

- I. The November 18, 2015 meeting of the University Senate was **called to order** at 3:09 pm. (Collins)
- II. **Roll Call** - Present: Abrams, Allen, Alvares, Brook, Collins, Jerry Cutler, Jonathan Cutler, Fails, Ficke Gainor, Gardin, Gaynor, Gingerich (Bonato), Higgins, Hunt, Kelton, Lal, Mengara, Misra, Murray, Noonan, Nurse, Parashar, Pemberton, Powell, Prezant (Schneemeyer), Rosa, Sadowsky, Salzman, Specchio, Sullivan, Trubatch, and Wolfson.
- III. **Approval of October 21, 2015 minutes** –motion passed
- IV. **Good News/Announcements**
  - a. Senantor Noonan announced a memorial service that took place to honor George McDonagh, an adjunct in the Political Science Department who had passed. He encouraged emails sent to the campus community to acknowledge the death of adjuncts as well as full-time faculty and staff.
  - b. Vice-President Cutler introduced the new director of compliance in Human Resources: Junea Williams.
- V. **Motion to Amend 1995 Constitution**
  - a. Senator Mengara moved that: “The Constitution Committee be given formal existence in the Constitution of the University Senate and, therefore, be formerly created as proposed, and the Committee on Committees and the Nominating Committee be dissolved, and many of their functions/duties be remanded to the Constitution Committee and the Elections Committee as proposed and redefined in the amended ARTICLE III, Section E.5., ARTICLE IV, Sections C.2., C.3., and C.4., new ARTICLE VII (old ARTICLE VIII), new ARTICLE VIII (old ARTICLE IX), and new ARTICLE IX (old ARTICLE X).” This is Motion 5. Senator Alvares seconded the motion.
  - b. Questions were raised about whether proposed amendments to the Constitution can only come from the eboard or the proposed Constitution committee, and not from the floor. People were also concerned that Senators might propose an amendment that could be altered by the Constitution Committee, or not make it out of committee. Senator Mengara stated that the purpose of this motion is to establish the committee and that motion 6 will speak to the process of amending the Constitution.
  - c. Senator Sullivan moved to strike “Draft, in consultation with the Executive Board and the Constitution Committee, the motions for constitutional amendment to be presented to the University Senate” from the proposed Duties of the Vice President in Article IV, Section C. Senator Gardin seconded. Senator Murray proposed that this statement be retained, but add to it “or forward amendments as presented by senators in conformance with Article 12.” Senator Sullivan accepted. Senator Alvares moved to vote, Senator Sullivan seconded. The motion passed with 22 in favor and 1 abstention.
  - d. Senator Kelton requested that an annotated draft of the Constitution be included with the minutes for historical purposes.
  - e. New Article VII, defining the functions of the Constitution Committee, was discussed. Senator Trubatch moved to change the language of Article VII, Section A, part 1 to add the bracketed text “The Committee shall be composed of the Vice President of the University Senate who shall serve as Chair, and at least three voting Senators appointed each year by the President of the Senate [and presented to the Senate for Approval].” Senator Alvares seconded the motion. It passed, with 23 in favor, none opposed, no abstentions.
  - f. Senator Sullivan moved to add the bracketed language to new Article VII, Section B. part 1 to say “The Constitution Committee shall be responsible for the following: Maintaining, revising, and amending the University Senate Constitution [as approved by the Senate]. Senator Alvares seconded. The motion passed with 22 in favor, none opposed, and no abstentions.
  - g. Senator Gaynor voted to remove new Article VII, Section B, Part 4: “Implementing all constitutional amendments promulgated by the University Senate.” Senator Sullivan seconded. The motion passed with 22 in favor, none opposed, and no abstentions.

- h. New Article VIII, "University Senate Committees," Section C, "Reporting," was discussed next. Currently, the Academic Technology Committee is the only committee of the University Senate, but this language can cover possible future committees. Jerry Cutler suggested changing the language in number 1 from "Collective Bargaining Agents" to "exclusive bargaining representatives." Senators questioned whether committees should be able to send procedural recommendations to the administration without first having them vetted by the Senate. Senator Trubatch moved to strike part 2 ("All committees of the University Senate shall report procedural recommendations directly to the concerned administrator with a copy to the appropriate Council" from Section C. Senator Sullivan seconded. Senator Alvares suggested that parts 2 and 3 be combined to read, "All committees of the University Senate shall report procedural and policy recommendations directly to the appropriate Council and with the approval of the Senate to University bodies and administrators." Senator Trubatch accepted the friendly amendment. It was confirmed that friendly amendments do not need to be voted on, but simply accepted by the person who made the motion. Due to time constraints, the Constitution conversation was postponed until next month.

VI. **Report from Tobacco Policy Task force** – Dr. Deborah Fish-Ragin and Dr. Marie Cascarano

- a. The Task Force was convened in November 2012 and first reported to the Senate about 18 months ago, when it seemed that legislation on tobacco use on-campus was moving through the state. This legislation is languishing, so it is time for the Senate to act on the recommendation.
- b. Second-hand smoke is classified as a Group 1 carcinogen, meaning a safe level of exposure to smoke cannot be identified. The increase in smoking of college-aged youth has grown by 6-10% since 1990.
- c. On February 27, 2013 there was a 3 hour open forum to allow stakeholders to express their views on a 100% tobacco-free campus. The overwhelming consensus was in favor of the proposal, although some veterans asked for an option to smoke somewhere on campus or use chewing tobacco.
- d. There is been a 109% increase from 774-1620 tobacco free campuses in the last three years.
- e. The task force recommends that Montclair State adopt a 100% tobacco-free campus policy, with awareness beginning in January 16 and full implementation beginning 18 months later in 2017. This will allow time for people to get support and change their behaviors.
- f. Senator Kelton moved that the University Senate accept the recommendation in the Campus Tobacco Task Force Proposed Policy on the Use/Control of Tobacco on Campus and urge the University Administration to support and act on these recommendations. Senator Wolfson made the friendly amendment that the language be changed from "accept" to "endorse." Senator Kelton accepted the change. President Collins seconded the motion.
- g. Questions were raised about enforcement of the proposed policy, and expressed concerns that personnel actions could be taken against people in violation. This recommendation does not speak to methods of enforcement, which would be for administrators to think through. The motion is a recommendation to move forward with the proposal. Senator Kelton called the question. The motion passed with 14 in favor, 2 abstentions, and none opposed.

VII. **Adjournment** – Meeting was adjourned at 4:59 pm.

Respectfully Submitted by Kathleen Sadowsky, University Senate Recording Secretary  
Minutes Approved December 16, 2015