



UNIVERSITY of HAWAII®
KAPI'OLANI
COMMUNITY COLLEGE
FACULTY SENATE

To: Louise Pagotto, Interim Chancellor for Kapi'olani Community College

From: Susan Inouye, Faculty Senate Chair, Kapi'olani Community College ~~860~~

Lynn Hamada, Faculty Senate Vice Chair, Kapi'olani Community College *lah*

Re: Resolution regarding Constitutional Amendment Concerning Chair's Ability to Vote

Date: May 27, 2017

On April 3, 2017, the Faculty Senate considered a request submitted by a senator to amend the Faculty Senate Constitution to allow the Chair to vote on matters in the Senate. The senator argued that the rule robs the department represented by the Chair of a voice in governance. She cited numerous examples of governing bodies, (e.g. the Hawaii State Legislature and the Hawaii State Senate), whose rules state that the Chair can vote and noted that in bodies where there are rules about a tie-breaker vote, (like the U.S. Senate), the tie-breaker is never a member of the body.

The motion, which passed, read:

MOTION #4: Motion to amend the Senate Constitution by deleting the language "The Chair shall vote only to break a tie" from Article II.2.C (Quorum and Voting).

Subsequently, the Elections Committee was tasked with holding a referendum of the electorate which included one question. The ballot was distributed to the electorate with the assistance of the Human Resources Office to obtain a list of faculty who are more than 50% employed and the assistance of CELTT personnel to create the poll.

The electorate were sent an email which explained the amendment and contained a secure link to the ballot. Additional reminders were sent out via the campus news bulletin. The voting period took place between April 24 and May 11, 2017.

The result was 83.67% in favor of the amendment, with 98 votes cast out of 332 eligible voters:

86 I approve to remove the section in the Constitution that says that the Chair will vote only to break a tie (II.2.C.3)

12 I do not approve to remove the section in the Constitution that says that the Chair will vote only to break a tie (II.2.C.3)

As a result of this favorable vote, the Faculty Senate seeks the Chancellor's approval in removing the language in the Constitution that stipulates the Chair ability to vote only in the event of a tie vote.