difference in postpone indefinitely and postpone to a later time and tabling. MFS Secretary Nguyen clarified that postpone indefinitely meant the motion will not come back. Postpone to a later time requires a set date and time and tabling means it can come back once other more important items are dealt with, which means it could come back in the same meeting or the immediate next meeting.
- Senator Beaule (CALL) clarified that the motion made was to postpone indefinitely the resolution on the floor. Motion was seconded by Senator Sorensen Irvine (ED). Discussion was invited.
- Senator Stephenson (SOCSCI) stated that she did not hear Senator Beaule move to postpone indefinitely, but had wished to table it. Chair McKimmy clarified that the motion was made in the chat and he restated it on the floor. Senator Stephenson further commented that postponing indefinitely per Robert's Rules of Order basically kills it, and kills it without taking an actual vote on it. She hoped that people would not agree to postpone this indefinitely, but would consider this on its merits and move to a vote on this.
- Senator Cooney (SOEST). Spoke against postponing indefinitely and that the Senate should vote on the resolution. Expressed that he was not sure what would happen with further discussions. CAPP needs to remain CAPP and the basic idea is that changes to academic programs have to go before CAPP. The issue is that there's been a series of moves to make a lot of administrative decisions about academic programs that are bypassing the traditional route of review through CAPP. Do we want to allow the administration different routes to move, make decisions on academic programs that are not under the purview of review by the Mānoa Faculty Senate?
- Senator Maynard (SOCSCI). Spoke against motion to postponing indefinitely. Agreed with Senator Cooney. Stated that MFS needs to find out the Senate's disposition on allowing administration to even propose these kinds of rules. Did not think the resolution would set a precedent for other kinds of programs; it only talks about Interdisciplinary Studies. It doesn't matter if some of the first suggestions from the Mānoa budget team were pulled back. What matters is MFS statement about whether the body would want that kind of behavior to continue. The fact that some proposals have been pulled back doesn't change the fact that they were there, and administration should not be able to do so. Lack of Senate oversight is what led admin to make these proposals during this COVID time. The Senate should make a statement about that kind of behavior.
- Senator Gal (ORU). Sought understanding on motion in general. There were other programs recommended to be moved other than Interdisciplinary Studies. Not sure why the original resolution focused only on one and is not more broad about the MFS having the authority and responsibility to deal with these initiations and reviews throughout different departments.
- Chair McKimmy called for other speakers on the motion. Hearing none, he called for a vote to postpone indefinitely. Reminder made of the motion on the floor. Link to the vote was provided in chat. If Senators had issues with voting, Chair McKimmy reminded Senators to send a private chat to MFS Secretary Nguyen or MFS Admin Officer Kinder.

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- MOTION TO POSTPONE INDEFINITELY THE RESOLUTION REASSERTING MĀNOA FACULTY SENATE OVERSIGHT OF ALL ACADEMIC PROGRAMS
 - Moved by Senator Beaule, Seconded by Vice Chair and Senator Sorensen Irvine
 - In meeting: AYE 9, 16.07%; NAY 48, 85.71%; ABSTAIN 3 (Note these percentages may be different from what was displayed during the meeting because of an error in the formula)
 - Final: AYE 10, 16.13%; NAY 52, 83.87%; ABSTAIN 4 (Total = 66, Total voting = 62; percent based on total of ayes and nays, excluding Abstentions)
 - Motion failed.
- Senator Sorensen Irvine (Education). Understood what CAPP was trying to do and agreed that there are issues with administration. Expressed that the resolution as written intertwines the administrative curriculum recommendation concern with interdisciplinary studies concern. Would have preferred that the two be separated into two resolutions.
- MFS Secretary Nguyen clarified (point of privilege made for the assembly) that she had not refreshed the screen earlier prior to displaying, but the results still stand. Need to review the system more.
- Chair McKimmy called for additional Senator discussion.
- Senator Stephenson (SOCSCI). CAPP wrote the resolution the way they did because the two parts referred to are related. Important is that the administration has really overstepped its boundaries on these issues and needs to stop using Interdisciplinary Studies in that way. The Senator hoped others could understand the logic of the connection and vote for the resolution.
- Senator Cooney (SOEST). CAPP is not targeting IS on this; there is no opinion about IS and CAPP has a positive view of IS. Senator asked senators to consider, Where do you think academic programs should be reviewed? Do you want them reviewed under the MFS via CAPP, or are you okay with the administration having an avenue, where it can go to a group that doesn't have the oversight of them.
- Chair McKimmy recognized motion to call the question in chat.
 - MOTION TO CALL THE QUESTION (END DISCUSSION)
 - Moved by Senator Sipes, Seconded by Senator Sinclair
 - In meeting: AYE 53, 89.83%; NAY 6, 10.17%; ABSTAIN 4 (Note these percentages may be different from what was displayed during the meeting because of an error in the formula)
 - Final: AYE 54, 90.00%; NAY 6, 10.00%; ABSTAIN 4 (Total = 64, Total voting = 60; percent based on total of ayes and nays, excluding Abstentions)
 - Motion carried.
- RESOLUTION REASSERTING MĀNOA FACULTY SENATE OVERSIGHT OF ALL ACADEMIC PROGRAMS
 - In meeting: AYE 45, 77.59%; NAY 13, 22.41%; ABSTAIN 5 (Note these percentages may be different from what was displayed during the meeting because of an error in the formula)



- Final: AYE 45, 76.27%; NAY 14, 23.73%; ABSTAIN 5 (Total = 65, Total voting = 59; percent based on total of ayes and nays, excluding Abstentions)
- Motion carried.

● **RESOLUTION CENSURING THE MĀNOA CHIEF EXECUTIVE OFFICER (PRESIDENT LASSNER) OVER FAILURE TO CONDUCT MEANINGFUL FACULTY CONSULTATION IN THE REORGANIZATION PROCESS**

Recommendation from the Committee on Administration and Budget (CAB)

Co-presenters: Justin Clapp, CAB Chair and Michelle Tallquist, CAB Vice chair

Senator Clapp (AA) presented the resolution and stated that the resolutions and evidence cited within them speak for themselves. After the planning for post pandemic Hawaii materials for first release on September 11, CAB began to thoroughly review the material and conducted a review. CAB also investigated the general faculty response, researched understandings of meaningful consultation, and reviewed the recent history of the Mānoa Faculty Senate as it pertains to consultation. After many deliberations CAB felt that the accumulation of facts, left with no choice but to censure both the President and Provost, due to a failure to engage in meaningful consultation with the faculty, despite faculty repeatedly raising such concerns over the past several years. Senator Clapp additionally shared the definition of censure and its meaning as a symbolic move that communicates strong disapproval of certain actions, there are no consequences that arise out of a censure vote, other than publicly documenting the actions that lead to such a vote. CAB's view regarding meaningful consultation relates to how it is outlined in the Hawaii Labor Relations Board (HLRB) Decision 394. CAB does not view the documents about planning for post pandemic Hawaii materials as simply to initiate a consultation process since it is framed as a reorganization, and the recommendations seem more final than characterized. Senator Clapp additionally pointed out that HLRB Decision 394 also demonstrates how consultation should occur on the creation of the criteria; consultation should begin when a problem is identified, not after solutions have been identified. Senator Clapp addressed some criticism of CAB citing legal precedent as it relates to consultation with the union, stating that faculty have a vested interest that meaningful consultation does occur with the union, particularly since faculty senate consultation is memorialized within section R 20 of the UHPA BOR 2017–2021 contract. Senator Clapp also pointed out that over the past two years, all previous resolutions cited within these two current resolutions, were overwhelmingly supported by the MFS. Additionally, Senator Clapp stated that the framework and boundaries of how to reshape Mānoa's academic programs were created without consulting, involving, or informing the faculty, the most essential part of the university. CAB believes that once the framework of the discussion was defined, it became difficult, if not impossible to alter the provided framework and consider alternative suggestions. Senator Clapp further explained that while the two individual resolutions are substantially similar, there is one key difference in each. For the censure of the President/CEO, CAB notes that the President's role and presence on the Mānoa Budget Team appears to differ from what was proposed in the Phase 1 of the

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Mānoa reorganization which described the Provost as having full oversight and budgetary authority over academics. CAB's position is that the President's role on the Mānoa Budget Team blurs the distinct professional responsibilities between the President/CEO and the Provost as they were presented to faculty. CAB's hope is that these two resolutions will lead to more effective, frequent, timely, and meaningful consultation with faculty going forward, and it is possible that these resolutions may have already played a role in doing so. CAB's focus is to advocate for meaningful consultation to play a vibrant role going forward within the Phase 2 Mānoa management reorganization and beyond. These resolutions were supported unanimously by CAB members with 11 in favor, 0 opposed, and zeros abstentions. Senator Clapp shared that due to brevity, CAB was unable to address all concerns related to faculty consultation and CAB invited senators to speak directly to those particular circumstances.

- Discussion

- Chair McKimmy invited discussion; he reminded Senators to use the “raise hand” feature in Zoom since he could not see everyone on video.
- Senator Maynard (SOCSCI). Agreed with CAB chair--meaningful and timely consultation is the main point of interest here, but the incoherent recommendations are also a reason for censure. Senator Maynard expressed that the censure is not of what is going on right now and acknowledged that consultation has begun, but it was well after it should have begun. The censure is for failing to start the process with meaningful consultation, specifically the failure to engage the Senate. The Senator emphasized that the MFS' credibility about setting boundaries is in question here, and so she asked senators to consider how MFS ought to be expected to be treated in the future. So if MFS would like the structures in place to be respected, a yes vote was needed. Senator Maynard expressed that she would be voting for the censure.
- Senator Gal (ORU). Recognized members of CAB had been speaking. Shared that the planning committee was mostly people in interim E/M positions; it does not have faculty representation on the committee. Expressed that consideration should have been made, if planning for the future of the university, how to be inclusive and ask from the faculty and faculty senate who would like to join. MFS could then suggest or elect somebody to do so; that would have been meaningful consultation. Senator Gal stressed the importance of thinking of these people as our leaders and how the central motion, to him, is asking the question of how would we like to be treated by our leadership in the future? This resolution sends the message that how it was done was not the way to be inclusive, or collegial, and to run a university in a way that includes all the people who need representation. This was presumptively a budget issue and almost none of the proposals that leadership presented had any kind of justification whatsoever, creating havoc and chaos. He considered it important the MFS hold the line. Senator Gal appreciated that leadership was trying to do better now, but the CAB resolution was responding to what they had initiated. We need to work together and think of creative solutions to the problem.
- Senator Sorensen Irvine (Education). (Indicated she could not raise her hand as Zoom co-host so verbally requested the floor). Recognized what CAB was trying to convey. But, expressed grave concerns about what seemed to her a conflation of legal chapter 89 and labor law. That conflict is conflated with that of a formal consultation process. She explained that she thought those were two different things and was uncomfortable with the inclusion of the lack of consultation with the union. To Senator Sorensen Irvine, it was beyond what the MFS should be speaking to. There's consultation and then there's the fact that faculty do not like the decision that was made after the consultation. And that has happened on more than

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one occasion and unhappily so in many cases. Senator Sorensen Irvine shared that she was opposed to those changes as well. Senator Sorensen Irvine questioned what the censure would accomplish, although she clarified it was more in terms of the Provost than the President/CEO; she felt that the Provost had been responsive to requests from the Senate and has been trying to change. She acknowledged it was a bad roll out and leadership should have done things differently at the beginning. She asked MFS to consider as MFS moves forward, to find ways to work together collaboratively. Having this item on the agenda already makes the MFS message heard. Senator Sorensen Irvine said she was not sure she was ready to vote on censure

- Chair McKimmy recognized motion to call the question in chat
 - MOTION TO CALL THE QUESTION (END DISCUSSION)
 - Moved by Senator Sakaguchi, Seconded by Senator Tallquist
 - In meeting, AYE 50, 81.97% NAY 11, 18.03%; ABSTAIN 3 (Note these percentages may be different from what was displayed during the meeting because of an error in the formula)
 - Final: AYE 51, 82.26%; NAY 11, 17.74%; ABSTAIN 3 (Total = 65, Total voting = 62; percent based on total of ayes and nays, excluding Abstentions)
 - Motion carried.
- RESOLUTION CENSURING THE MĀNOA CHIEF EXECUTIVE OFFICER (PRESIDENT LASSNER) OVER FAILURE TO CONDUCT MEANINGFUL FACULTY CONSULTATION IN THE REORGANIZATION PROCESS
 - In meeting, AYE 50, 86.21% NAY 8, 13.79%; ABSTAIN 5 (Note these percentages may be different from what was displayed during the meeting because of an error in the formula)
 - **Final: AYE 51, 85.00%; NAY 9, 15.00%; ABSTAIN 5 (Total = 65, Total voting = 60; percent based on total of ayes and nays, excluding Abstentions)**
 - **Motion carried.**

● **RESOLUTION CENSURING THE MĀNOA PROVOST OVER FAILURE TO CONDUCT MEANINGFUL FACULTY CONSULTATION IN THE REORGANIZATION PROCESS**

Recommendation from the Committee on Administration and Budget (CAB)

Co-presenters: Justin Clapp, CAB Chair and Michelle Tallquist, CAB Vice chair

Senator Clapp shared that the Provost's two most recent announcements involving the planning for post pandemic Hawaii released October 13 and October 20 were both in response to the resolution before the MFS. These announcements detailed the Provost's commitment to faculty consultation and shared governance. While the Provost actions, leading up to the release of the planning for post pandemic why documents on September 11 do not align with these statements, CAB remains hopeful that such comments represent a renewed commitment to faculty consultation going forward. The only difference with the censure resolution for the Provost is CAB's attempt to document that the Provost has attempted to engage in consultation, like the CALL reorganization

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described within the resolution. However, the consultation was done after the fact, when the ultimate solution was already identified and in the process of being implemented. However, CAB still considers that the reorganization process began without meaningful consultation with faculty as HLRB 394 outlines--that meaningful consultation needs to take place prior to potential solutions being forwarded. As the chief academic officer with full oversight and budget authority over academics, Senator Clapp stated that the Provost must take responsibility and lead on meaningful consultation, particularly involving reorganizations of this magnitude that affect the long term future and direction of the university and its faculty for decades. Senator Clapp stated that if Senators agreed with the evidence put forth in the resolution, and agreed that the collection of evidence could lead one to vote for censure, then CAB encouraged Senators to support the resolution. Senator Clapp further stated that since the roles of the Provost and President within the Mānoa Budget Team are virtually indistinguishable, and the evidence for both individuals is virtually identical, it would be difficult for those who voted in support of censuring the President to arrive logically at a different conclusion for the Provost. CAB's hope was that the resolution would lead to more effective, frequent, timely, and meaningful consultation with faculty going forward. Senator Clapp stated that it is possible that this resolution has already played a role in that. The resolution was supported unanimously by CAB with 11 in favor.

- Discussion
 - Senator Cooney (SOEST). Wanted to add context to how important the vote is. He shared that he thinks everyone understands the seriousness of what's facing the university over the next five years. He described that the legislature has changed its view of what it needs to do to support the university over the next five years, as the state legislature deals with the COVID crisis. The MFS has a tough road ahead of us and the university does have to change and face these challenges. Two things are needed to be successful. First, we need to know what in the world we're going towards, what is the university going to be in five years. Senator Cooney shared that he still has not seen or figured out what the plan is. Second, the plan needs majority of faculty behind it. If the faculty aren't behind it, even if it's a good plan, the university will not achieve it. His concern, not about the legalities, is that the Provost and President both have not taken the time to believe in the faculty enough to get them on board. Consult does not mean get approval; consult means consult with faculty with a degree of respect since faculty may have some ideas that actually help the forward progress, and faculty may be able to help shape it. If anything, get us onboard and get our buy in, else we will be in a place that we do not want to be in five years.
 - Chair McKimmy stated there were two minutes left in the meeting time and that he saw in the chat a motion to call the question and a second.
 - MOTION TO END DISCUSSION
 - Moved by Senator Hoffman (CALL), Seconded by Senator Higa (JABSOM)
 - Senator Sorensen Irvine stated that she had requested to speak as had Senator Potemra earlier in chat. MFS Secretary noted that Senator Sorensen Irvine's request was not seen in chat; it was clarified that her message had gone to Chair McKimmy in a private chat. Questions were raised about a private chat message. Chair McKimmy gave Senator Potemra the floor.
 - Senator Potemra (SOEST). Senator Potemra spoke against the current resolution. He stated that there was no question that we are in extreme financial times, and it was not surprising that the university has been working on this since May. He reminded Senators that faculty have a duty period, and when things come up over the summer there's another uprising. He said that the university was put in a tight spot in initiating

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this in May, presenting it to faculty when they're on off duty period was difficult. Senator Potemra questioned CAB Chair's assertion that the resolutions were already having an impact when they were just posted a week ago. Senator Potemra acknowledged the unease amongst the faculty, and how misinformation and lack of information may have fueled it. He stated that he didn't see how this resolution was going to accomplish anything. He stated that the Chair of CAB admitted himself that these resolutions of censure have no impact. The resolution would go to the BOR and, once again, highlight the faculty not being happy with the administration. Senator Potemra said he would much rather see CAB, the MFS, and faculty as a whole work more proactively to come up with our own ideas about how we are going to solve this crisis. It seems like at least in the past 18 months, all the resolutions that MFS has had have come out in opposition to something, and he thinks it sends a poor message to the BOR.

- Chair McKimmy stated that it was 4:31pm, past the appointed time of the meeting ending and that there was another meeting to start at 4:30pm. He called for a parliamentary advisory check of what to do with the item on the floor, that anything that's under discussion gets carried forward to the next scheduled meeting; MFS Secretary concurred. Chair McKimmy stated that his records show Senator Sorensen Irvine wished to speak, and that came in before the motion to end debate. Chair McKimmy will bring those forward to the meeting and place them on the agenda; he inquired if he could adjourn due to time constraints. MFS Secretary clarified that because there's an appointed time to end, an appointed time to start the next meeting, with another meeting (Congress) pending, the Chair is able to adjourn without the motion and second.

5. NEW BUSINESS

- None

6. ADJOURNMENT

- Chair McKimmy declared the meeting adjourned at 4:32pm.

Respectfully submitted by Truc Nguyen, MFS Secretary

Approved on December 16, 2020