

Explanation of the upcoming senate agenda

You know things are complicated or high stakes when an agenda requires an explanatory note. This is such a note.

ASCSU Chair Miller (agenda item #5)

Dr. Chris Miller from Sacramento State is the Chair of the ASCSU. She is trying to visit every campus senate during her term, so her visit is in that sense routine. It seemed wise to have her visit this meeting so that she can witness and carry back the effects of the executive orders to the rest of the ASCSU faculty leadership. She will make a few brief remarks.

Public comment (agenda item #6)

Senate Exec has added 25 minutes for public comment to the agenda. This differs from the committee of the whole technique used last time in two ways. First, it has a fixed time limit. Second, non-Senators will have absolute priority over Senators on the speakers list. All speakers will be urged to be brief so that as many may speak as possible.

Reconsideration (agenda item #8)

(See also <http://blogs.csun.edu/facultypresident/2017/10/04/the-motion-to-reconsider/>)

At the last senate meeting, the motion to not participate in implementation of the executive orders passed. I'll call this the original resolution. Immediately afterwards, a Senator who had voted with the majority moved reconsideration. The motion was seconded. I have confirmed that the Senator intends to call up the motion to reconsider. Thus Senate Exec has placed it on the formal agenda.

When we get to item #8, the first task will be to debate whether to reopen the original resolution.

The debate on whether to reconsider may legitimately go into the merits of the original resolution. But it may also go beyond them. Anything relevant to the question of whether to reopen the original resolution is in order.

At this point, there is nothing that could be amended. Thus no amendments are in order. However, it is in order to say what amendments you intend to introduce if the original resolution is reconsidered.

When debate concludes, the Senate votes on whether to reconsider the original resolution.

If a majority votes against reconsideration, we move on to the next agenda item, namely, the Senate Exec resolution. The original resolution becomes the official position of the CSUN Faculty on the question of whether to participate in implementation. This vote cannot be reconsidered or changed during the current academic year.

If a majority votes in favor of reconsideration, we take up the original resolution as though we have traveled back in time to before the question was called at the last meeting (except with a brand new speakers list). At this point, debate, amendments, and other subsidiary motions are in order.

Substitute motions

I've spoken to some Senators who may introduce a substitute resolution if the original resolution is reconsidered. Here is how that would work and affect the final vote.

Substitution is a horrendously complicated form of the motion to amend. It should only be used when the Senate needs to consider two completely different full resolutions and choose between them. The process goes like this:

- Perfection of the substitute. Amendments are offered and considered to the substitute.
- Perfection of the original. Amendments are offered and considered to the substitute.
- Vote on whether to replace the original with the substitute.

Note that the last step is a vote on whether to replace the original resolution with the substitute as the main motion. This is not a vote on whether to adopt the substitute.

After the substitution process is complete, either the perfected original resolution or the perfected substitute becomes the main motion. The main motion may still be debated. It may also still be amended by adding words to it, provided those words are consistent with the rest of the resolution. (This is because we've already voted that the text was as good as we could make it. Deleting text or adding contradictory text would violate the no-double-consideration principle.)

Finally, we come to a vote on the main motion. At this point the main motion could be either:

- (1) The original resolution
- (2) The original resolution with amendments

(3) A substitute.

As always, this is decided by a majority vote.

If the main motion is either (1), (2) or (3) and the final vote fails, the Senate will have no position on whether CSUN faculty may participate in implementation. [I include (3) because the substitute would have to be inconsistent with non-participation in order to be introduced as a substitute].

If the main motion is either (1) or (2) and the final vote passes, the (potentially amended) original resolution becomes the official will of the Faculty. Reconsideration can only be used once. Thus the matter cannot be reconsidered or revised for the remainder of the academic year. The Senate and its standing committees, which are the only faculty bodies able to approve curriculum will be prohibited from participating in implementation for the remainder of the academic year.

SEC resolution (agenda item #9)

Because the original resolution does nothing to explain why CSUN's faculty are taking this step, Senate Exec, in consultation with standing committee chairs, has developed a resolution which includes such an explanation. This has been placed on the agenda as a separate item. We will take it up regardless of whether we reconsider the original resolution.

There are no special procedural constraints on the process for this resolution, except that it must be logically consistent with whatever was decided in item #9. Thus if the original resolution was approved, it would not be in order to add something to the SEC resolution which has CSUN standing committees participating in implementation; or vice-versa.

This could get tricky because logically consistent does not mean politically consistent. Thus I believe that the requests for data and formation of a system-level task force are in fact consistent (there is no contradiction), despite being politically weird (e.g., depending on how the task force was constituted, CSUN may be prohibited from sending a member if that member had to come from the Senate, but not if the member was from the ASCSU —statewide senators are officers of the Faculty not the Faculty Senate).

The way we will handle such cases is that I will make a ruling on what is in order based on what has already passed. If there is any disagreement, please immediately stand and raise an objection to the Chair's ruling. Any Senator may object to any ruling of the

Chair. If an objection is raised, I will explain the basis for my ruling (if I haven't already) and then the issue is debatable if the motion ruled upon was debatable. It takes a simple majority to overrule the Chair.

Parliamentary decision-making reminder

Parliamentary procedure exists to allow large groups with diverse opinions to take actions which everyone has a fair chance to contribute. It does not exist to build a consensus. It is possible for a Senate to come to decisions which no individual Senator prefers. That is a feature, not a bug.

My job as Chair is to apply the rules and help Senators pursue their ends using our procedures. I will help you figure out what motion to use and explain things as we go. If you are considering making a motion or want to know if something is possible, please don't hesitate to ask either now or on the floor during the meeting.

That said, just so we all have a common starting place, here are some basic principles of parliamentary decision-making which may get a work-out at our meeting:

- The Senate makes progress by deciding questions introduced through motions.
- The Senate only considers one question at a time. The Senate decides questions through votes. Subsidiary motions like amendments introduce a new question which must be resolved before going back to the main motion.
- No question may be twice-considered. Once something is decided, it can only be taken up again through specialized procedures like reconsideration. Reconsideration may only happen once on a question.
- No Senator may speak more than once on a question.
- Requesting information does not count as speaking on a question. There is no limit to how many times a Senator may ask for information other than the ability to get back on the speakers' list.
- Making motions does not count as speaking on a question. Thus one may propose an unlimited number of changes to the main motion (in separate turns) and speak to those changes, but may only speak once on the wisdom of the main motion
- Most motions are decided by a majority vote (50% + 1 of votes cast).
- Motions which take away individuals' rights require 2/3. Thus 'calling the question' —forcing an end to debate and an immediate vote— requires 2/3 because it takes away the right to speak from anyone still on the speakers list.
- The required totals are of votes cast. Abstentions are not votes.

- The Chair only votes to break a tie or create a tie (the former passes, the latter defeats the motion)
- Debate on a question concludes (i.e., the body moves to a vote) in one of three ways:
 - The speakers list is empty and no Senator wishes to speak on the question
 - Every Senator has spoken once on the question
 - A motion to call the question passes