Letter to Academic Senate from Parlamentarian

Spring 5-5-1972

Academic Senate
Illinois State University
TO: ACADEMIC SENATE  
FROM: PARLIAMENTARIAN, STAN RIVES

I believe I owe the Senate an apology for an interpretation I made of the By-Laws at the last meeting. Although actions taken on moving an item to the promulgation stage and then the decision stage were correct, the item had not passed through the filing stage and therefore should not properly have been moved to promulgation and decision without unanimous consent. Had it been filed, consecutive two-thirds votes could in fact have properly moved an item to the action stage.

In order to prevent future confusion on the matter, let me summarize for the Senate By-Law provisions for moving an item to the decision (action) stage.

1. First, an item must pass through the filing stage. This will be considered to be accomplished when any one of the following is done:
   a. The item has been before the Executive Committee at a meeting with a quorum present.
   b. The item has been delivered to the Secretary of the Senate at least 24 hours before a Senate meeting.
   c. The item has been placed on the agenda of a standing committee of the Senate at a meeting of that committee.

2. Second, an item must pass through the promulgation stage. This can only occur after an item has met one of the three requirements for filing. In addition to meeting the requirements for filing, any one of the following must occur for promulgation:
   a. The item must appear as an Information Item on a Senate agenda. Note that this would mean an item could not appear as an Information Item on a Senate agenda until it has met one of the three filing requirements.
   b. The item (copies) must be distributed to Senate members either at or before a meeting of the Senate. It may then be moved to the promulgation stage by 2/3 vote, again provided it has met one of the three filing requirements.
c. If the item is a report of a standing committee of the Senate delivered at a Senate meeting and provided it has met one of the three filing requirements, it will be considered at the promulgation stage.

3. Third, the item must pass to the decision stage. To reach the decision stage, an item must have met one of the three requirements for filing and one of the three requirements for promulgation. In addition to these requirements, not less than 24 hours shall have elapsed between the promulgation and decision stages unless one of the following two conditions is met:
   a. The item has been moved from the promulgation stage (having already met one of the three requirements for filing and one of the three requirements for promulgation) to the decision stage by a 2/3 vote of the Senate.
   b. The item has appeared on a Senate agenda (presumably as an Action Item) which has reached Senate members 5 days before the scheduled meeting of the Senate.

Exception to All of the Above: If the By-Laws of the Senate are suspended by a unanimous vote of all Senators present and voting, a matter may be considered at the decision (action) stage. If a single member objects, all of the requirements specified above for filing, promulgation, and decision must be met before the Senate can act. Action taken under the unanimous vote rule above, however, may be reconsidered at the next regular meeting of the Senate at the request of any individual Senator.

This elaborate process, according to Charles Hicklin (who was a member of the Rules Committee which authored the By-Laws) was created to ensure that the Academic Senate would and could not act hastily on a matter without adequate time for deliberation unless unanimous consent existed to do so.

As Parliamentarian, I urge the Senate to refer all future interpretations of the Senate By-Laws (and the Constitution) to the Chairman of the Rules Committee—the proper source, I believe, for these interpretations. The Parliamentarian, should continue to interpret parliamentary procedure when requested by the Chairman to do so. As Parliamentarian, I apologize for the apparent misinterpretation of the By-Laws and will not, in the future, interpret the Senate’s By-Laws for the Senate. That should be a function of the Senate itself, probably delegated to the Chairman of the Rules Committee.

SR:pw