

## RP&A 11 October 2016 meeting minutes

Present: Patrick Coday, Zuhair Al-Jaberi, Nancy Stone, Maciej Zawodniok, Ilene Morgan, Tom Schuman, Sahra Sedigh Sarvestani, Steve Corns, and Mark Fitch

### 1) Agenda for the Faculty Senate meeting of 20 October, 2016

Agenda was set, with extensive discussion on the question of the minutes of the closed session held in June:

The argument that there are no closed sessions is that 300.030 specifies Faculty Senate as having open meetings.

The argument that closed sessions are allowed is that the Sunshine law, RSMO 610.021, authorizes closed meetings for certain personnel discussions. CRR 10.060 states University shall comply with Sunshine law. Precedence exists in the CRR, at 10.030 C.1.h, that portions of open meetings of the Board of Curators can be closed, and the executive session wording at that point mentions only the Board as being present.

Motion: Meetings of the Faculty Senate shall comply with the Sunshine law (per CRR 10.060) and therefore closed sessions for certain personnel discussions are permitted. (Schuman, Zawodniok)

Discussion:

Maybe Bylaws should be revised to show mimicry with BOC, that some discussions should not be in public.

There was pushback to the attempt to get rapid, electronic response that one week prior notice is required. Important matters need time to consider and discuss.

BOC is not a body with specific constituents as is FS, senators are expected to report back. Keeping information closed may not meet with the idea of that representation.

Noted precedent in CRR of BOC having closed sessions in open meetings.

RSMO 610.021(3) has relevant words on "when personal information about the employee is discussed or recorded" that "a public governmental body is authorized to close meetings, records and votes"; we are gov't body by 610.010 Definitions.

Motion to recess (Sedigh Sarvestani, Corns). Passes

Reconvened.

Motion to table because RP&A does not anticipate there being need for executive sessions in the near future and believes the topic requires further investigation and consultation with faculty.

Discussed that gathering information related to this topic can occur while tabled.

Idea of referring to FS raised, including potential inclusion in bylaws amendment.

Motion passes. Tabled.

Relevant to the Agenda, RP&A discussed the minutes of the June executive session and whether this is old business or not. Did not have an executive session in September for approval of those minutes due to lack of quorum. Those minutes have not been approved, question of how to eventually go to approval. FS needs, per Robert's Rules, an executive session to approve executive session minutes,

while it is not clear that executive sessions are allowed, the minutes issue is not FS old business and thus need not be on the agenda. Awaiting RP&A ruling on exec sessions.

Agenda was approved.

2) Referrals. The following were referred:

- a) request to establish capacity-based maximal enrollment guidelines for degree programs (referred to AF&S), and
- b) referred to Budgetary Affairs a request to explain the declining share of budget going to Academic Affairs.

Meeting adjourned