



University Senate TRANSMITTAL FORM

Senate Document #:	09-10-38
PCC ID #:	N/A
Title:	Representation of Single-Member Constituencies
Presenter:	Marc Pound, Chair, Elections, Representation, and Governance Committee (ERG)
Date of SEC Review:	March 15, 2011
Date of Senate Review:	April 7, 2011
Voting (highlight one):	<ol style="list-style-type: none"> 1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	To determine whether all of the existing single member constituencies are adequately represented in the Senate.
Relevant Policy # & URL:	N/A
Recommendation:	<p>In keeping with the tradition of Shared Governance, SMCs should be consistently reevaluated and considered for appropriate apportionment in the Plan of Organization. Because ERG considers SMCs as a stepping-stone to apportionment in the Plan and because 7 out of 10 allowable SMC seats are filled, ERG advocates apportionment of all SMCs in the revised Plan, even if the representation of each constituency remains unchanged.</p> <p>The ERG committee recommends the following:</p> <ol style="list-style-type: none"> 1. The next review of the Plan of Organization be initiated in year 7, rather than waiting until “at least every ten years,” as set forth in Article 6.3 of the Plan. 2. During the early review of the Plan of Organization, define the constituencies of the existing Single Member constituencies as “senators” in Article 3 of the Plan and set apportionments for each. 3. When the Plan of Organization Review Committee convenes, a permanent process should be developed by

	<p>which SMCs are considered for reevaluation and apportionment every 5 years or at a Plan of Organization Review, whichever comes first.</p>
<p>Committee Work:</p>	<p>The ERG committee presented a letter to the SEC on March 26, 2010 requesting that they be formally charged to review whether the single member constituencies are represented appropriately on the Senate.</p> <p>On March 26, 2010 the SEC charged the ERG committee to review the issue. At their April 7, 2010 meeting the ERG committee invited Dr. Marvin Breslow, Parliamentarian of the University Senate, to speak about the background and procedural issues of revising the single member constituencies section of the Bylaws. The committee determined that there is sufficient reason to pursue an in-depth review of the representation of single member constituencies on the Senate.</p> <p>On October 6, 2010 the ERG committee invited Dr. Jerry Miller Former Chair of the Plan of Organization Review Committee (PORC) to speak to the committee on the rational of apportionment in regards to single member constituencies. Dr. Miller gave an in-depth recollection of the PORC review of the Plan of Organization in 2006, especially related to apportionment.</p> <p>On November 3, 2010 the ERG committee considered all of the information gathered from both guest speakers as well as data collected from Institutional Research Planning & Assessment (IRPA) in determining if each individual single member constituency was adequately represented in the Senate. It was deemed that most single member constituencies are adequately represented (currently) with the exception of Research Faculty and Part-time Graduate Students. It was also determined that all single member constituencies be tracked periodically for accuracy in representation.</p> <p>At the January 28, 2011, SEC meeting the report from ERG was reviewed. As a result, the SEC sent a letter to the committee asking it to reconsider its recommendations. On February 2, 2011, ERG considered the SEC's suggestion that the Plan of Organization Review undergo an early review and agreed to recommend that in lieu of its original recommendation: to apportion the constituencies for Research Faculty and Part-time</p>

	<p>Graduate Students and immediately move their apportionments into the Plan of Organization via an amendment under Article 6.2.</p> <p>The committee voted to respond to the SEC by recommending a review of the Plan of Organization in year 7 and also that, during the Plan of Organization Review, all single member constituencies be apportioned and moved into the Plan.</p>
Alternatives:	The single member constituencies are left to their current apportionments keeping some constituencies underrepresented in the Senate.
Risks:	There are no associated risks with this change.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate and Presidential approval are required.

**Senate Elections, Representation, and Governance (ERG) Committee
Report on the Representation of Single-Member Constituencies.
March 2011**

Background

In 2009-2010, the Senate Executive Committee (SEC) sent forward three charges to the Elections, Representation, and Governance Committee (ERG), directing ERG to consider new constituencies for representation as a Single Member Constituency (SMC) as outlined in the Plan of Organization (Plan) Article 3.5 and Bylaws Section 2.2 (see below). As a result, the ERG became quite familiar with the language defining SMCs and became concerned about potential deficiencies in the representation for these constituencies. Specifically, ERG noted that the Plan and Bylaws afford no consideration of an SMC after it is allocated, thus any potential growth—positive or negative—in its constituent population is ignored. As these are not apportioned seats, Article 3.8 of the Plan does not apply to them.

The Senate archives were searched for the history of the SMC concept. The SMC definition has been part of the Plan since 2000, with most SMC senators added to the Bylaws in 2001 (Appendix 1). Working with the Office of Institutional Research Planning & Assessment (IRPA), the ERG committee gathered data on population counts for each SMC for the last 5 years (Appendix 2). Most SMCs have undergone growth during that period, but at varying rates. Two constituencies (Contingent 2 Staff and Part-time Undergraduates) have seen their numbers decrease.

The ERG committee noted that some populations are now quite large. It also noted that 7 out of 10 Senate seats reserved for SMCs were taken -- raising the possibility that seats for additional constituencies will be exhausted in the near future. The ERG committee therefore requested that the SEC charge the ERG with determining if the current SMCs are adequately represented in the Senate and investigating potential modifications of that representation, if found to be inadequate.

Committee Work

The ERG committee presented a letter to the SEC on March 26, 2010, requesting that it be formally charged to review whether the single member constituencies are represented appropriately on the Senate. The SEC subsequently charged ERG with reviewing this issue.

At its April 7, 2010, meeting, the ERG committee met with Dr. Marvin Breslow, Parliamentarian of the University Senate, who spoke about the background and procedural issues of revising the single member constituencies section of the Bylaws. The committee determined that there is sufficient reason to pursue an in-depth review of the representation of single member constituencies on the Senate.

On October 6, 2010, at the ERG committee's invitation, Dr. Jerry Miller Chair of the 2005-2006 Plan of Organization Review Committee (PORC) spoke to the committee on the rationale

for apportionment of single member constituencies. Dr. Miller gave an in-depth recollection of the PORC review of the Plan of Organization in 2006, especially related to apportionment.

On November 3, 2010, the ERG committee considered all of the information gathered from both guest speakers as well as data collected by IRPA in determining if each individual single member constituency was adequately represented in the Senate. It was deemed that most single member constituencies are adequately represented (currently) with the exception of Research Faculty and Part-time Graduate Students. (See Appendix 3.) ERG also concluded that all single member constituencies be tracked periodically for accuracy in representation.

At the January 28, 2011, SEC meeting the report from ERG was reviewed. As a result, the SEC sent a letter to the committee asking it to reconsider its recommendations. On February 2, 2011, ERG considered the SEC's suggestion that the Plan of Organization Review undergo an early review and agreed to recommend that in lieu of its original recommendation: to apportion the constituencies for Research Faculty and Part-time Graduate Students and immediately move their apportionments into the Plan of Organization via an amendment under Article 6.2.

The committee voted to respond to the SEC by recommending a review of the Plan of Organization in year 7 and also that, during the Plan of Organization Review, all single member constituencies be apportioned and moved into the Plan.

Recommendations

The SMCs are a well-intentioned idea that was not optimally implemented. While they do allow for overlooked constituencies to gain representation between Plan reviews, their current definition makes no allowance for revisiting that representation at regular intervals. In ERG's view, SMCs should be a temporary solution for representation of those constituencies, not a permanent state. Furthermore, since only a single senator represents the entire constituency, if that senator were absent from a meeting, the constituency would have no representation in that instance. ERG's research revealed that several of the current SMCs were under-represented: Part-time Graduate Students, Research Faculty, and possibly Instructor/Lecturers (both full and part-time). In keeping with the tradition of Shared Governance, SMCs should be consistently reevaluated and considered for appropriate apportionment in the Plan of Organization. Because ERG considers SMCs as a stepping-stone to apportionment in the Plan and because 7 out of 10 allowable SMC seats are filled, ERG advocates apportionment of all SMCs in the revised Plan, even if the representation of each constituency remains unchanged.

The committee therefore recommends:

1. The next review of the Plan of Organization be initiated in year 7, rather than waiting until "at least every ten years," as set forth in Article 6.3 of the Plan.
2. During the early review of the Plan of Organization, define the constituencies of the existing Single Member constituencies as "senators" in Article 3 of the Plan and set apportionments for each.

3. When the Plan of Organization Review Committee convenes, a permanent process should be developed by which SMCs are considered for reevaluation and apportionment every 5 years or at a Plan of Organization Review, whichever comes first.

The ERG does not wish to overly constrain the Plan of Organization Review Committee on final apportionment numbers for the under-represented groups. Rather, we give a range of apportionments which are appropriate to consider. Those being:

Research Faculty: 1 per 200 (same as staff) to 1 per 35 (half regular faculty)

Part-time Graduates Students: 1 per 1000 to 1 per 500

Comment on Urgency and Effort Required

The SEC charge asks the ERG to comment on whether the need for a change in representation "is urgent enough to warrant effort required." In the committee's view, the answer is an unqualified "yes." These constituents have been underrepresented for at least 5 years, and, prior to 2001, had no representation at all. It is unacceptable to ask them to wait for adequate representation another 5 years until the next Plan of Organization review. Over the next 5 years, the campus will continue to undergo dramatic change (e.g., budgetary issues, Strategic Plan implementation, General Ed. Plan implementation, Purple Line alignment, East Campus redevelopment), and, during this period, these constituents deserve to have their voices heard *in the Senate*. Furthermore, having these campus members underrepresented could be construed as a violation of Board of Regent's policy on shared governance. Acting on this matter would demonstrate that the University Senate takes seriously compliance with that policy. This issue speaks to the heart of University's commitment to shared governance.

Corrective change requires effort. In formulating its recommendations, the ERG committee attempted to choose a path that would limit the amount of work required. The other option, to apportion the constituencies for Research Faculty and Part-time Graduate Students and immediately move their apportionments into the Plan of Organization via an amendment under Article 6.2., requires significant work on the part of the Senate Office to hold a campus-wide vote on the amendment and does not negate the required Plan of Organization Review in year 10.

Relevant Excerpts from Plan and Bylaws

Plan of Organization 3.5 Other Senators

In order to provide some representation for members of the campus community who do not meet the criteria for inclusion in the Faculty, Staff or Student constituencies, the Senate, in its Bylaws, may define up to ten additional constituencies, each to be represented by one Senator, elected or appointed according to procedures to be set forth in the Bylaws.

Bylaws 2.2 Single Member Constituencies

The Senators defined in (a)-(e) below shall be voting members of the Senate. All elections held pursuant to this section shall be organized by the Senate Office.

- (a) *Teaching Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect two (2) Senators, for a term of one (1) year, their terms renewable for up to three (3) years. Full-time Instructor/Lecturers shall elect one (1) full-time representative and part-time Instructor/Lecturers shall elect one (1) part-time representative representing the Instructor/Lecturer constituency. When the Senate votes by constituencies, those Senators shall have the same voting rights as a Faculty Senator.*
- (b) *Research Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.*
- (c) *The part-time undergraduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators. A part-time student Senator who changes to full-time status subsequent to election may serve out his/her term.*
- (d) *The Contingent 2 Staff shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other Staff Senators. The Contingent 2 Staff Senator shall have been employed by the University for twelve months prior to their election.*
- (e) *Emeritus Faculty who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.*
- (f) *The part-time graduate students shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as all other student Senators. A part-time student Senator who changes to full-time status subsequent to election may serve out his/her term.*
- (g) *Adjunct Professors and Professors of the Practice who are not members of the Faculty Constituency as defined in Section 3.2 of the Plan together shall elect one (1) Senator from among their ranks for a term of one (1) year, renewable for up to three (3) years. When the Senate votes by constituencies, that Senator shall have the same voting rights as a Faculty Senator.*

Plan of Organization 3.8 Reapportionment of the Senate

3.8.a *In accordance with the procedures set forth in the Bylaws of the Senate; reapportionment of the Senate shall be conducted every five years to reflect more accurately the composition of the University community.*

3.8.b *Upon reapportionment:*

(1) a department, unit, or staff category that gains representation through reapportionment shall nominate and elect constituent(s) as appropriate;

(2) a department, unit, or staff category that loses representation through the reapportionment shall retain all currently elected senators until the end of the Senator(s) term(s) or until the Senator(s) resign(s). Upon completion of the term(s) or resignation(s) from the Senate, the Senator(s) shall not be replaced.

Plan of Organization Article 6 Amendments, Review, and Revision

6.2 Proposed amendments to the current Plan of Organization shall be presented in writing to the Executive Secretary and Director, who shall transmit them to members of the Senate at least ten working days in advance of any regular or special meeting. Amendments may be proposed by one or more Senators, by committees of the Senate, or by written petition signed by 1,000 members of the major constituencies, which are the faculty, staff, and student constituencies defined in sections 3.2, 3.3, and 3.4 respectively.

6.3 Review of the current Plan of Organization shall be undertaken at least every ten years by a committee composed of members elected by the Senate. The Senate Executive Committee may institute a review of the Plan by such a committee in the fifth or subsequent year following a review if in its judgment there have been changes in the University significant enough to justify a review.

Appendices

Appendix-1 Single Member Constituency Table

Appendix-2 Institutional Research Planning & Assessment Data

Appendix-3 Single Member Constituency Representation

Appendix-4 Charge

Single Member Constituencies

Single Member Constituencies were first seen in the Proposed Changes to the 1993 Plan of Organization. Clause 3.5: Other Senators- was approved into the Plan of Organization May 2000 from the Senate Charge 98-99-21

Single Member Constituencies- as added/amended:

- a) Teaching Faculty - Feb 2001
- b) Research Faculty - Feb 2001
- c) P/T undergrad - Feb 2001
- d) Contingent Staff - Feb 2001
- e) Emeritus - Feb 2003
- f) Part time grad - Nov 2009
- g) Adjunct Prof/Prof of Practice - March 2010

Appendix 2

Institutional Research Planning & Assessment Data

Single Member Constituencies

ERG Committee

Contingent 2 staff		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Full time	Exempt Contingent Category 2	141	123	108	104	106
	Nonexempt, Contingent 2	163	188	196	199	189
Total		304	311	304	303	295
Part-time	Exempt Contingent Category 2	13	13	17	18	17
	Nonexempt, Contingent 2	95	68	58	61	48
Total		108	81	75	79	65
Total		412	392	379	382	360

Non Tenure Research Faculty		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Full Time		1,239	1,232	1,240	1,239	1,355
Part-time		277	268	273	271	306
Total		1,516	1,500	1,513	1,510	1,661

Instructors & Lecturers		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Full-time		241	263	296	308	302
Part-time		497	561	541	599	629
Total		738	824	837	907	931

Adjunct/professor of practice		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Full-time		11	15	14	13	11
Part-time		13	13	23	22	25
Total		24	28	37	35	36

Emeritus Faculty		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Full-time		1		1	2	1
Part-time		20	23	25	25	27
Total		21	23	26	27	28

Part-time Undergraduate Students		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Part-time		2,179	2,030	2,077	2,092	1,925

Part-time Graduate Students		Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Part-time		3,285	3,240	3,313	3,591	3,591

Appendix 3

Single Member Constituency Representation

The following are the figures and committee decisions for each SMC:

Full-time Instructor/Lecturers, 1/302, **adequately represented** (should be tracked)

Part-time Instructor/Lecturers, 1/629, **adequately represented** (compared to the number of full time)

Research faculty, 1/1661, **underrepresented**

Part-time undergraduate students, 1/1925, **adequately represented** (Full-time undergraduate representation is 1/1000.)

Contingent 2 Staff, 1/360, **adequately represented** (Exempt staff representation is 1/200.)

Emeritus Faculty, 1/28, adequately **represented**

Part-time graduate students, 1/3591, **underrepresented**

Adjunct Professors/Professors of the Practice, 1/36 **adequately represented** (Data BASED on title)


As enumerated above, the committee determined that all the SMCs were adequately represented except for Research Faculty and Part-time Graduate Students.

**numbers are from data collected by IRPA*

Appendix 4



**University Senate
CHARGE**

Date:	April 2, 2010
To:	Kendra Wells Chair, Elections, Representation & Governance Committee
From:	Elise Miller-Hooks Chair, University Senate 
Subject:	Representation of Single-Member Constituencies
Senate Document #:	09-10-38
Deadline:	November 1, 2010

The Senate Executive Committee (SEC) requests that the Elections, Representation, and Governance (ERG) Committee determine whether all of the existing single member constituencies are adequately represented in the Senate.

In the course of your review we suggest that you meet with Marvin Breslow, Parliamentarian, for guidance and historical perspective. In addition, the committee should consult with Gerald Miller, Chair of the Plan of Organization Review Committee (PORC), during the last revision in 2006. The ERG Committee should also comment on the need for any proposed change to representation, as well as if the need is urgent enough to warrant the effort required.

We ask that you submit your report and recommendations to the Senate Office no later than November 1, 2010. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.