

**Faculty Assembly Minutes**  
**9/29/15**

Tyrrell calls meeting to order and asks for motion to close meeting. 2<sup>nd</sup>, unanimous consent approved.

Tyrrell reviews procedures for the meeting: Senate Executive Committee will first present findings as charged by motion (Senate Executive Committee to investigate legality and come back to the full body [Faculty Assembly] with their recommendation) during the Fall Faculty Conference, then return to the initial motion (Faculty Assembly to endorse recommendation to Board of Trustees to offer acting president Harvey Kesselman a 5-year contract effective this year) and finally discuss recommendations by the Senate Executive Committee.

1. Senate Executive Committee to investigate legality:
  - a. Report on EEOC compliance. In absence of a search, EEOC regulations as applied to searches not applicable in this case. EEOC guidelines for the institution to offer opportunities to promote and Stockton is in compliance. EEOC not impact the motion.
  - b. Legality of motion. Board of Trustees by-laws not mention searches but refer to state statutes which gives broad latitude. Board of Trustees have the right to hire and compensate and not conduct searches at all. Consulted Elaine Ingulli who saw nothing to prevent Board of Trustees from appointing a president and not do a search. Council of State Colleges report the same as to no legal requirement for the Board of Trustees to conduct a search.
  - c. Best practices in guidelines for NJ Association of State Colleges and Universities mention searches at length as way of getting faculty to buy-in to appointed president.
  - d. Recommendations:
    1. The Executive Committee of the Faculty Senate recommends that the Board of Trustees amend their by-laws to state that, in the event a decision as to whether or not to conduct a search for the President of the institution is being considered, a formal procedure ensuring no fewer than three faculty members will be involved in all aspects of that decision. Further, those faculty members will be chosen by the Faculty Senate.
    2. Additionally, in the event that a presidential search is initiated, no fewer than three faculty members, chosen by the Faculty Senate, will be made full voting members of the committee.
    3. The pending main motion should replace the term "acting" with "interim" to reflect the present title of Dr. Kesselman.
    4. The motion is also not grammatically correct.

Tyrrell asks for unanimous consent to accept changes in #3 and #4 above. 2<sup>nd</sup> and approved.

Discussion of original motion (Faculty Assembly to endorse recommendation to Board of Trustees to offer acting president Harvey Kesselman a 5-year contract effective this year).

Motion by Marilyn Vito: Insert 3 year contract and strike 5 year.

Discussion on motion of year change.

Called to question, 2<sup>nd</sup>. Stand up count motion passes 40-23 in favor and 2 abstention. Quorum checked.

Discussion of original motion now amended with 3 years.

Motion by Laura Zucconi to postpone indefinitely. 2<sup>nd</sup>

Discussion on motion of indefinite postponement.

Call to question, 2<sup>nd</sup>, objection therefore must vote on the call to question. Call to question carries therefore vote on indefinite postponement may proceed.

Motion for secret ballot, 2<sup>nd</sup>. Opposition to secret ballot therefore must vote on use of secret ballot. Motion for secret ballot fails.

Motion to postpone fails.

Discussion on original motion called to question, 2<sup>nd</sup>.

Call for secret ballot, 2<sup>nd</sup>. Objection. Vote on secret ballot, motion for secret ballot carries.

Results for motion (Faculty Assembly to endorse recommendation to Board of Trustees to offer acting president Harvey Kesselman a 3 year contract effective this year): 51 yes and 10 no with 3 abstentions. Motion carries.

Quorum checked.

Recommendations of faculty involvement #1 and #2 based on NJ ASCU guidelines. Motion to adopt recommendations. 2<sup>nd</sup>.

Discussion.

Called to question, 2<sup>nd</sup>. Vote by standing, motion passes.

No new business. Call for adjournment, 2<sup>nd</sup>. Motion approved by unanimous consent.

Meeting adjourned 5:55pm.