
Governance Committee Training

*Faculty, Academic Staff & University Staff
Committee Chairs, Committee Members, Department & Executive
Committee Chairs*

Wednesday, October 4, 2023

1:00 - 2:30 p.m.

via Microsoft Teams



John R. Reisel, PhD
Secretary of the University
reisel@uwm.edu
Lubar Hall, Room N451, 229-4671
<https://uwm.edu/secu/>

Governance Committee Training

October 4, 2023

AGENDA

- I. Introduction - John Reisel, PhD, Secretary of the University
- II. Wisconsin Open Meetings and Open Records Law – Jennifer Herzog
Legal Counsel, Legal Affairs
- III. Records Management – Derek Webb, Head of Archives, UWM Libraries
- IV. Robert's Rules of Order – William Keith, Professor, Department of English



Chapter 36

UNIVERSITY OF WISCONSIN SYSTEM

Chapter 36 sets forth the mission and purpose of the University of Wisconsin System. The following descriptions can be found in 36.09 of Wisconsin state statutes.

(3) The chancellors.

36.09(3)(a)

(a) The chancellors shall be the executive heads of their respective faculties and institutions and shall be vested with the responsibility of administering board policies under the coordinating directions of the president and be accountable and report to the president and the board on the operation and administration of the institutions. Subject to board policy the chancellors of the institutions in consultation with their faculties shall be responsible for designing curricula and setting degree requirements; determining academic standards and establishing grading systems; defining and administering institutional standards for faculty peer evaluation and screening candidates for appointment, promotion and tenure; recommending individual merit increases; administering associated auxiliary services; and administering all funds, from whatever source, allocated, generated or intended for use of their institutions.

36.09(3)(b)

(b) The chancellor may designate a person as provost, to act as chief executive officer of the institution in the chancellor's absence, if the person currently holds a limited appointment as vice chancellor, associate chancellor, assistant chancellor, associate vice chancellor or assistant vice chancellor. The chancellor may not create an additional administrative position for the purpose of this paragraph.

(4) Faculty.

36.09(4)

The faculty of each institution, subject to the responsibilities and powers of the board, the president and the chancellor of such institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.

(4m) Academic staff.

36.09(4m)

The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the chancellor and faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution. The academic staff members have the primary responsibility for the formulation and review, and shall be representing in the development, of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

(5) Students.

36.09(5)

The students of each institution or campus, subject to the responsibilities and powers of the board, the president, the chancellor and the faculty, shall be active participants in the immediate governance of and policy development for such institutions. As such, students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to the final confirmation of the board shall have the responsibility for the disposition of those student fees which constitute substantial support for campus student activities. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.

Regent Policy Document 20-20

University Staff Governance

Scope

This policy authorizes the University Staff of each University of Wisconsin System institution to structure themselves in a manner they determine and to select representatives to participate in institutional governance.

Definitions

“University Staff” are members of the university workforce who contribute in a broad array of positions in support of the University’s mission and are not exempt (hourly¹) from the overtime provisions of the Fair Labor Standards Act.

[¹Note: All FLSA exempt employees holding positions in the State of Wisconsin “classified” service as of July 1, 2015 are given the choice to remain in the University Staff for as long as they retain their existing positions, or to voluntarily be reassigned to a position that the institution has designated as either an Academic Staff or Limited Appointment position]

Purpose

The purpose of this policy is to provide to University Staff the opportunity to participate in institutional governance. Students, faculty and academic staff have governance rights granted by Wis. Stat. Chapter 36. This policy enables active participation in the immediate decision-making and policy development of the institution. Active participation in governance for University Staff under this policy is not collective bargaining and will not result in a labor agreement or contract. University Staff may make recommendations, consider proposals, and raise concerns to institutional leadership.

Policy Statement

The Board of Regents is vested with the primary responsibility for governance of the University of Wisconsin System [sec. 36.09(1), Wis. Stats.]. In discharging this responsibility, the Board has an interest in providing University Staff the opportunity to participate in institutional decision-making. Each UW System institution shall:

1. Provide its University Staff members, subject to the responsibilities and powers of the board, the president, and the chancellor and faculty of the institution, the opportunity to be active participants in the immediate governance of and policy development for the institution;
2. Provide its University Staff members the primary responsibility for the formulation and review, and representation in the development, of all policies and procedures concerning University Staff members, including University Staff personnel matters; and

3. Provide its University Staff members the right to structure themselves in a manner University Staff members determine, and to select their representatives to participate in institutional governance.

Oversight, Roles and Responsibilities

The Board of Regents delegates to the President of the UW System or his or her designee the authority to issue operational policies to implement and administer this policy. The Board further authorizes the President to delegate to individual Chancellors the authority to implement this policy at their respective institutions within the parameters established by RPDs and University of Wisconsin System policies.

Related Regent Policies and Applicable Laws

Chapter 36 of the Wisconsin Statutes Sec.

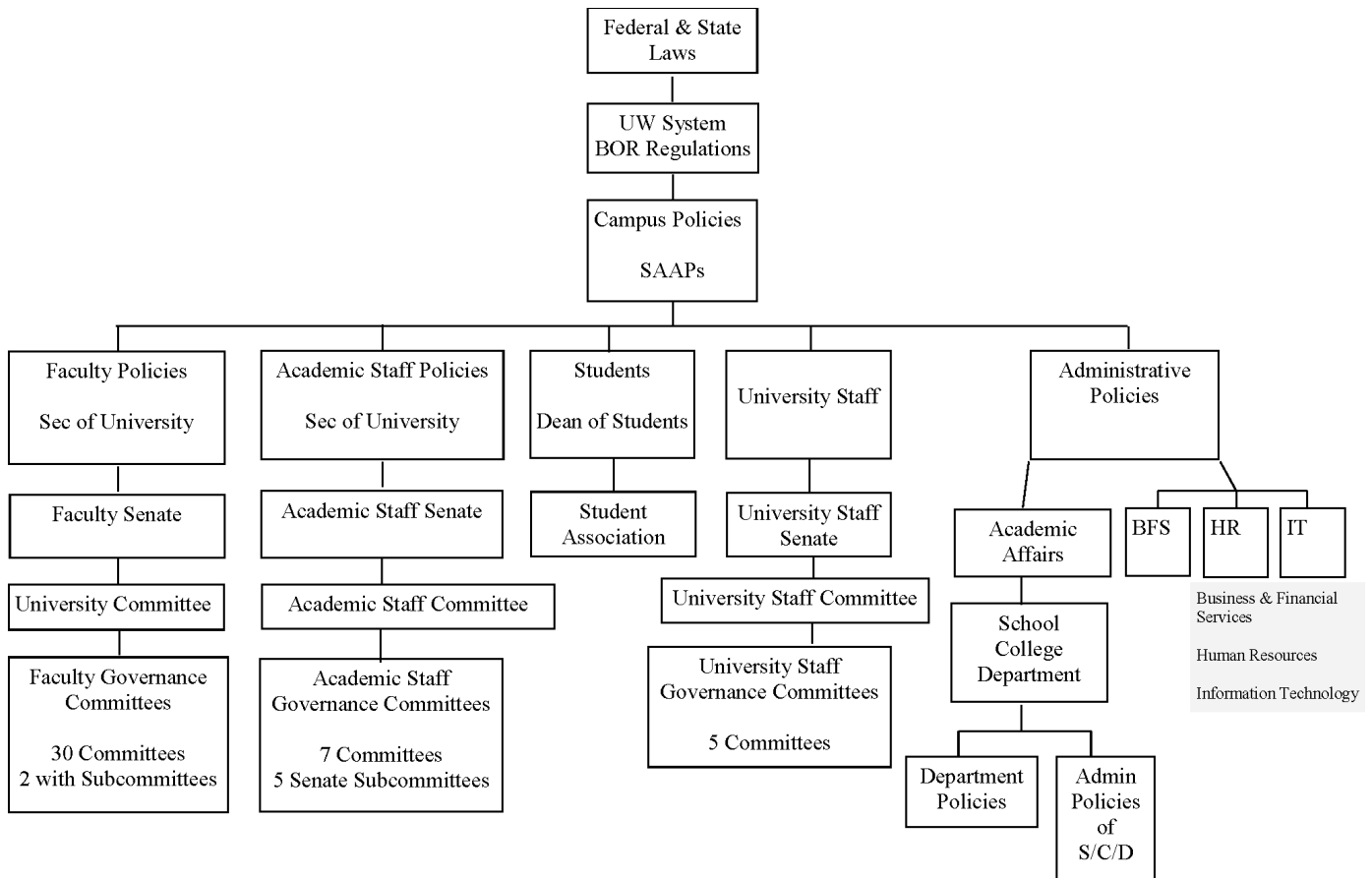
227.01(13)(Lm), Wisconsin Statutes

History:

Res. 10150, adopted 12/07/2012, created a Regent Policy Document on University Staff Governance, effective 07/01/2013 contingent upon the implementation of university personnel systems authorized by s. 36.115, Wis. Stats; 2013 Wisconsin Act 20 delayed to 07/01/2015 the implementation of s. 36.115, Wis. Stats., and the creation of “university staff” as an employment category in the UW System.

Res. 10250, adopted 09/06/2013, created Regent Policy Document 20-20 Classified Staff Governance, to serve as a transitional policy providing governance rights to UW System Classified Staff until implementation of s. 36.115, Wis. Stats. Effective 07/01/2015, Regent Policy Document 20-20 University Staff Governance replaces Regent Policy Document 20-20 Classified Staff Governance.

Policy Hierarchy



OPEN MEETINGS AND RECORDS OVERVIEW COMMITTEE AND DEPARTMENT CHAIR TRAINING

October 4, 2023

Under Wisconsin law, governmental body meetings must be open to the public except in certain circumstances.

1. GOVERNMENTAL BODIES

- a. State agencies created by rule or order, or *a formally constituted subunit thereof*.
- b. “Order” includes informal orders that assign duties.
- c. What matters is *who* created the entity and *how*.
- d. Example of a governmental body: academic appeals committee created by policy.
- e. Example of non-governmental body: group of concerned employees who get together to discuss concerns to bring to the Chancellor.

2. MEETINGS

- a. Members of a governmental body “gathering” for the purpose of exercising the responsibilities, authority, powers, or duties delegated to or vested in them.
 - i. Governmental body: see above
 - ii. Gathering:
 - 1. If (i) the number of members present is sufficient to determine the governmental body’s course of action, and (ii) the group is gathered to engage in governmental business¹, then the gathering is *presumed* to be a meeting subject to this law.
 - iii. Purpose
 - 1. The governmental body may overcome the presumption above by proving they did not discuss any subject within their authority.
 - 2. Social or chance gatherings are not considered meetings.
- b. Look out for “walking quorums”: gatherings among separate groups of members of governmental body, each less than a quorum, who agree to act uniformly in sufficient numbers to reach quorum.

3. OPEN

- a. Notice in advance of each meeting containing time, date, place, and subject matter, including any plans to meet in closed session and basis for closing.
 - i. Notice should be posted at least 24 hours in advance.
 - ii. <https://uwm.edu/news/faculty-staff/submissions/open-meetings/>
- b. Meeting must be held in a place that is reasonably accessible to the public – this includes virtual locations.
- c. Anyone may attend and observe the meeting; however, members of the public do not have the right to speak or otherwise participate in the meeting.
- d. All meetings must convene in open session.
- e. Only topics included in notice may be discussed.

¹ This includes any formal or informal action, including discussion, decision or information gathering, on matters within the governmental body’s real of authority.

4. EXCEPTIONS (CLOSED SESSIONS)

- a. Specific statutory exception must apply.
 - i. Common examples: deliberating a case that was subject to any judicial or quasi-judicial hearings before the body; considering dismissal, demotion, discipline, or tenure² and taking formal action on such matter; considering employment, promotion, compensation, and performance evaluations of any employee over which the body has jurisdiction or exercises responsibility; considering financial, medical, social, or personal histories or disciplinary data of specific individuals, preliminary consideration of specific personnel problems or the investigation of charges against specific persons when such discussion would likely have a substantial adverse effect upon the reputation of the subject.
 - ii. Other examples: Conferring with legal counsel regarding litigation in which the governmental body is likely to become involved; considering strategy for crime detection or prevention.
 - iii. Voting should generally take place in open session unless doing so would compromise the need for the closed session.
- b. Must 1) announce reason(s) for going into closed session 2) have a motion that passes by majority vote to go into closed session, 3) only discuss matters in closed session that were announced in Step 1.
- c. When moving to closed session, members of the public should be asked to leave. Invited guests may stay, but only if their presence is necessary to the meeting.
- d. Continue keeping minutes in closed session, clearly delineating what was discussed in open versus closed session.
- e. When closed session matters have completed, either 1) adjourn meeting (if notice allowed for this), or 2) reconvene in open session upon a motion and vote if there is other business and the notice allowed for this. Upon reconvening, invite any members of the public into the meeting.

5. OTHER ISSUES

- a. Potential penalties: monetary fines and voiding of any actions taken in violation of the law.
- b. Recording is acceptable in **open** session, but be aware of record retention issues.
- c. Be aware of FERPA and other confidentiality issues. **Be careful with permissions related to closed session recordings.**
- d. Learn more at <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>

² The subject can request that the underlying presentation/hearing and final decision take place in open session, but the Committee may still deliberate in closed session.

Under Wisconsin law, requesters may inspect or obtain copies of records maintained by government authorities.

1. RECORDS

- a. Any material (including digital) on which information is recorded or preserved.
- b. Created in *connection* with official purpose or function of University.
- c. **Content**, not medium, format, or location, determines whether item is a record.
 - i. For example, contractor records, text messages, and emails sent from personal accounts may constitute records.
- d. Records do not include: purely personal property with no relation to job, drafts, personal notes, and similar materials prepared for the originator's personal use.
 - i. Personal emails sent through work computer systems are still records *and University property* but may not necessarily be disclosed.
 - ii. Notes only qualify for personal use if being used to refresh the originator's memory. If used to communicate information to someone else or memorialize activities, may no longer be personal.
- e. There is generally a duty to retain records – see records schedules for more information.

2. GOVERNMENT AUTHORITIES

- a. Includes the University and its employees.
- b. *May* include outside parties with delegated authority.

3. MISCELLANEOUS ISSUES

- a. Just because something is a record does not mean it will be released.
 - i. Common issues include FERPA, trade secrets, applicants for public positions, privileged materials, balancing test (whether the public interest in nondisclosure outweighs the public interest in disclosure).
 - ii. The Records Custodian makes this determination – everything goes to her, and she determines how to respond.
- b. No duty to create a new record just to fulfill a request; however, be aware of record retention requirements if a record has already been created.
- c. **Be aware of permissions on any records**, especially those containing FERPA or other confidential information.
- d. Learn more at <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/PRL-GUIDE.pdf>



RESOURCES

Open Meetings

- Wisconsin Open Meetings Law (19.81-19.98): <https://docs.legis.wisconsin.gov/statutes/statutes/19>
- UWM Open Meeting Submissions (Posting) Online Form: <http://uwm.edu/news/faculty-staff/submissions/open-meetings/>
- Wisconsin Department of Justice Open Meetings Law Compliance Guide: <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>
- Questions? Contact UWM Office of Legal Affairs – nehringb@uwm.edu - 414-229-4278

Public Records

- Wisconsin Public Records Law (19.21-19.39): <https://docs.legis.wisconsin.gov/statutes/statutes/19>
- UWM Public Records Custodian: <https://uwm.edu/public-records/>
- UWM Public Record Access Policy (SAAP S-13-4): <https://apps.uwm.edu/secure/policies/storage/other/SAAP%2013-4.%20Public%20Records%20Access.pdf>
- Wisconsin Department of Justice Public Records Law Compliance Guide: <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>
- Public records questions? Contact Colleen Ference-Burke, Public Records Custodian public-records@uwm.edu - 229-2849

Open Meetings/ Online Submissions Form:

<https://uwm.edu/news/faculty-staff/submissions/open-meetings/>

Use this form to submit an open meeting notice, per state law. If it's possible that someone else will post the same meeting, please avoid duplication by checking the listings before you post:

<https://uwm.edu/news/category/open-meeting-notices/>

- Committee or Group*

Please avoid acronyms and abbreviations; this should be meaningful to the general public.

- Meeting Date*



- Meeting Time*

: HH MM AM

- Location*

- Purpose of Meeting*

Briefly describe the agenda. Please be prepared to provide an agenda of the meeting upon request.

- Contact name*

- Phone number*

Please use a 10-digit UWM phone number

- UWM Email Address*

Please be prepared to provide an agenda of the meeting upon request.

- Closed session?
 - ☐ This meeting may go into closed session, per state statute:
 - ☐ This meeting will reconvene in open session.

If checked, indicate below the statute that allows the meeting to go into closed session.

- Select appropriate state statute(s)
 - ☐ Wis. Stat. sec. 19.85(1)(a)
Deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body.
 - ☐ Wis. Stat. sec. 19.85(1)(b)
Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member.
 - ☐ Wis. Stat. sec. 19.85(1)(c)
Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.
 - ☐ Wis. Stat. sec. 19.85(1)(e)
Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 - ☐ Wis. Stat. sec. 19.85(1)(f)
Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons.
 - ☐ Wis. Stat. sec. 19.85 (1)(g)
Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

Submit



PUBLIC RECORDS ACCESS

No: SAAP 13-4

Authority: Wisconsin's Public Records Law (Wis. Stat. §§19.31-.37) **Date:** January 2021 Federal Family Educational Rights and Privacy Act (20 U.S.C. 1232g) April 2015 (revised) February 1992 (original)

Initiator: Vice Chancellor for University Relations & Communications

Responsible Party: Office of Public Records

A. Policy

UWM is committed to providing public access to its records consistent with the Wisconsin Public Records law. This law recognizes a presumption of public access except in cases where exemptions apply.

B. Legal Custodian

UWM has designated a Public Records Custodian to meet its obligations under Wisconsin public records laws. The Public Records Custodian is the legal custodian of all public records maintained at UWM, except for patient medical records that are under the control of the Norris Health Center.

C. Procedure for Requesting Records

Members of the public may obtain information and access to or copies of public records by making a request via telephone, mail, or email to the Public Records Custodian according to the procedures set forth in UWM's [Public Records Notice](#). A person making a request is not required to provide identification or any reason for the request. Public records requests received by UWM employees should be directed to the Public Records Custodian.

The Public Records Notice is posted in the Office of Public Records, Chapman Hall, and on the Office of Public Records website. Members of the public may also email public-records@uwm.edu or call (414) 229-2849 to receive a copy of the Notice.

D. Temporary Ban on Destruction of Records

No requested records may be destroyed or disposed of until after the request is granted or until at least 60 days after the date the request is denied.

E. Fees

UWM may bill requesters \$.25 for each copy made but will not charge reproduction costs for electronic copies of records that exist in electronic format. If mailing of records is requested, mailing or shipping fees may be charged. A location fee may be charged if the cost to locate the record(s) in question is \$50.00 or more. Location fees will be calculated at the hourly salary and benefit rate for the lowest-paid employee capable of performing the task. No fee will be charged for the cost of reviewing records for possible redaction or removal of confidential information. Requests which exceed a total cost of \$5.00 may require prepayment.

F. Audio and Video Records

Audio and video records most often include body camera, voice, and other video camera recordings. In consultation with the Public Records Custodian, the unit that maintains audio and video records is responsible for the initial review of such records. In the event of a request, units must review any requested audio and video records in their entirety and make any redactions required by law based on guidance from the Public Records Custodian on what redactions may be necessary. Upon completion of the initial review, units should provide the audio or video records, with any proposed redactions, to the Office of Public Records for a final review. The final review will be completed as soon as practicable and without delay, and the Public Records Custodian ultimately determines the appropriateness of redactions.

G. Employee Responsibility for Public Records Access and Retention

Records created and maintained by employees may be requested at any time by any person, subject to limited exceptions. Records created in Microsoft Teams such as chats, video and audio recordings, call histories, and transcriptions of voicemails are records under the law and may be subject to release upon request. Communications and documents created on other non-university platforms are also subject to public records law *if the communications and documents relate to university business*. Employees are responsible for retaining records created on other platforms according to [State-mandated records management schedules](#). Employees are also required to produce records created on other platforms when requested by UWM's Public Records Custodian. Examples of other platforms include, but are not limited to, Slack, WhatsApp, Snapchat, Facebook Messenger, Gmail, and text messaging on a personal device.

GOVERNANCE RECORDS MANAGEMENT

COMMON SCHEDULE

Series	RDA (Functional Schedule)	Retention
University Meeting Records (including voting materials for committee elections and Executive Committee actions)	UWADM018 (UW Administrative)	Retain 3 years and send to Archives/Sec of U
Organizational Planning Documentation	ADMIN250 (State Administrative)	Retain 6 years after plan is completed/superseded and transfer to archives/Sec of U
Transitory Records	ADMIN352 (State Administrative)	Destroy when no longer needed
Program Review/Accreditation Files	UWADM024 (UW Administrative)	Retain 11 years after end of cycle and send to Archives
Faculty Tenure File Successful and Unsuccessful	UWHR0802 (UW Human Resources)	Retain 6 years and transfer to Department/School/College (official copy) Retain until tenure review process is completed and destroy confidentially (Executive Committee copy)
Activity and Production Reports	ADMIN354 (State Administrative)	Retain 1 year and destroy
Status Reports	ADMIN355 (State Administrative)	Retain 3 years and send to Archives/Sec of U

GENERAL RECORDS MANAGEMENT PRINCIPLES

- Records should not be destroyed without an appropriate retention schedule and are subject to Public Records Requests
- Personal drafts and notes, duplicates, and non-work-related materials are **not** records and should be destroyed when no longer needed
- Retaining records past the retention period exposes you and your office to risk of data breach
- Electronic Records may serve as the official record and are managed the same as paper records
- Keep track of which records have confidentiality requirements (e.g., personnel/promotion records, student records)

ELECTRONIC RECORDS TIPS

BEST PRACTICES FOR FILE MANAGEMENT

- Include good identifying information in your filenames. (e.g., “**ProgramCommitteeMinutes2021-04-03.docx**”)
- Organize files by project or retention period for easy retrieval and mass disposal.
- Include tags/keywords/subject terms when possible (usually through Properties)
- Set final versions of files to read-only or convert to PDF to keep them safe from editing

- Important files should not be stored on hard drive or removable drives
- Other records in 3rd party apps/services are subject to public records law, so have a plan to produce them if requested.
- Be aware of automatic retention policies for OneDrive/SharePoint/Teams

LONG-TERM ELECTRONIC RECORDS

- OneDrive or network file share is preferred over physical media (USB drive, CD, your PC's hard drive) for long-term storage. If you must use a physical medium, replace it every 3-5 years.
- Update your files to new software versions/filetypes (e.g., doc -> docx) when new versions are released.
- Send records to the Archives either directly through OneDrive/SharePoint or separated from paper files on physical media.

RESOURCES

- Records retention schedules (searchable table): <https://uwm.edu/libraries/archives/records-management/records-schedules/uw-system-record-schedules/>
- More on electronic records (including email): <http://uwm.edu/libraries/archives/uwm-records-management/electronic-records/>
- Microsoft Teams locations and retention: <https://kb.uwm.edu/99881>
- SharePoint online training: <http://uwm.edu/o365/sharepoint/sharepoint-online-training-information/>
- Guidelines for using 3rd party cloud computing environments: https://publicrecordsboard.wi.gov/Documents/PRBoard%20Guidance_Cloud_Approved_05042012.pdf
- UWM Select Policy 63 (Digitization of Departmental Records): https://www4.uwm.edu/secu/docs/other/S_63_Digitizati_Guidelines.pdf
- Other Records Management Guidelines/Laws/Policies: <http://uwm.edu/libraries/archives/uwm-records-management/guidelines-laws-and-policies/>
- Identity/Access Services: Preparing for Account Closure: <http://uwm.edu/iam/what-you-need-to-do-to-prepare-for-account-closure/>

For more information contact the Archives Department

Email: askarch@uwm.edu

Phone: (414)-229-5402

Website: <http://uwm.edu/libraries/archives/uwm-records-management/>

Thoughts on Robert's Rules of Order and Effective Meetings

DR. BILL KEITH, DEPARTMENT OF ENGLISH

October 4, 2023

We tend to think of *Robert's* as a sort of inflexible straitjacket of rules, and we have to follow them. We should think of them as a set of tools. Yes, it's required, but because *Robert's* is full of resources. What kind, and why do we need them?

Meetings are a version of democratic communication; they are the smallest unit of trying to govern ourselves. Meetings, of committees or faculty, should be deliberative. To be both democratic and deliberative, they have to be regulated by certain principles:

1. Fair and free: everybody should get to participate. People should get a say, and roughly equal amounts of contribution
2. There should be a bias toward reasons and evidence that are relevant to the topic or charge of the meeting
3. Participants should show each other the mutual respect that befits equals who decide together
4. Disagreement is an important part of deliberation, and should be encouraged, though becoming personally adversarial is not appropriate.

There are different ways to deliberate: informal discussions, formal meeting, parliamentary style meetings, debates, etc.

Parliamentary style meetings have certain assumptions:

- There is a problem that needs to be solved or addressed
- People don't agree on either the problem or the possible solutions; in fact, they may disagree deeply
- Solutions might always make things worse, so we should be careful before doing anything
- Not changing anything (i.e. accepting the status quo) is also an action.
- *Robert's* has a bias toward more talk rather than less – it always takes more a simple majority of votes to shut off discussion.
- Presumption and Burden of proof: in the case of a tie, the status quo wins and nothing is done.

Some parts of *Robert's* are absolutely required:

1. Agenda, noticed in advance and not modified during the meeting
2. Motions proposed and voted
3. Minutes kept and posted, and approved at the next meeting
4. Chair only votes to break a tie
5. Voting procedures as required in P&P
6. Calling the question requires 2/3rds vote.
7. You can only change the agenda or otherwise suspend the rules with a 2/3rds vote.

However, *Robert's* is used from garden clubs to the US Senate, and contains many variations. Not all parts can be used or even make sense in the university environment.

So, it's better to think of *Robert's* as set of tools for solving problems. For all the problems you have in making sure that meetings are deliberative (= good decisions reached) and that your meetings embody the principles above, *Robert's* has resources to help you.

It would be nice if we could just have informal meetings, a few people sitting down and talking, and that was the end of it. But that's not usually how it works – why? There are many ways a meeting can fail to live up to its decision-making potential.

Too much participation

- Calling on people before they can speak, as in class.
- Time limit for turns.
- Everybody/ two people/ three people speak before anyone gets a second turn.

Too little participation

- Calling on people to speak
- Time is allocated for discussion in advance -- “We have 10 minutes”
- Everybody/ two people/ three people speak before anyone gets a second turn.
- Discuss barriers to participation outside of meetings.

Comments get too personal

- Personal attacks and questioning of motives are out of order; chair can rule them “out of order. “Hey, as chair I have to ask you not to talk about Prof. Jones’ personality.”
- Require remarks to pertain to the motion
- In difficult cases, all remarks addressed to the chair

Lack of closure

- Include implementation in the motion
- Vote the motions; only table if there is good reason
- Call the question as needed
- Don't revisit motions voted

Premature closure

- Ask for a motion to continue debate
- Table when there is a good reason
- Be sure you get a second, and solicit discussion

Role of the chair:

As Chair of the meeting,

- You should set personal interests aside, and say that you are doing do. Being chair is a service, and the sacrifice you make is that you give up any interest in the outcome. It is your ethical duty to be as impartial as possible.
- Thinking your interests through in advance is helpful: What are my conflicts of interest? How can I best bracket them?

- If you feel you cannot possibly set your personal or area interests aside in a specific situation, declare your conflict of interest and request a different chair for that meeting.
- If circumstances permit, Chair should consider not voting, to enhance perceptions of their impartiality.

The information below was extracted from: <http://www.robertsrules.com/>

THE OFFICIAL Robert's Rules of Order Web Site Frequently Asked Questions

CAUTION:

The answers given here to the questions presented are based upon the rules contained in Robert's Rules of Order Newly Revised. These rules are, in effect, default rules; that is to say, they govern only if there are no contrary provisions in any federal, state, or other law applicable to the society, or in the society's bylaws, or in any special rules of order that the society has adopted. This fact must always be kept in mind when reading any of the answers given.

These questions are based on queries repeatedly received on the Question and Answer Forum. The material here is derived from Chapter 13 of *Robert's Rules of Order Newly Revised In Brief*.

Question:

Is it true that the president can vote only to break a tie?

Answer:

No, it is not true that the president can vote only to break a tie. If the president is a member of the voting body, he or she has exactly the same rights and privileges as all other members have, including the right to make motions, to speak in debate, and to vote on all questions. So, in meetings of a small board (where there are not more than about a dozen board members present), and in meetings of a committee, the presiding officer may exercise these rights and privileges as fully as any other member. However, the impartiality required of the presiding officer of any other type of assembly (especially a large one) precludes exercising the rights to make motions or speak in debate while presiding, and also requires refraining from voting except (i) when the vote is by ballot, or (ii) whenever his or her vote will affect the result.

When will the chair's vote affect the result? On a vote that is not by ballot, if a majority vote is required and there is a tie, he or she may vote in the affirmative to cause the motion to prevail. If there is one more in the affirmative than in the negative, the chair can create a tie by voting in the negative to cause the motion to fail. Similarly, if a two-thirds vote is required, he or she may vote either to cause, or to block, attainment of the necessary two thirds. [RONR (11th ed.), pp. 405-6; see also Table A, p. 190 of RONR In Brief.]

Question:

Is it true that, once a quorum has been established, it continues to exist no matter how many members leave during the course of the meeting?

Answer:

No. Once a quorum at a meeting has been established, the continued presence of a quorum is presumed to exist only until the chair or any other member notices that a quorum is no longer present. If the chair notices the absence of a quorum, he or she should declare this fact, at least before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can and should make a Point of Order to that effect whenever another person is not speaking. It is dangerous to allow the transaction of substantive business to continue in the absence of a quorum. Although a Point of Order relating to the absence of a quorum is generally not permitted to affect prior action, if there is clear and convincing proof no quorum was present when business was transacted, the presiding officer can rule that business invalid (subject to appeal). [RONR (11th ed.), pp. 348-49; see also pp. 12-13 of RONR In Brief.]

Question:

Do abstention votes count?

Answer:

The phrase “abstention votes” is an oxymoron, an abstention being a refusal to vote. To abstain means to refrain from voting, and, as a consequence, there can be no such thing as an “abstention vote.”

In the usual situation, where either a majority vote or a two-thirds vote is required, abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast. On the other hand, if the vote required is a majority or two thirds of the members *present*, or a majority or two thirds of the entire membership, an abstention will have the same effect as a “no” vote. Even in such a case, however, an abstention is not a vote and is not counted as a vote. [RONR (11th ed.), p. 400, ll. 7-12; p. 401, ll. 8-11; p. 403, ll. 13-24; see also p. 66 of RONR In Brief.]

Question:

How do you deal with a “friendly amendment”?

Answer:

On occasion, while a motion is being debated, someone will get up and offer what he or she terms a “friendly amendment” to the motion, the maker of the original motion will “accept” the amendment, and the chair will treat the motion as amended. This is wrong. Once a motion has been stated by the chair, it is no longer the property of the mover, but of the assembly. Any amendment, “friendly” or otherwise, must be adopted by the full body, either by a vote or by unanimous consent.

If it appears to the chair that an amendment (or any other motion) is uncontroversial, it is proper for the chair to ask if there is “any objection” to adopting the amendment. If no objection is made, the chair may declare the amendment adopted. If even one member objects, however, the amendment is subject to debate and vote like any other, regardless of whether its proposer calls it “friendly” and regardless of whether the maker of the original motion endorses its adoption. [RONR (11th ed.), p. 162.]

Question:

Isn't it true that a member who has a conflict of interest with respect to a motion cannot vote on the motion?

Answer:

Under the rules in RONR, no member can be compelled to refrain from voting simply because it is perceived that he or she may have some “conflict of interest” with respect to the motion under consideration. If a member has a direct personal or pecuniary (monetary) interest in a motion under consideration not common to other members, the rule in RONR is that he *should not* vote on such a motion, but even then he or she cannot be *compelled* to refrain from voting. [RONR (11th ed.), p. 470, ll. 21-31.]

Question:

Should proxy votes be counted?

Answer:

A “proxy” is a means by which a member who expects to be absent from a meeting authorizes someone else to act in his or her place at the meeting. Proxy voting is not permitted in ordinary deliberative assemblies unless federal, state or other laws applicable to the society require it, or the bylaws of the organization authorize it, since proxy voting is incompatible with the essential characteristics of a deliberative assembly. As a consequence, the answers to any questions concerning the correct use of proxies, the extent of the power conferred by a proxy, the duration, revocability, or transferability of proxies, and so forth, must be found in the provisions of the law or bylaws which require or authorize their use. [RONR (11th ed.), pp. 428-29.]

Question:

Must debate on a motion stop immediately as soon as any member calls the question?

Answer:

It is a fairly common misconception that, after debate has continued for some time, if any member shouts out “Question!” or “I call the question!” debate must immediately cease and the chair must put the pending question to a vote. This is simply not the case. Any member who wishes to force an end to debate must first obtain the floor by being duly recognized to speak by the chair, and must then move the *Previous Question*.

Such a motion must be seconded, and then adopted by a two-thirds vote, or by unanimous consent. It is not in order to interrupt a speaker with cries of “Question” or “Call the Question,” and even if no one is speaking, it is still necessary to seek recognition. [[RONR](#)(11th ed.), p. 202; see also pp. 35-37 of *RONR In Brief*.]

Additional resources:

Wisconsin Open Meetings Law-A Compliance Guide

<https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>

University of Wisconsin System, General Counsel, Open Meetings Law-Wisconsin

<https://www.wisconsin.edu/general-counsel/legal-topics/open-meetings-law/>

Office of the Secretary of the University

<https://uwm.edu/secu/open-meetings/>

Faculty Governance and Standing Committees

Academic Planning and Budget Committee

Makes recommendations regarding (1) short range and long-range academic plans for the campus and (2) budget implications for these plans. Meets every other Thursday.

Academic Policy Committee

Represents student interests and concerns regarding academic policy. Makes recommendations regarding academic policy. Proposes uniform policies across campus.

Academic Program and Curriculum Committee

Reviews undergraduate courses and programs. Reviews requirements for admission and graduation. Resolves questions of curricular responsibility. Plans for development of programs. Meets once a month.

- APCC Subcommittee on Undergraduate Program Reviews

Admissions and Records Policy Committee

Reviews policies on admissions, registration and record keeping.

Affirmative Action in Faculty Employment Committee

Monitors programs and administration in the recruitment and retention of women and minority faculty. Works to enhance affirmative action on campus.

Athletic Board

Reviews policies regarding intercollegiate athletics, including policies pertaining to equity and nondiscrimination. Implements NCAA and UWM policies about athletic scholarships. Meets first Wednesday of month.

Awards and Recognition Committee

Selects faculty for awards and recognition.

Codification Committee

Reviews faculty policies and makes recommendations for additions or changes to policies. Assists and advises the Secretary of the University in terms of changes in policy. Meets once a month.

Divisional Executive Committees

- Arts & Humanities Executive Committee (AH)
- College of General Studies Executive Committee (GS)
- Natural Sciences Executive Committee (NS)
- Professions Executive Committee (PR)
- Social Sciences Executive Committee (SS)

Economic Benefits Committee

Advises faculty and academic staff on salary, sick leave, group insurance and retirement among other things. Meets first Friday of the month.

Faculty Appeals and Grievances Committee

Upon referral from the University Committee hears appeals and grievance of faculty members, including appeals of non-renewal. Meets as needed.

Faculty Ethics Advisory Committee

Recommends policies and procedures to implement the UW System Codes of Ethics. Provides consultation to faculty members. Meets as needed.

Faculty Rights and Responsibilities Committee

Upon referral from the University Committee, pursuant to UWS 6.01, conducts fact finding in allegations of misconduct made against one or more faculty members or faculty body. Can recommend disciplinary action.

Faculty Senate

Governing body of the faculty. Meets monthly.

Faculty Senate Rules Committee

Sets agenda and schedule for the Senate and University Faculty meetings Meets once a month.

Graduate Faculty Committee

Represents the Graduate School Faculty. Responsible for formulation and review of policy regarding graduate courses and programs Meets once a month.

Graduate Curriculum Committee

Graduate Student Fellowships Committee

Graduate Program Reviews Committee

Honorary Degrees Committee

Considers candidates for honorary degrees, Spaight's plaza and distinguished service awards.

Information Technology Policy Committee

Makes recommendations on policy regarding information technology Meets once a month.

International Committee

The International Committee represents the interests and authority of UWM faculty, staff, and students in fostering campus internationalization through establishment of policy to guide the development and implementation of central international education functions.

Libraries Committee

Represents the faculty in library affairs and archive policy.

Nominations Committee

Nominates candidates for all elected faculty positions.

Physical Environment Committee

Makes recommendations on the physical environment on campus, including a master plan for development. Recommends parking and transit policies. Meets Monthly.

Research Policy and Advisory Committee

Reviews research policy including the Graduate Research Committee and all review boards.

University Committee

Executive Committee of the Faculty Senate. Advises on the operation of faculty governance. Meets every Tuesday.

University Relations Committee

Advises on public events and university relations. Meets monthly.

Academic Staff Committees

Academic Staff Committee

The Academic Staff Committee (ASC) is comprised of nine members elected at-large by the academic staff. It serves as the Executive Committee of the Senate of the Academic Staff.

Academic Staff Senate

The Senate of the Academic Staff is the official governance body for the academic staff and represents UWM academic staff interests to our campus administration, UW System Administration and the Board of Regents.

Awards Committee

The Academic Staff Awards Committee screens nominees and selects the two final candidates recommended for the Annual Academic Staff Outstanding Performance Awards.

Hearing and Appeals Committee

The primary function of the Academic Staff Hearing and Appeals committee is to act as the hearing body for academic staff personnel matters including appeals of non-renewal, layoffs, and dismissal for cause as well as complaints and grievances.

Codification Committee

Academic Staff Codification Committee reviews and makes recommendations to the Academic Staff Committee and the Senate concerning all proposed additions and changes in existing academic staff personnel policies and procedures, committee bylaws and operating rules in order to assure clarity and consistency of language.

Instructional and Research Academic Staff Review Committee (formerly Category B Academic Staff Review Committee (CBASRC))

The Category B Academic Staff Review Committee reviews probationary instructional and research academic staff members and makes recommendations to deans and division heads concerning promotion to indefinite appointment. It also periodically reviews procedures and criteria for such evaluation and promotion.

Nominations Committee

The primary function of the committee is to prepare the slate of nominees for membership on all academic staff committees (except the Nominations Committee) as well as all other committees requiring elected or appointed academic staff members.

Non-Teaching Academic Staff Review Committee

The Non-Teaching Academic Staff Review Committee reviews probationary non-teaching academic staff members and makes recommendations to deans and division heads concerning promotion to indefinite appointment. It also periodically reviews procedures and criteria for such evaluation and promotion. Seven elected academic staff members serve on this committee.

Academic Staff Senate Subcommittees

Communications Subcommittee

The Academic Staff Senate Communications Subcommittee supports the UWM academic staff community by disseminating information on topics and opportunities of particular relevance to academic staff and creating opportunities for exchange, learning, and mutual support across campus.

Economic Benefits Subcommittee

(The subcommittee is under construction.)

Instructional and Research Academic Staff Subcommittee

This Subcommittee considers topics of particular concern to the teaching/research staff.

Legislative Subcommittee

The Subcommittee considers how to best pursue topics of concern to the academic staff with the UW-System Board of Regents, legislators, the Governor and other elected officials.

Non-Instructional Academic Staff Subcommittee

This Subcommittee considers topics of particular concern to the non-teaching/non-research staff.

Orientation Committee

The Academic Staff Orientation Subcommittee provides orientation sessions and information to new academic staff. It will also be providing workshops or brownbag lunches and information on governance to new and continuing academic staff.

University Staff

University Staff Senate

The Senate of the University Staff will serve as the official governance body for University Staff and represent UWM University Staff interests and concerns to campus administration, UW System and the Board of Regents.

University Staff Committee

The University Staff Committee (USC) serves all University Staff by serving as the Executive Committee of the Senate of the University Staff.

University Staff Awards Committee

The University Staff Awards Committee screens nominees and selects the candidates recommended for the Annual University Staff Outstanding Performance Awards.

University Staff Climate and Information Committee

The University Staff Climate and Information Committee combines the functions of communication and the climate committees to provide information to University Staff regarding employment-related issues including the betterment of campus climate conditions. The Committee will also work to improve communication across multiple levels of employment status. This may include, but not be limited to a Committee or Communication web page, newsletter, and/or mailings.

University Staff Codification Committee

Formerly the Bylaws Committee, the Codification Committee annually reviews USC bylaws and proposes changes to as necessary. In addition, they will review bylaws of the University Staff Senate and all standing committee bylaws of the University Staff Senate. They will review proposed policies before they go to the University Staff Committee and University Staff Senate for final approval.

University Staff Grievance Committee

The University Staff Grievance Committee serves all university staff by hearing step two grievance cases to determine whether just cause for the discipline or discharge exists and for cases involving layoff, the issue before the University Staff Council Grievance Committee will be whether the applicable layoff procedures were followed.

University Staff Nominations Committee

The Nominations Committee oversees the preferences, nominations and elections process and makes recommendations to the chair of the University Staff Committee on appointments to committees when needed based on preference sheets filled out by University Staff members on an annual basis.

Administrative Committees

Affirmative Action Advisory Planning Committee

All University Campaign

Americans with Disabilities (ADA) Advisory Committee

Bookstore Advisory Committee

Chancellor's Advisory Committee for LGBT+ Advocacy

Children's Center Advisory Committee

Employee Assistance Program Advisory Committee

Employee Development Committee

Multicultural Affairs Committee

Non-Academic Misconduct Hearing Committee

Non- Resident Tuition Appeals Committee

Restaurant Operations Advisory Committee

Search and Screen Committees

State and University Combined Employee Campaign Committee

Student Association Independent Election Committee

Student Employee Grievance Committee

Student Organization Disciplinary Review Committee

Student Recruitment Advisory Committee

Student Service Award Selection Committee

Union Policy Board

Union Recreation Advisory Committee

Committees with Acronyms

AAFEC	Affirmative Action in Faculty Employment Committee	(F)
APBC	Academic Planning and Budget Committee	(F)
APC	Academic Policy Committee	(F)
APCC	Academic Program and Curriculum Committee	(F)
ARC	Awards and Recognition Committee	(F)
ARPC	Admissions and Records Policy Committee	(F)
ASC	Academic Staff Committee	(AS)
ASHAC	Academic Staff Hearing and Appeals Committee	(AS)
FAGC	Faculty Appeals and Grievances Committee	(F)
FEAC	Faculty Ethics Advisory Committee	(F)
FRRC	Faculty Rights and Responsibilities Committee	(F)
GCC	Graduate Course and Curriculum Committee	(F)
GFC	Graduate Faculty Committee	(F)
HON	Honorary Degrees Committee	(F)
IC	International Committee	(F)
ITPC	Information Technology Policy Committee	(F)
IRASRC	Instructional and Research Academic Staff Review Committee	(AS)
LIB	Libraries Committee	(F)
NIAS	Non-Instructional Academic Staff Subcommittee	(AS)
NTASRC	Non-Teaching Academic Staff Review Committee	(AS)
PEC	Physical Environment Committee	(F)
RPAC	Research Policy and Advisory Committee	(F)
RULES	Faculty Senate Rules Committee	(F)
UC	University Committee	(F)
UGPR	Undergraduate Program Reviews University	(F)
URC	Relations Committee	(F)
USC	University Staff Committee	(U)

(F) Faculty

(AS) Academic Staff

(U) University Staff