

FACULTY SENATE EXECUTIVE COMMITTEE

Minutes of December 6, 2000 - (approved)

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The Faculty Senate Executive Committee met at 2:00 PM on December 6, 2000, in Capen 567 to consider the following agenda:

1. [Approval of the minutes of November 15, 2000](#)
2. [Report of the Chair](#)
3. [Report of the President/Provost](#)
4. [Update on the Faculty/Staff Handbook - Judith Adams-Volpe](#)
5. [Report of the Faculty Senate Grading Committee - William Baumer, Chair](#)
6. [Crime Awareness and Campus Security Act compliance - John Grela, Director of Public Safety, Cliff Wilson, Associate Vice President for Student Affairs](#)
7. [Campus Safety Policy - Michael Dupre, Associate Vice President for University Facilities, Lou Henry, Director of Occupational and Environmental Safety Services](#)

Item 1: Report of the Chair

The Chair reported that:

1. the Provost sent the deans a statement on workload issues; he proposed asking the Committee on Tenure and Privileges to examine the issues raised in the Provost's letter; there was general consensus to do so
2. the Academic Planning Committee reviewed a proposal from the Dean of the School of Medicine and Biomedical Sciences to merge the Department of Anatomy and Cell Biology and the Department of Pathology and concluded that affected faculty had been consulted and proper procedures had been followed; because Professor Nickerson is a member of the Department of Pathology, Professor Malone conducted the APC's review and Professor Kramer the FSEC's discussion of its report

There was a motion (seconded) to receive the APC's report and file it for the record.

- the Faculty Council of the School of Medicine and Biomedical Sciences' approval of the merger was contingent on there being opportunity for the two departments to negotiate for additional resources and on a plan of governance which addresses the interests of the anatomical sciences and clinical pathology being drafted; how can faculty be sure these contingencies will be honored? (Professor Noble)
- there have been negotiations for additional faculty, and there is expectation of more lines in support of a neuroscience initiative; the bylaws committees of the two departments are amicably drafting new bylaws (Professor Nickerson)
- the Faculty Senate can review the situation at a later date (Professor Malone)
- in this case faculty input came too late to be meaningful; should follow up on this merger as a precedent for the many other mergers that are likely (Professor Noble)
- helpful if faculty inform the Senate about possible re-organizations early so the Senate can raise administrative consciousness of the need for significant faculty input; the Faculty Senate's agreement with Provost Triggles for early notification of reorganizations will have to be renegotiated with Provost Capaldi (Professor Nickerson)
- report of the Ad hoc Merger Review Committee makes it clear that none of the faculty want the merger; will there be any benefit realized by the merger? (Professor Farkas)
- faculty do believe merger will be beneficial; the recommendations of the Ad hoc Merger Review Committee address the benefits to be realized (Professor Nickerson)
- the Department of Anatomy & Cell Biology lost faculty during its nine years without a permanent chair, and the remaining faculty have carried increasingly heavy teaching loads which negatively impacted their research; the Provost is now saying that faculty without research projects will have to teach more (Professor Farkas)
- common for departments to go long periods without permanent chairs, and faculty should rise up in arms against the practice (Professor Fournier)
- Professor Mendel, the interim chair of the Department of Anatomy and Cell Biology, told the Faculty Council that he favored the merger because Dean Wright had tied any additional support for the Department to the merger (Professor Noble)

- departments are denied resources, are then accused of doing nothing, and are abolished (Professor Easley)
- APC is only charged with looking at process, and the process here was acceptable; however it seems that the merits of a reorganization are discussed only at the administrative level without faculty input, leaving the faculty the choice either of agreeing to the reorganization or facing the consequences of not doing so; we should encourage substantive discussion at the departmental level (Professor Smith)
- deans should be held accountable for leaving departments without permanent chairs for long periods (Professor Easley)
- Senate could change the charge of the APC to cover substantive issues; the APC and the FSEC should be prepared to recommend not approving a reorganization on the grounds on inadequate consultation with affected faculty (Professor Schack)
- the APC is not a planning committee, but a reaction committee (Professor Smith)
- hallmark of good planning is involving the implementors in the planning; we don't do that (Professor Malone)
- the faculty of the two departments discussed the substance of the merger in terms of how to make the best of something and reached consensus (Professor Nickerson)

A motion to receive and file the report for the record passed.

1. Professor Joseph Zambon from the School of Dental Medicine is the new chair of the Classroom Quality Committee
2. the Provost met with the Deans in public session for the first time; the principle issue was student recruitment and retention; plans for communicating with accepted students and using technology to facilitate student business transactions; Professor Kramer attended the meeting
 - the timetable for a new student services building is now unclear; the atmosphere of the meeting was one of what can be done, rather than what can't be done (Professor Kramer)
3. the Elections Committee has been working
 - the call for nomination for Chair of the UB Faculty Senate have been sent out, and many nominations have been received; the call for nomination for a Senator for the SUNY Faculty Senate have been prepared (Professor Kramer)

4. other Faculty Senate Committees have been active: in addition to discussing the merger of the Department of Anatomy & Cell Biology and the Department of Anatomy, the Academic Planning Committee heard from the Provost about performance indicators; by December 15 the deans have been asked to designate the best programs with which their units should be compared; the Budget Priorities Committee heard from Assistant Vice President Penksa about priorities for advocacy in the upcoming state budget, from Professor Meacham on the College of Arts & Sciences budget committees, and discussed its agenda for the coming year; the Computer Services Committee met with CIO Innus who announced that the nodal budget is currently under provostal review; also discussed was whether/how much faculty have input into the nodes, the Research Foundation's implementation of OASIS, and the degree of support for various computing platforms; the Research and Creative Activities Committee will meet on December 7
 1. the Provost said she would publish an announcement to the general University community about performance indicators; that seems not to have happened (Professor Swartz)
 2. will communicate with her since it is important that there be faculty input into the process (Professor Nickerson)
 3. has anyone heard whether the College of Arts & Sciences has retained its minimum class size of 15 rule? (Professor Smith)
 4. some department chairs have such rules (Professor Meacham)
5. he needs nominations for the Budget Priorities Committee and for Senior Associate Provost Levy's committee to review dossiers for Distinguished Professor, Distinguished Teaching Professor, Distinguished Service Professor and the Chancellor's Award for Excellence in Teaching

Item 2: Report of the President/Provost

There was no report by the President or the Provost.

Item 3: Update on the Faculty/Staff Handbook SUNY requires each campus to publish a handbook for faculty and staff; UB's handbook is an electronic publication. Professor Adams-Volpe and Professor DeVinney from the Libraries and Professor Welch spent a year updating the Handbook, adding such documents as the Sexual Harassment Policy. However keeping the Handbook current has proven to be an ongoing and time consuming task. Assistant Vice President McGill has agreed to form a group, representing various areas, which will work to keep the document current as of an established annual date.

- don't know when a web document is changed; faculty should be advised when there are updates (Professor Schack)
- keep a log sheet for my web site, so reader is aware of changes (Professor Easley)
- very difficult to find documents on UB Wings (Professor Smith)
- Handbook should be archived (Professor Booth)
- agree that UB Wings is not logically arranged; frequently have to use the search engine to find documents (Professor Sridhar)

There was a motion (seconded) to ask the Computer Services Committee to discuss improving the structure of UB Wings with its designers. The motion was passed unanimously.

Item 4: Approval of the minutes of November 15, 2000

The minutes of November 15, 2000, were approved.

Item 5: Report of the Faculty Senate Grading Committee

The Grading Committee has developed an "Academic Second Chance" policy to replace UB's Fresh Start Policy. Professor Baumer explained that the work of the Committee was consequent to observations made by advisement staff about difficulties with the Fresh Start Policy, given changes in policies on administrative withdrawals, grade replacement and reasonable progress towards a baccalaureate degree. He also observed that other institutions do not have as liberal a policy as is being recommended.

There were questions from the floor:

- is the removal of grades to be done semester by semester or course by course? (Professor Malone)
- semester by semester to eliminate cherry picking (Professor Baumer)

There was a motion (seconded) to include the report on the agenda of the February 6, 2001 Faculty Senate Meeting. The motion passed unanimously.

Item 6: Crime Awareness and Campus Security Act compliance

Director of Public Safety Grela presented the 2000 Annual Security Report. He explained that because Congress amended the Crime Awareness and Campus Security Act of 1990 in 1999, this year's report is not directly comparable to earlier reports. Changes in the Act include:

- an increase in the number of reporting items, tightened requirements for reporting campus disciplinary actions, a requirement that campus offices other than campus police report crimes, an expansion of the definition of "campus" to include adjacent public property.
- procedures for third party reporting, i.e. proxy reports or Silent Witness reports
- Public Safety must make its daily logs available for inspection on request; Public Safety publishes its annual report in the Reporter, makes the annual report available electronically on its web site <<http://www.public-safety.buffalo.edu>>, and provides paper copies on request; also weekly crime reports are posted in The Spectrum
- provision for parental notification when students under 21 have had problems on campus with alcohol or drugs.

There were questions from the floor:

- figures for liquor and drug related incidents seem to have shot up; do we have more of a problem? (Professor Sridhar)
- in earlier years only had to report an actual incident, not something referred to the Student Judiciary, but now report those as well (Director Grela)
- alcohol and drug abuse tend to happen off campus, and we have been more involved with these problems than in the past which make the numbers look larger (Associate Vice President Wilson)
- what kind of dollars are generated through Public Safety activities, e.g., fines, confiscation, etc.? (Professor Fournier)

- Student Judiciary does not levy fines; fines in other courts stay in those jurisdictions; have only used forfeiture laws on two occasions (Director Grela)
- fines from parking tickets stay on campus (Associate Vice President Wilson)
- feel very insecure in Baird Hall because of a rash of burglaries (Professor Smith)
- perpetrator is no longer working on campus, possible that the stolen CD's will be returned, but not enough evidence for an arrest (Director Grela)

Item 7: Campus Safety Policy

Associate Vice President Dupre introduced a draft Campus Safety Policy. The Environmental Protection Agency has begun reviewing campuses' compliance with federal regulations and has imposed several substantial penalties, primarily for improper materials handling in laboratories. This has been a wake-up call for UB to develop an institutional safety policy.

The draft policy places chief responsibility for safety issues with relevant managers, no matter what their organizational level. It discusses the role of supervisors, principal investigators, and employees; it also discusses the role of Occupational and Environmental Safety Services which, as a part of University Services, has no authority to regulate activities on the provostal side. This is not a change of policy, but is putting into writing what has been the practice.

There were comments from the floor:

- what is the existing chain of command to work through if there are problems? for example, to whom do I complain if there are problems involving contract workers who come into a lab at night? (Professor Noble)
- policy addresses such issues as materials handling and compliance with environmental regulations rather than problems with contract workers (Associate Vice President Dupre)
- detailed policies would be developed by Occupational and Environmental Safety Services after adoption of this umbrella policy (Director Henry)
- will need ongoing education about safety regulations since there is not enough continuity at the level of deans and department chairs to ensure the recollection of safety policies over time; it does no good to pass down authority and responsibility unless they are accompanied

by resources; need a strong central authority to enforce safety regulations (Professor Meacham)

- Lockwood Library doesn't have the resources to make the building perfectly safe; if it is liable for injuries, the Library would be put out of business (Professor Adams-Volpe)
- Occupational and Environmental Safety Services is not a central authority for safety issues, nor does it have resources to support compliance with safety regulations; it has only a consultative role (Associate Vice President Dupre)
- document only spells out what is already the responsibility of a lab manager; document should also address related issues that have been raised, e.g., what to do when safety requires physical plant changes or if employee misconduct is occurring; state, not employees, are liable for damages (Professor Baumer)
- a criminal or willful act by an employee can result in personal liability (Director Henry)
- departments should offer lectures on safety in laboratories (Professor Malone)
- am unable to know about and to teach constantly changing students to comply with all safety regulations in the lab, so practice risk management (Professor Fournier)
- common sense has to prevail , but remain at risk from an EPA audit; this draft policy is only the beginning; hope that venues for ongoing group discussions will be identified (Director Henry)
- a manager who lacks resources to resolve a safety issue, should document efforts to make supervisors aware of the problem and to get necessary resources (Professor Easley)
- need a third party to come into a lab with outside expertise (Professor Farkas)
- Occupational and Environmental Safety Services can inspect and make recommendations, but can not enforce the recommendations; have very limited staff to do inspections (Director Henry)

Not all members of the FSEC had printed off the draft documents under discussion. There was consensus to distribute the documents in paper format and continue the discussion at the January 24, 2001 meeting.

- add a page of who to call for various problems (Professor Baumer)

- indicate the nature of attachments to help Senators know what to print out (Professors Adams-Volpe and Malone)

There being no old/new business, the meeting adjourned at 3:50 PM.

Respectfully submitted,

Marilyn McMann Kramer
Secretary of Faculty Senate

Present:

Chair: P. Nickerson

Secretary: M. Kramer

Parliamentarian: D. Malone

Arts & Sciences: W. Baumer, C. Fournier, J. Meacham, S. Schack, C. Smith

Dental Medicine: M. Easley

Engineering & Applied Sciences: R. Sridhar

Health Related Professions: G. Farkas

Law: L. Swartz

Medicine & Biomedical Sciences: B. Noble, C. Pruet

SUNY Senators: J. Adams-Volpe, H. Durand, P. Nickerson

University Libraries: A. Booth **Guests:** Reporter

J. Grela, Director of Public Safety

C. Wilson, Associate Vice President

M. Dupre, Associate Vice President

L. Henry, Director of Occupational and Environmental Safety Services **Excused:** Graduate School of

Education: L. Malave

Medicine & Biomedical Sciences: S. Spurgeon **Absent:** **Architecture:** R. Shibley

School of Information Studies: J. Ellison

Management: J. Boot

Medicine & Biomedical Sciences: A. El Solh

Nursing: E. Perese

Pharmacy: R. Madejski