**Date:** 9/18/20 via WebEx Events

<https://nccu.webex.com/nccu/onstage/g.php?MTID=e87d81ca6e07bace7b90e8b85a1b4ede0>

**Time:** 2:00 pm

**Minutes Submitted by:** Leslie Johnson, Faculty Senate Secretary

**Attending Senators, Alternates:**

(Senators and Alternates were verified via a Roll Call taken within the meeting)

Alade Tokuta, Amy Linder, Bruce Lapenson, Carol Huynh, Catherine Dorwart, C.E. Davis, Charity Watkins, Charles Johnson, Danai Fannin, Deborah Swain, Erma Smith-King, Garrett Johnson, Gregory Downing, Igor Bondarev, Jessica Ganao, Jamila Minga, Joshua Nadel, Kellyn Hall, Kimberly Chavis, Kimberly Powell, Kimberly Weems, LaHoma Romocki, Larrisha McGill-Youngblood, Larry Williams, Leslie Johnson, Lisa Paulin, Maureen Short, Omar Christian, Rakesh Malhotra, Ralph Barrett, Regina Alston, Ruixia Yan, Sean Tikkun, Tanisha Burford, Thomas Ding, Tirupapuliyur Damodran, Tiya Hines, Yolanda Dunston

**Attending Guests:**

(the participant list for meeting was not effectively generated by the event and the follow reflects guests who participated in the Chat box or Q&A section)

Rosa Anderson, Janice Dargan, Harvey McMurray, Kwesi Aggrey, Manman Manman, Solomon Abraham, Sonya Harris, La’Toria Jallah, Yolonda Keller-Bell, Leah Kraus, Phillip Mutisya, Seronda Robinson, W. Russell Robinson, Lorna Grant, Sandra Rogers, Kristin Long-Witter

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| **Time** | **Item** | **Responsible Parties** |
| 2:15 | Apologies were made by the Parliamentarian on behalf of the FS Executive Committee (EC) to the meeting participants on the delay of the start of the meeting as the FS EC worked to add appropriate panelists to the event. Remarks were made by the Parliamentarian about the nature of WebEx events, the platform used for today’s meeting- including all participants will remain muted unless recognized and unmuted by the host, video panel for participants has been disabled, and the Chat and Q&A feature will only be seen by the panelists. Panelists for today’s meeting were those speakers listed on the agenda and the FS EC. |  |
| 2:30 | **Welcoming Remarks by FS Chair, Dr. Ralph Barrett**Dr. Barrett again apologized for the delay in the start of the meeting and offered welcoming remarks for today’s meeting. This WebEx event program was not functioning appropriately to allow panelists to join from the invitation and for a participant list to be shown to take attendance and establish quorum. |  |
| 2:35 | With the help of IT, all panelists were added to the platform and the Parliamentarian and Secretary initiated a Senator Roll Call to determine attendance and quorum. A simple majority of Senators were present. |  |
| 2:40 | **Meeting officially called to order by FS Parliamentarian, Dr. Sean Tikkun** |  |
| 2:412:503:05 | **Motion to Adopt Agenda**Dr. Barrett asked for a motion to adopt the agenda with related discussion to be posted in the Q&A section. Discussion ensued ranging from dismissing the agenda to amending the agenda, with some motions related to new business which were asked by the Parliamentarian to be brought up at the appropriate time later in the meeting. Discussion related to if a vote to dismiss the agenda passed that that would effectively end the meeting as there would be no meeting agenda. The Parliamentarian asked Dr. Tokuda to clarify his motion requesting to dismiss the agenda as it was the first motion made. Dr. Tokuda reported that there was important business of the FS to discuss that is not on the agenda and is displeased that this platform has again been used for these meetings as it does not allow for discussion among members. He would like to see an agenda that includes for adequate time of discussing irregularities of the May 2020 election. Dr. C.E. Davis was recognized and echoed Dr. Tokuda’s frustrations over the time spent waiting to get the meeting started and the platform used for these meetings continues to limit the time for discussion for needed matters, which violates the Constitution of the FS.Dr. Nadel was recognized and asked for clarification regarding the motion to dismiss or amend the agenda- what items would be added or removed? Additionally, he would like to remind all Senators to remember civility in these meetings.The Parliamentarian asked for Dr. Tokuda to clarify his motion, as he was the first to make a motion related to the motion to the adopt agenda topic. Dr. Tokuda agreed that there are some items that need to remain on the agenda; however, he maintained that the FS EC has kept information from the FS body and that the irregularities over the May 2020 Elections need to be discussed further and are not old business. He later amended his motion to a vote of no confidence in this presiding body. Chair reports right now we are discussing the approval of the agenda.Parliamentary measures continued to take time away from the meeting. Parliamentarian reports we still have no adequate motion and asked again for clarification from Dr. Tokuda. Dr. Tokuda clarified his motion to keep the Chancellor’s Report, FS Chair Report, and COVID-19 Report on the agenda, to remove all other items, and add time for discussion related to the irregularities noted in the May 2020 elections. Dr. Ding and Dr. Davis second. Votes were taken in both the Chat box and Q&A section. The vote passed by simple majority in favor of amending the agenda (15 Aye, 10 Nay, and 1 Abstain). |  |
| 3:22 | **Motion to Approve Minutes**Motion to approve the minutes from the 8/28/20 and 9/11/20 FS meetings was made by Dr. K. Hall, and seconded by Dr. R. Malhotra.Discussion ensued related to approval of the minutes. Dr. Davis requested that Dr. Nadel’s motion made in the 8/28/20 minutes be updated to his exact verbatim motion. He has already notified the Secretary of this who is making the change. He also reported from the 9/11/20 minutes, that the discussion section from Dr. Horne needs to be more detailed. Additionally, h requests that the Secretary have access to the meeting transcripts to aid in meeting minute preparation.Vote (via Chat box or Q&A section) was called by the Chair to approve the minutes from the 8/28/20 and 9/11/20 meetings and was approved by simple majority. |  |
| 3:26 | **Chancellor’s Report by Chancellor Johnson Akinleye**Given the circumstances of the delayed start to the meeting, the Chancellor was not available at this time to provide his update. This item is deferred to the next meeting. |  |
| 3:27 | **Faculty Senate Chair Report by Dr. Ralph Barrett** From the Faculty Assembly (FA), there are things we need to be aware. The UNC System President, Dr. Peter Hans, has been working with the UNC System BoG to draft a new hiring protocol for university chancellors. This is worrisome because it takes away oversight from the university in the hiring process and gives final say of new hire to the system President. The FA is drafting a response to this, which will be shared for our consideration and feedback. The UNC System is looking at funding cuts moving forward, which was recently voted on by the BoG, including possibilities of furloughs and/or payroll cuts to faculty and staff. FA is active in advocating for faculty and staff. As the Chair learns more, he will share it, so we are able to address these issues should they come up.Chair wants Senators to share their thoughts on these topics with him so that the FA can work on consensus.NCCU enrollment continues to be high, especially compared to the entire system. Check the dashboard for our COVID-19 numbers, and the Chair encourages all Senators to take an active role in reminding students about mask requirements and social distancing, and to be advocates for your department to help faculty feel their potential concerns about COVID-19 are heard.The Spring 2020 academic calendar is still being developed by the Registrar’s Office and currently on hold pending input from the larger UNC system.  |  |
| 3:34 | **COVID-19 Report and Update by Dr. Long-Witter**Dr. Long-Witter was present for much of the meeting, but given the delayed start of the meeting was unable to stay due to prior obligations. This item is deferred to the next meeting. |  |
| 3:34 | **Faculty Assembly Report by Dr. Sean Colbert****IT Update by Ms. Leah Kraus****Faculty Professional Development by Dr. Laurell Malone**These agenda items were dismissed with the amended agenda.  |  |
| 3:343:544:134:17 | **Questions and Concerns**The Chair called for questions, concerns, and motions to be shared in the Q&A section. Dr. Davis was recognized and made a motion for a vote of no confidence for Dr. Ralph Barrett as FS Chair. The Parliamentarian and Vice Chair asked for specific concerns that would qualify this vote of no confidence. Dr. Davis reported that the Chair was not eligible to run as told by the former Parliamentarian, yet he knowingly ran- Dr. Davis believes this is a violation of the FS Constitution and By-Laws; Senators have been misled by being told that the issue is resolved and the general faculty have been sent a document refuting these resolutions, which includes information from the last FS meeting from Legal Affairs stating the Dr. Barrett was not eligible to run. The Parliamentarian offered clarification that those concerns were not actions taken by Dr. Barrett, rather were actions taken by the previous, full body FS; therefore, a vote of no confidence should be directed at the FS at large, rather than the current Chair. For a vote of no confidence for the Chair, we would need a specific action taken by the Chair himself.Dr. Nadel was recognized and echoed the Parliamentarian’s thoughts that the irregularities extend to the entire FS EC, not just the Chair. There was a motion from the floor, that was unanimously supported, to hold the elections during the 5/1/20 meeting. It is important to remember that Dr. Barrett was nominated from the floor- this is a slight, but important distinction, as even though he was not on the ballot, floor nominations were accepted. Dr. McMurray was recognized and yielded to Dr. Grant, former Parliamentarian.Dr. Grant was recognized and reported that she has emails to verify what happened in the nominations process. She personally checked time served for each Senator to determine eligibility and notified Dr. Fortune (head of the Nominating Committee) that Dr. Barrett was not eligible as his term ended June 30, 2020. Dr. Fortune subsequently informed this to Dr. Barrett. Dr. Grant asked Dr. Robinson (former FS Chair) to put the election on hold until the end of the summer and offered opinions to the (former) FS EC that there was no need for them to extend their terms (which had been previously discussed by the FS EC given the ongoing COVID-19 pandemic and questions about the eligibility of election nominees). The former Chair asked Dr. Grant to provide an update to the FS at the 5/1/20 meeting with information about the nomination and election process, which was listed on the FS agenda for that meeting. However, during the Chair’s Report at the meeting, discussion ensued related to the call for the election during the meeting. Dr. Barrett was nominated from the floor by Dr. Horne, and he accepted despite being told previously that he was ineligible. Dr. Grant reported in the summer, the former FS EC was waiting to hear from Legal on determination of eligibility of nominees. She reports the first time she heard the results from the attorney’s ruling was at this most recent (9/11/20) FS meeting.  Current Parliamentarian asked for clarification, given he is new to this role, on if this issue was resolved over the summer by the former FS EC. Dr. Grant does not believe it was. The current Parliamentarian also asked for clarification if Dr. Grant knew if Legal Affairs has any grounds or bearing in the FS By-Laws and Constitution. Dr. Grant reports the Chancellor asked for Legal to weigh in. Further clarification from the current Parliamentarian asking if Legal indeed had no legal ground to make a judgment on this issue, and that this decision lay in the hand of the FS. Dr. Grant reported she is relying on what Legal said in the Chat box from 9/11/20 meeting (this response was detailed in an emailed document sent by Dr. Tokuta to the general faculty and is posted in the FS 9/11/20 meeting minutes).The Chair asked for a motion to extend the meeting. Dr. Romocka moved to extend the meeting by 15 minutes, which was seconded by Dr. K. Powell. The vote passed with simple majority.Dr. McMurray was recognized and he reported that the FS is either going to follow the FS Constitution or not. The Constitution provides us with the terms of office for each Senator. He maintains that Dr. Barrett was not eligible because his term of office ended. Suggests that he should not have accepted his nomination from the floor. FS can seek an opinion from Legal, but faculty did not know until last meeting (9/11/20) that a decision from Legal had been rendered. He suggests that this information was withheld from the FS and thinks it appropriate that Dr. Barrett be removed as Chair. It his understanding that the FS voted to extend terms of office of EC from 1 year to 2. He believes that this vote by the FS was never ratified by the general faculty; therefore, the officers’ terms should remain 1 year. Dr. Nadel was recognized and stated that he would like to clarify that he does not know who voted for whom in the 5/1/20 elections, but that the vote was unanimous (including an Aye vote from the former Parliamentarian) for the elections to occur that day during the meeting. Also believes that it is a leap to say that this information regarding the irregularities was purposefully withheld from the Senate by the EC. Re-states his concern that it seems like a questionable motive to vote no confidence for just the Chair, when the nomination and election process encompasses the entire EC. It does not appear that Dr. Barrett did anything wrong, unless he wishes to clarify.The Parliamentarian read out Article 2 from the FS Constitution regarding the terms of service. Reports that the Chair of the FS is not an elected member of the Senate. To be elected to Chair, one must be a Senator, but once one becomes Chair, they are no longer a voting Senator or representative of their department. Related to legal actions, Article 8, the office of Legal Affairs will advise but not pass a judgment or opinion.Dr. Barrett then explained why he accepted the floor nomination. He based his decision on his knowledge of the FS Constitution and agreed that the Chair of the FS was no longer an elected representative of his department and that his term as Senator would be concluded, with a new representative voted in. Otherwise, he would not have accepted the nomination.Dr. Tokuda was recognized and stated that it is a mistake to believe that this is the fault of the entire FS body. There have been many instances of misleading information disseminated to the FS and general faculty. Many presentations have not been forthright and this is problematic. If Legal had not posted to the Chat box last week, then we would still have misinformation. He reminds all that there is a motion on the floor to a vote of no confidence in the EC and a call to hold new elections.The Chair reminds all that prior to the 9/11/20 the concerned Senator’s memorandum and the FS Governance Committee response document, including the response from Legal were all sent out to Senators.Dr. Tokuda continues and reported that the prior EC wanted him to make a motion in the 5/1/20 FS meeting to extend the term of the (then current) EC, which he refused. He pleads for increased transparency. Dr. Tokuda again noted that there is a motion on the floor.The Chair asked for a motion to extend the meeting, again. Dr. Davis moved to extend the meeting by 15 minutes, which was seconded by Dr. Swain, though this was not voted upon.Dr. Oritsejafor was recognized and noted that the FS body can’t be the juror, defender, and witness of these issues. Urges for decisions to be made, likely to move forward with an annulment of the elections and suggests to appoint a neutral body to look into the irregularities deeper to preserve the integrity of the FS.The Chair called for the vote related to the motion on the floor. Dr. Nadel asked for clarification to which motion was being voted on as there had been several motions and revisions. The Secretary restated the original motion of calling for a vote of no confidence in FS Chair, Dr. Ralph Barrett. At one point, there had been discussion over revising this motion to a vote of no confidence in the FS EC, with a call to hold re-elections. But according to parliamentary procedures, the initial motion needs to be voted on first, then amended motions can be voted on. Votes were taken via the Chat box and Q&A section. If in favor of vote of no confidence, signal with Aye. If in opposition to vote of no confidence, signal with Nay. Votes were cast as 8 Ayes, 13 Nays, and 2 Abstain. The Parliamentarian stated that in order for a motion to pass, it would require 2/3 of the FS (28 Aye votes). This motion did not carry.The Chair thanked all for their attendance and discussion. He shares that he is committed to the organization, the FS, the university and is committed to serve honestly. H looks forward to conducting the business of the FS that needs to be addressed.  |  |
| 4:36 | **Motion to adjourn meeting** made by Dr. K. Hall and seconded by Dr. Burford, and the vote carried.**Meeting adjourned by Dr. Barrett** |  |