

Report of the Ad Hoc Committee on Faculty Governance Resolutions and Statements

BACKGROUND AND SUMMARY

In recent years, both the Faculty Executive Committee (FEC) and the Faculty Council (FC) have adopted resolutions or statements on a wide variety of issues, including some that may express views that are not shared sufficiently widely by Carolina's diverse faculty. There have also been recent occasions when a resolution addressing a complex matter has been brought to the FC without adequate time or process for FC members to be prepared to vote.

During summer 2023, the FEC began raising questions about when and how FEC or FC should speak for the faculty in the form of a resolution or statement. In fall 2023, Secretary of the Faculty Jill Moore asked FEC, the Committee on University Government (COUG), and the Agenda Committee to consider these matters and advise on them. Those committee consultations resulted in the articulation of additional questions requiring further consideration, which led Secretary Moore to propose the formation of an ad hoc committee to make recommendations about the adoption of resolutions and statements by FC and FEC, with the goals of:

- Creating a faculty governance culture that supports informed, respectful and nuanced discussions about complex issues.
- Providing procedures that allow for reflection and deliberation to precede discussion and voting on resolutions or statements.

The Faculty Executive Committee approved the creation of the Ad Hoc Committee on Faculty Governance Resolutions and Statements on January 8, 2024 and authorized the Chair of the Faculty to appoint 7-9 members including representatives of FEC, COUG, and the Agenda Committee. The Chair of the Faculty and Secretary of the Faculty served as ex officio members.

The committee was charged with assessing faculty governance procedures and practices around the making of resolutions and statements, and making recommendations about whether any changes or clarifications are needed regarding:

- The nature and types of statements and resolutions adopted by the Faculty Executive Committee or Faculty Council as representatives of the faculty.
- The *Joint Rules of Procedure of the General Faculty and Faculty Council* that apply to the introduction and consideration of resolutions by those bodies.
- Faculty Council orientation and training materials.

The committee was also authorized to make other recommendations that it determined were pertinent to its charge.

Membership

Appointed:

Anthony Charles (Surgery, Medicine), Faculty Executive Committee

Barbara Entwisle (Sociology, Arts & Sciences), Faculty Executive Committee

Andy Hessick (Law), Faculty Executive Committee, Committee on University Government

Joy Renner (Health Sciences, Medicine), Faculty Executive Committee, Committee on University Government

Viji Sathy (Psychology and Neuroscience, Arts & Sciences), Faculty Executive Committee

Jonathan Weiler (Global Studies, Arts & Sciences), Agenda Committee

Meg Zomorodi (Nursing), Faculty Executive Committee

Ex officio:

Beth Moracco (Health Behavior, Public Health), Chair of the Faculty

Jill Moore (Government), Secretary of the Faculty

Meetings

The committee met three times during the Spring 2024 semester and once during Fall 2024: March 1, April 4, April 22, and August 29. The Chair and Secretary made an interim report of the committee's discussions and solicited Faculty Council members' comments about the committee's work during the March 22 FC meeting.

Summary of Activities and Discussions

Committee members reviewed the following documents:

- [*Article 2 of the Faculty Code of University Government*](#)
- [*Joint Rules of Procedure of the General Faculty and Faculty Council*](#)
- [*Faculty Government at Chapel Hill: The First 200 Years*](#), by Henry C. Boren (Professor of History and Secretary of the Faculty 1969-84)
- A document prepared by the Secretary that summarized the fall 2023 discussions and recommendations of COUG, FEC, and the Agenda Committee, as well as the March 22 discussion of the Faculty Council.

Committee members identified the three categories of resolutions that the Faculty Council typically adopts and discussed examples of each:

- Legislative: resolutions that exercise the Faculty Council's powers under sec. 2-8(a) of *The Faculty Code of University Government* ("Faculty Code").
- Advisory: resolutions that exercise the Faculty Council's powers under sec. 2-8(b) of the Faculty Code.
- Ceremonial: resolutions that do not exercise Faculty Council powers but express the sentiment of the Council on a ceremonial matter (e.g., expressions of appreciation for the service of a university administrator or faculty governance officer).

The committee also acknowledged the occasional practice of adopting statements, which occurs more frequently in the FEC than in the FC.

Committee members had robust discussion of both the content or topics of resolutions and statements and the procedures that are used to adopt them. There was unanimous agreement that the committee should not recommend limits on the topics that are discussed by the FEC or FC, but should focus on assuring that both formal procedures and customary practices support meaningful deliberation and well-considered actions by the FC and FEC. Although there are no content limitations, the committee recognized that there is limited time for FC meetings and supported prioritizing matters that pertain to the Council's business—that is, matters that involve the FC's legislative and advisory roles, as well as routine business such as committee reports.

Secretary Moore synthesized the committee's discussions into four parts: (1) working definitions of "resolution" and "statement," (2) a statement of principle regarding the issues or topics a resolution or statement may address, (3) goals and recommendations for building a knowledge base to support FC discussions and actions, and (4) goals and recommendations regarding procedures for the proposal and adoption of resolutions or statements. After preliminary approval by the ad hoc committee, the proposals were shared with three faculty governance committees: COUG, FEC, and the Agenda Committee. Following those consultations, Secretary Moore prepared this final report on behalf of the ad hoc committee.

PART I. WORKING DEFINITIONS

The ad hoc committee recommends the use of the following definitions to distinguish between resolutions and statements, and to identify the three different types of resolutions that are typically adopted by the FC or the FEC.

A **resolution** is a written action of the Faculty Council or Faculty Executive Committee that exercises the faculty's legislative or advisory powers, as set out in § 2-8 of *The Faculty Code of University Government*. Resolutions fall into three categories:

1. Legislative (exercising the legislative powers of the Faculty Council, as set out in sec. 2-8(a) of the *Faculty Code*).
2. Advisory (exercising the advisory powers of the Faculty Council, as set out in sec. 2-8(b) of the *Faculty Code*).
3. Ceremonial (honoring or memorializing an individual or event).

A **statement** is a written action of the Faculty Council or Faculty Executive Committee that expresses the sense of the faculty on a topic or issue (other than a ceremonial matter), but that does not exercise either the legislative or advisory powers of the Faculty Council as set out in sec. 2-8 of *The Faculty Code of University Government*.

PART 2: ISSUES OR TOPICS A RESOLUTION OR STATEMENT MAY ADDRESS

The ad hoc committee adopted the following statement of principle regarding the issues or topics a resolution or statement may address:

There should be no predefined limits on which issues or topics a Faculty Council or Faculty Executive Committee member may ask the Council or FEC to discuss or to address in a statement or resolution.

The ad hoc committee discussed the matter of appropriate topics and content for resolutions and statements at each one of its meetings. The committee consistently and unanimously concluded that no content or topic limits should be imposed on FC or FEC members who wish to propose the adoption of a resolution or statement.

Members are encouraged to prioritize the business of the Faculty Council during its monthly meetings and are also encouraged to consult with the faculty officers (Chair and Secretary) about the different ways that a topic may be brought before the Council, FEC, or another appropriate faculty governance committee for discussion, which may or may not culminate in the adoption of a resolution or statement. When resolutions or statements are proposed, members are expected to work with the faculty officers, the Office of Faculty Governance staff, the Agenda Committee, and other individuals or committees as needed to ensure that proper procedures are followed and that members have the opportunity to learn about and reflect on the proposed resolution/statement before being asked to vote.

PART 3. GOALS & RECOMMENDATIONS FOR BUILDING A KNOWLEDGE BASE TO SUPPORT FACULTY COUNCIL DISCUSSIONS AND ACTIONS

The ad hoc committee approved the following goals and recommendations for building a knowledge base to support FC discussions and actions.

Goal 1. Faculty Council members should be knowledgeable about the Faculty Council's powers and duties and the rights and responsibilities of Council members.

Recommendations:

- 1.1. Each Faculty Council member should become familiar with the Council's role and its legislative and advisory powers as expressed in the *Faculty Code*. The Secretary and Chair of the Faculty should ensure that these powers are addressed during Faculty Council orientation and at other appropriate times.
- 1.2. Each Faculty Council member should become familiar with the rights and responsibilities of members of legislative bodies such as the Faculty Council, which include:
 - a. Each member has a right to seek to have a position adopted by the Council as a whole.¹
 - b. Each member has the responsibility to represent the member's electoral division.

¹ In its introduction of principles underlying parliamentary procedures, Robert's Rules acknowledges that a member of a legislative assembly such as the Faculty Council has this right "to the extent [it] can be tolerated in the interests of the entire body." Robert's Rules of Order Newly Revised, 12th ed., xlix.

Goal 2: Faculty Council members should be aware of the different ways that a topic may be brought before the Faculty Council or a faculty governance committee, including alternatives to proposing resolutions or statements.

Recommendations:

- 2.1. Faculty Council orientation should inform Council members about the distinction between a resolution and a statement and the three categories of resolutions that the Faculty Council or Faculty Executive Committee may adopt.
- 2.2. Faculty Council orientation and committee chair orientation should address alternative ways that a topic may be brought before the Council or a committee.
- 2.3. Other educational activities or materials about resolutions and statements should be developed and made available to Faculty Council members through the Faculty Governance website and the Faculty Council's SharePoint site.

Goal 3: Faculty Council meetings should provide opportunities for discussions of important issues to occur in the absence of a resolution or statement requiring a vote.

Recommendations:

1. Provide information about how faculty members may propose topics for discussion to the Agenda Committee, recognizing that there are many important topics that may warrant discussion but not necessarily a resolution or statement.
2. Allow more time on Faculty Council agendas for open discussion.

PART 4. GOALS AND RECOMMENDATIONS REGARDING PROCEDURES FOR THE PROPOSAL & ADOPTION OF RESOLUTIONS OR STATEMENTS

The ad hoc committee approved the following goals and recommendations regarding procedures for the proposal and adoption of resolutions or statements. for building a knowledge base to support FC discussions and actions.

Goal 4: Make effective use of faculty governance committees to vet and prepare resolutions or statements for the Faculty Council's consideration.

Recommendations:

- 4.1. Refer each proposed resolution or statement to an appropriate faculty governance committee for consideration before the proposed resolution is placed on a Faculty Council meeting agenda. Resolutions that are proposed by a faculty governance committee are exempt from this procedure, though referral to additional committees may be recommended when appropriate.
- 4.2. A committee to which a proposed resolution or statement is referred should discuss the resolution as soon as practicable and make recommendations to the Agenda Committee regarding:

- a. Whether the proposed resolution or statement should be placed on the agenda for the next meeting of the Faculty Council, or a future meeting.
- b. The amount of time that should be devoted to the proposed resolution at the meeting.
- c. Any contextual information that should be provided to Faculty Council members either before or during the meeting.

Goal 5: Provide more time for Faculty Council members to review proposed resolutions/statements and discuss them with their colleagues before voting on them.

Recommendations:

- 5.1. The Agenda Committee is encouraged to schedule proposed resolutions or statements for introduction at the meeting preceding the meeting where the vote is to be taken, if practicable.
- 5.2. The Secretary of the Faculty should provide the final text of a proposed resolution or statement to members of the Faculty Council at least 7 days before the Faculty Council meeting at which it is to be discussed. Exceptions may be made if 7 days' notice is impracticable.
- 5.3. Starting with Faculty Council orientation, Faculty Council members should be encouraged to discuss proposed resolutions and statements with their colleagues. Faculty governance communications should reinforce this message by repetition throughout the year.

Goal 6: Assure the Faculty Council has adequate background and contextual information about resolutions or statements that are scheduled for discussion.

Recommendations:

- 6.1. Provide information about previous resolutions or statements on the same or similar topics on the Faculty Council SharePoint.
- 6.2. The Agenda Committee should schedule time on the meeting agenda for additional contextualizing information to be presented, when appropriate.

Goal 7: Provide adequate time for deliberation and discussion of resolutions or statements during Faculty Council meetings and manage discussions to assure multiple voices are heard.

Recommendations:

- 7.1. As a general rule, the Agenda Committee should:
 - a. Schedule Faculty Council discussion items and faculty governance business early in a meeting.
 - b. Limit informational items and place them at the end of the agenda.
 - c. Allow more time on the agenda for discussion items that are complex or controversial.

- 7.2. Faculty Council members and faculty governance committees are encouraged to initiate discussion of complex or controversial matters by proposing them as discussion items rather than beginning with a resolution or statement.
- 7.3. During the discussion of motions (including motions to approve a resolution or statement) at Faculty Council meetings, the presiding officer should:
 - a. Limit repeat comments by individuals in accordance with Robert's Rules, which provides that during the discussion of motions, no member may speak a second time if any other member is seeking to speak a first time.
 - b. Limit the time that any one individual may speak on a motion to 2 minutes. This rule does not apply to the individual who makes a motion, who should self-limit their time to the amount necessary to explain their motion and the reasons for it.
 - c. Give priority to Faculty Council members in speaking but recognize others if time permits, in accordance with Rule 1 of the *Joint Procedures of the General Faculty and Faculty Council*.

Respectfully submitted.

Jill D. Moore, JD, MPH
Secretary of the Faculty
October 24, 2024