

Academic Senate Meeting Minutes 2022-2023

<p>Date: Friday, February 03, 2023 Time: 2:00 pm Location: Zoom</p>	<p>Members Present: Ākeamakamae Kiyuna, Alma Cremer, Anne Chung, Ashlee Kalauli, Brenda Watanabe, Camille Hernandez, Caroline Naguwa, Carrie Butler, Carrie Mospens, Cheryl Pavel, Claudia Wilcox-Boucher, Darrell Miyashiro, David Tsugawa, Deseree Salvador, Donala Kawaauhau, Donna De Silva, Donna Madrid, Drew Kapp, Elizabeth Shaver, Garrett Fujioka, Glenn-Dee Kuwaye, Grace Funai, Harold GKW Fujii, Janet Smith, Jeanne Batallones, Jennifer Sims, Jesna Nissam, Kenoalani Dela Cruz, Kanoe Lambert, Kapena Landgraf, Karen Crowell, Kate De Soto, Kenneth Shimizu, Kristine Kotecki, Ku'ulei Kanahale, Lew Nakamura, Lisa Fukumitsu, Lissandra Baldan Jenkins, Luria Namba, Luzviminda Miguel, Mari Giel, Meidor Hu, Michelle Phillips, Mitchell Soares, Orlo Steele, Patrick Pajo, Renee AK Dela Cruz, Reshela DuPuis, Robyn Kalauli, Susie DeSa Dill, Tagi Qolouvaki, Tamera Loveday, Toni Cravens-Howell, Vivian Chin, Warren Walker</p>
<p>Call to Order: By: David Tsugawa Mins: Lissandra Baldan Jenkins</p>	<p>Guests: None</p>
<p>Robert’s Rules of Order on Voting</p>	<p>In the usual situation, where the rules require either a “majority vote” or a “two-thirds vote,” 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 rules explicitly require 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 (12th ed.) 44:1, 44:3, 44:9(a); see also p. 66 of RONR In Brief.]</p>

TOPIC	DISCUSSION	ACTION / PERSON RESPONSIBLE	TARGET DATE
<p>1. Ascertain quorum</p>	<p>➤ Meeting called to order by Chair at 2:08 pm. Quorum has been met, including at least 3 members of the Executive Committee.</p>		

<p>2. Approval of the Minutes</p>	<p>Minutes for the December 9, 2022 AS meeting (ATT. 1) -> Change in Robert’s Rule for Minutes - only a call for revisions/changes; If there are none, the Minutes are approved - no motions/vote necessary</p>		
<p>3. Approval of the Consent Agenda</p>	<p>(ATT. 2) -> 2. College Council Report: Administrative Reports; 3. ACCFSC Report; 4. CCCFSC Report</p> <ul style="list-style-type: none"> ❖ David Tsugawa: These are items considered routine business that do not require discussion and can be voted on as a mass group to be approved by the Senate. If somebody would like an item removed from the consent agenda, this can also be done. ❖ David Tsugawa: If I can have a motion to accept the consent agenda as it is? <ul style="list-style-type: none"> ➤ Toni Cravens-Howell made a motion and ➤ Claudia Wilcox-Boucher seconded for accepting the consent agenda as it is <p>There was a discussion about how the percentages were calculated in the Action/Vote on Senate Resolution 2022-1. Below is a summary of the clarification points:</p> <ul style="list-style-type: none"> ● Question: Tagi Qolouvaki asked clarification regarding the Action/Vote on Senate Resolution 2022-1 ● David Tsugawa: According to Robert’s Rules abstention votes are not included in the percentages. Just for clarity, what we are doing in the Minutes is to include two things: the percentages of “Yays” and “Nays” and also the actual votes, including the abstentions. The percentages reflect only the “Yays” and “Nays” votes, but just for information purposes, we are also including the abstentions in the actual vote counts. 	<p>Toni Cravens-Howell made a motion and Claudia Wilcox-Boucher seconded for accepting the consent agenda as it is</p>	

	<ul style="list-style-type: none"> ● Toni Cravens-Howell clarified the Math: Reviewing Robert’s Rules after the Resolution vote, Robert’s Rules states that the “Yays” and “Nays” and Abstentions are to be noted, but when calculating the percentages, the “Nays” are not included in the denominator. So, the Yes and No votes are the only ones that count in the denominator, so the new percentages are 26 out of 42 and 16 out of 42, so the abstention votes are not part of the denominator when calculating the Yes/No percentage. The percentage of No changed as well to 16 out of 42, which will change to a 38% No. ● Jeanne Batallones suggest that we include a comment with the language of Robert’s Rules, so we all understand the rules ● David Tsugawa: We could include a blurb in future Minutes stating Robert’s Rules regarding how this percentage is calculated at the beginning of the Minutes <p>❖ Vote for accepting the consent agenda:</p> <ul style="list-style-type: none"> ➤ Motion passed: Yay (84%), Nay (16%) ➤ Actual Vote Count: Yay = 29, Nay = 1, Abstain = 2 		
<p>4. Senate Chair Report</p>	<p>1) ACCJC Midterm Report - thanks for Accreditation Team and entire campus for a successful report (ATT. 15);</p> <p>2) Update - December 9, 2022 Vote of No Confidence and Resolution #2022-1;</p> <ul style="list-style-type: none"> ● David Tsugawa: David met with President Lassner and Della Teraoka and they said that they are still in the process of 		

	<p>investigating. Once the investigation is over, they will come up with a decision.</p> <p>3) Academic Senate Charter</p> <ul style="list-style-type: none"> ● David Tsugawa: We have a revision to put forth to the Senate for approval. It was a process where they kept finding more things in the charter that needed clarification. The Ad Hoc Committee wanted to put forth what they had up until now to put some of the changes into effect. We consider it as a “live document”, so anything could be entered into this document. The revisions will continue. ● David Tsugawa: David wanted to add this to the Chair’s report: The Executive Committee (EC) has met and we discussed how we can move forward, which includes making new additions and revisions to the Senate Charter. The EC is aware and we see the need for moving forward and this is something that we will be working on for the rest of the Semester. 		
<p>5. Vice Chair Report:</p>	<ol style="list-style-type: none"> 1. Vice Chair’s S23 Statement <ol style="list-style-type: none"> a. Janet Smith: She is excited to apply to serve as our next Senate Chair in the Fall of 2023. 2. Ad Hoc Senate Charter Review Committee report; revisions for review. Please forward any comments/suggestions/questions to committee members: : (janetasm@hawaii.edu; tacraven@hawaii.edu; susied@hawaii.edu; noa@hawaii.edu; dtsugawa@hawaii.edu; donala@hawaii.edu) 		

	<ul style="list-style-type: none"> ● Kenoalani Dela Cruz: About the Ad Hoc Senate Charter Review Committee: It is a working document where everyone can view. I am anonymously sharing that some Senators would like to see “language” in regards to future votes of no confidence incorporated in the Charter. ● David Tsugawa: I have been receiving feedback about the process that happened last Fall and I am aware that our Charter does not include the “language” for these things. The Ad Hoc Senate Charter Committee will address all the feedback received. <ul style="list-style-type: none"> ○ There was further discussion about the Senate Charter. Amendments to the Charter can be made as long as a procedure found in Article 9 is followed. 		
<p>6. Old Business</p>	<ul style="list-style-type: none"> a. CRC – (Carrie Butler) (ATT. 3) <ul style="list-style-type: none"> ● Carrie Butler: Please do not input any new proposals this Semester. b. DAC - (n/a) <ul style="list-style-type: none"> ● David Tsugawa: David will try to get a Committee with a Chair by the March Meeting. c. DE – (Tamera Loveday) (ATT. 4) <ul style="list-style-type: none"> ● Tamera Loveday: We are working on revising one of the policies. 		

	<p>d. EPC – (Donna De Silva) (n/a)</p> <p>e. FPC – (Neva Supe-Roque / Vivian Chin) (ATT. 5; ATT. 5.2; ATT. 5.3)</p> <ul style="list-style-type: none">● Vivian Chin: Some links were not working. Please use the shared folder to look at things in there.● David Tsugawa: Please use the shared folder to look at things in there, if the links do not work. <p>f. FYE - (Robyn Kalauli / No’el Tagab-Cruz) (ATT. 6)</p> <p>g. GEC – (Kenoalani Dela Cruz) (ATT. 7)</p> <ul style="list-style-type: none">● Kenoalani Dela Cruz: Mahalo to Kapena Landgraf for his 2.5 years of service as GEC co-chair. Mahalo to Carrie Mospens for serving as the new English representative and to Drew Kapp for agreeing to serve as the new Social Sciences/Public Services representative.● The GE proposal deadline was February 1, 2023. Mahalo to all proposers, Liberal Arts department chairs and Reshela DuPuis who have been working together to complete elements of the proposals. If anyone needs a deadline extension, please contact Kenoa. <p>h. HAP – (Tagi Qolouvaki / No’el Tagab-Cruz) (ATT. 8)</p> <p>i. Sus – (Kristine Kotecki) (ATT. 9)</p> <p>j. WI – (Caroline Naguwa) (ATT. 10)</p> <p>k. UHPA Update – (vacant)</p>		
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	<p>I. GE Redesign Update – (Kenoalani Dela Cruz)</p> <ul style="list-style-type: none"> ● Kenoalani Dela Cruz: I am serving as the HawCC representative on the UH System GE Conference Committee facilitated by Peter Quigley. The goal of the committee is not to develop an entirely new GE proposal but to assess and amend (where needed) the chart on page 18-19 of the current proposal. ● Using the feedback received from our campus, I shared about 1) advocacy to keep the DB and DP requirements, 2) clarity needed for the recommended FW2 area due to Writing Intensive as a Focus/Reinforcement requirement being possibly deleted at the CC level, and 3) how AAS degrees will be impacted by the GE redesign in regards to the Diversification areas. As I learn more, I will share with the campus. <p>m. Pālamanui Updates</p>		
<p>7. Continuing Business Items for Further Discussion/Revision/Vote Approval</p>	<p>No current continuing business items.</p>		
<p>8. New Business</p>	<p>r. Committee Proposals for Senate Vote - (ATT. 11)</p> <p>Discussion: There was a discussion about the Faculty Five-Year Review Policy (HAW 9.203) from FPC. A clean version of the policy was not found.</p> <p>→ Reshela DuPuis made a motion to delay this policy revision vote until we are provided a clean version of the Five-Year Review Policy and it was seconded by Harold GKW Fujii</p>	<p>Reshela DuPuis made a motion and Harold GKW Fujii seconded for</p>	

	<ul style="list-style-type: none"> ➤ Vote for delaying this policy revision vote: ➤ Motion passed: Yay (97%), Nay (3%) <ul style="list-style-type: none"> ■ Actual Vote Count: Yay = 29, Nay = 1, Abstain = 2 <p>s. Senate Charter Revisions for approval - (ATT. 12; ATT. 13)</p> <ul style="list-style-type: none"> ➔ David Tsugawa: There are two versions: one that shows all the changes that were made and another one that is the “clean” version. I would like to entertain any motion on the floor? <ul style="list-style-type: none"> ◆ Toni Cravens-Howell made a motion to approve the senate charter revisions and it was seconded by Claudia Wilcox-Boucher ❖ Discussion: There was a discussion about the time distribution of the documents attached to the Senate Agenda. On one side it is good to have the documents early in advance for us to evaluate them and on the other side, this is also a challenge due to the committee's schedule and work. It was noted that Robert’s Rules allowed us to amend documents. <ul style="list-style-type: none"> ➤ Kenoalani Dela Cruz made an amendment to the first motion to strike Article 7, section 5E in the document (ATT.13 - Charter of the Academic Senate), since the HAP Committee description was listed twice, and it was seconded by Toni Cravens-Howell <ul style="list-style-type: none"> ➤ Vote for accepting the quick amendment: ➤ Motion passed: Yay (100%), Nay (0%) <ul style="list-style-type: none"> ■ Actual Vote Count: Yay = 22, Nay = 0, Abstain = 3 	<p>delaying this policy revision vote</p> <p>Toni Cravens-Howell made a motion and Claudia Wilcox-Boucher seconded for approving the senate charter revisions</p> <p>Kenoalani Dela Cruz made an amendment to the first motion and Toni Cravens-Howell seconded for striking Article 7, section 5E in the document</p>	
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	<ul style="list-style-type: none">❖ David Tsugawa: Now we can go back to the original motion which incorporates the second motion, which incorporates the slight changes that Toni has pointed out.<ul style="list-style-type: none">➤ Vote for accepting the revisions put forth by the Ad Hoc Senate Charter Committee:➤ Motion passed: Yay (96%), Nay (4%)<ul style="list-style-type: none">■ Actual Vote Count: Yay = 24, Nay = 1, Abstain = 3 <p>t. Faculty “Statement of Concern” (ATT. 14)</p> <ul style="list-style-type: none">❖ Discussion: There was a long discussion regarding the “Statement of Concern” and if this document has a place in the Senate Agenda.<ul style="list-style-type: none">➤ Toni Cravens-Howell: She clarified one more time regarding the application of Robert’s Rules to the percentages. She also noted that if we have a policy recommendation, there is a process, which is outlined in Article 9 of our Senate Charter.➤ Harold GKW Fujii: This is a policy recommendation of proposal. This portion and comments should be removed from this meeting and the proper procedure to introduce this back should be followed, according to our Senate Charter.➤ Tagi Qolouvaki: At the December meeting, a lot of concerns were shut down. Some of this discussion is coming from that because people were not able to communicate their concerns about the Resolution. She		
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	<p>expressed a concern that this (what was discussed previously) is an additional attempt to shut down the dissident voices.</p> <ul style="list-style-type: none">➤ Reshela DuPuis: The entire “Statement of Concern” should not be deleted from our Senate Agenda and should be discussed. The bottom part of the “Statement of Concern” does make policy recommendations and if that would go forward, it should follow the proper procedure, as outlined in the Charter. This document is also a statement of concern from people who felt like they were silenced potentially, and their questions were not answered. So removing this document from the Agenda is in fact shutting down those people who have made this statement.➤ Jeanne Batallones: For the record: “I agree with the statement as a Senate Member, I felt very upset that resolution was introduced and was voted on. I don't feel that process was pono and I think many people feel the same way and the way that I read this “Statement of Concern” isn't necessarily only putting forward solutions because if the process wasn't pono, we need to look at the process and really think carefully about how can it happen that a Faculty Senate can pass a resolution accusing someone of something without any evidence presented. How can that happen in a College Institution where we promote critical thinking, where we were taught and teach our students to obtain evidence, look at our biases and assumptions, before making decisions and so, in my own integrity, on record, I want it in the Minutes that I am not in agreement with what happened”		
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	<p>❖ David Tsugawa: He entertained any motions.</p> <ul style="list-style-type: none">➤ Harold GKW Fujii: He made a motion to have the Agenda be amended for removing the “Statement of Concern” from the Senate Agenda until the Charter is followed. It was second by Claudia Wilcox-Boucher <ul style="list-style-type: none">■ Vote for having the Agenda be amended for removing the “Statement of Concern” from the Senate Agenda:■ Motion passed: Yay (54%), Nay (46%)■ Actual Vote Count: Yay = 19, Nay = 16, Abstain = 1 <p>★ Jeanne Batallones Commented: “I want to express concern regarding the process in which the Resolution calling for a Vote of No Confidence of the Chancellor of Hawai’i CC was presented to the Academic Senate and ultimately voted on, on December 9, 2022. Below are specific issues of concern:</p> <ul style="list-style-type: none">● The resolution was introduced based on allegations that were presented in a previous Academic Senate meeting, under closed session, which many of the A.S. members did not attend.● The resolution makes serious accusations of impropriety and negligence, without providing any concrete evidence or supporting documentation to substantiate its claims.● The resolution further includes subjective statements characterizing Dr. Solemsaas as incompetent and unfit to	<p>Harold GKW Fujii: made a motion and Claudia Wilcox-Boucher seconded for removing the “Statement of Concern” out of the Senate Agenda</p>	
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	<p>lead the college, without providing evidence to substantiate such claims.</p> <ul style="list-style-type: none">● The resolution was introduced by the Senate Chair, but when asked who authored it, this information was not provided, and the question of who wrote the resolution was ignored.● The Academic Senate was asked to vote on the resolution in its final form, without any prior review or opportunities to give thoughtful feedback or address concerns beforehand.● The voting results were not overwhelmingly in favor. 51% (26) voted yes, 31% (16) voted no, and 18% (9) abstained. Given the seriousness of the allegations made in the resolution and the implications that a Vote of No Confidence has on Dr. Solemsaas, the kauhale, and the overall integrity of the Academic Senate, the A.S. is strongly urged to reconsider and rectify the processes that took place, which placed the integrity of the Academic Senate at possible risk for libel and defamation. To protect against a recurrence of this, the following policy recommendations are offered: "Any business not routine in nature or any motion or proposal of more than 15 words must be available for review by faculty at least 48 hours before consideration by the Congress. This rule may be suspended by a two-thirds vote of the Congress members present" (as written in the UH Hilo's Faculty Congress Bylaws). A vote of no confidence can only pass through a 2/3 majority vote of all eligible voting members." She suggested policy changes to avoid this from happening again and to rectify this process that occurred.		
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	<ul style="list-style-type: none">➤ Toni Cravens-Howell: She recognized that it is important that all opinions and concerns are respected. Since the item in discussion (“Statement of Concern”) has been removed, she encouraged the authors of this item to resubmit with the proper protocols already clarified on page 10 of this Minutes. ➤ David Tsugawa: I hope we can allow for all voices to be heard. ➤ Below is a summary of the other comments:<ul style="list-style-type: none">○ Evidence is confidential in nature during an investigation and may not be appropriate for everyone to have access to it. Perhaps for this case (Vote of No Confidence) the evidence may not become available to everyone. Some of the evidence for this case was presented in an Executive Session during the Senate Meetings in November and in December. The Executive Sessions allows for open communication and honest communication, without fear. According to Robert’s Rules, things that are discussed in an Executive Session are not to be documented in the Minutes. It is important that people come to the Senate Meetings on a regular basis. ➤ Jeanne Batallones made a motion to ask the Ad Hoc Committee to review the language that was provided on pages 10, 11 and 12 of this Minutes and it is also part of the “Statement of Concern” for consideration in our Senate Charter.		
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	<ul style="list-style-type: none">➤ Toni Cravens-Howell reminded us that the Ad Hoc Senate Charter Review Committee is done with the work. ➤ David Tsugawa: David made a motion to reinstate the Ad Hoc Senate Charter Review Committee to consider a list of concerns. It was seconded by Kenoalani Dela Cruz<ul style="list-style-type: none">○ Discussion: Several Senators expressed the need to follow the proper procedures already in place in the Charter (Article 9) to address the concerns raised by Jeanne Batallones and other Senators, while at the same time, following the procedures. The Ad Hoc Committee already completed its work. There was no requirement for the Ad Hoc Committee to be reinstated, since proper procedures were already available, which is Article 9 in the Charter. It was also brought up that other concerns were pointed out for revisions in the Charter and not just the recommendations from the “Statement of Concern”, aiding with the foundation for this Motion.<ul style="list-style-type: none">■ Vote for reinstating the Ad Hoc Senate Charter Review Committee to consider adding language to the Charter:<ul style="list-style-type: none">● Motion passed: Yay (53%), Nay (47%)● Actual Vote Count: Yay = 17, Nay = 15, Abstain = 1	<p>David Tsugawa: made a motion and Kenoalani Dela Cruz seconded for reinstating the Ad Hoc Senate Charter Review Committee</p>	
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	<ul style="list-style-type: none"> ● The Ad Hoc Committee was reinstated. <p>u. Open discussion: Vote of No Confidence and Resolution #2022-1. Comments? Questions? Suggestions? -> There is an informal policy in place to not allow private chats to the Senate Officers during the meeting as it is difficult to monitor incoming private chats while conducting the Senate meeting. For today's meeting, and only for the duration of Agenda Item #8 New Business</p> <p>v. Open discussion, the Senate Chair will be accepting questions and comments in the private chat. Please limit the sending of private chat questions and comments relevant to the discussion and for this part of the Senate meeting only.</p>		
<p>8. For the good of the Order</p>	<p>x. Per Claudia: no monthly food distribution scheduled for January but we have plans to do two in March and two in April. Kahuaola the Basic Needs Center has food bags available.</p>		
<p>9. Adjourn</p>	<p>-Meeting adjourned at 4:45 pm by David Tsugawa</p> <p>-Next meeting: Friday, February 24, 2023 @ 12pm, via Zoom</p>	<p>Meeting adjourned at 4:45 pm.</p>	