

FACULTY SENATE EXECUTIVE COMMITTEE

Minutes of March 10, 2004

(unapproved)

The Faculty Senate Executive Committee (FSEC) met at 2:00 p.m. on Wednesday, March 10, 2004 , in 567 Capen Hall to consider the following **agenda** :

1. Approval of the minutes of February 18 & 25, 2004
2. Report of the Chair
3. Report of the President/Provost
4. Report and discussion on classroom scheduling – S. Sullivan
5. Report from the Admissions & Retention Committee – J. Adams-Volpe
6. Report from the Computer Services Committee – J. Ringland
7. Approval of the Faculty Senate calendar for 2004/05

8. Old/New business

9. Executive session (if needed)

10. Adjournment

Item 1: Approval of the minutes of February 18 & 25, 2004

The minutes were approved after noting the following corrections:

- In Item 5 of the February 25 th minutes, Professor Schack's comment about communication between the FSEC and the CAS Policy Committee wasn't that a SUNY

senator should attend the CAS meetings. Rather, the SUNY senators are a model of intergroup communication. The CAS Policy Committee should consider inviting an FSEC member to be a member of that group. (Schack)

- The word "legal" should be stricken from the seventh paragraph of Item 3 in the February 18 th FSEC minutes. We don't have a legal obligation to inform students about unsatisfactory progress; we inform them to improve retention. The sentence should say "UB has an obligation to inform students when they are not making satisfactory progress toward a degree or not meeting graduation requirements." (Grant)
- Professor Swartz was absent, but should have been marked "excused." (Swartz)

Item 2: Report of the Chair

Chair Peter Nickerson reported:

- The Provost Search Committee will bring in some candidates for a second interview, and FSEC will be involved. So that we can have sufficient time to interact with the candidates, I have agreed to combine our interview time with that of the Professional Staff Senate.
- Next week is spring break, so we won't meet. Our March 24 th meeting will be an executive session with the Provost. It was rescheduled from March 3 rd when the Provost was out of town.
- I am trying to arrange for SUNY Counsel Lou Rosenthal to speak on legal issues facing faculty at the April 6 th Faculty Senate (FS) meeting.
- As a result of our meeting with representatives of the CAS Policy Committee, we are now exchanging minutes and agendas with them.
- The Affirmative Action Committee has been meeting and discussing mentoring issues.

Item 3: Report of the President/Provost

None

Item 4: Report and discussion on classroom scheduling – Sean Sullivan

Vice Provost for Enrollment and Planning Sullivan updated FSEC about classroom scheduling. Some of the content was similar to his last report a year ago, but some data have changed. The guiding principle, however, remains the same: we need to maximize use of our classroom space. Our goal is to get class activity across the times of the day and the days of the week. The university has managed classroom supply to stay just ahead of demand, and the supply has been consistent for the past four years.

The policy for scheduling classrooms is that classes needing disability student access get first priority, followed by high-demand freshman courses, and courses meeting distribution guidelines on standard days/times. Non-standard courses and special events are seated last.

We're close to 80% utilization of available classrooms between 9:00 a.m. and 2:00 p.m. from Monday to Thursday. Many classrooms are available everyday at 8:00 a.m. as well as in late afternoon and evening. Friday afternoons have a marked drop-off. Although "prime time" is tight, there are plenty of off-peak times available for special events and additional course offerings.

By maximizing utilization, we've been able to seat more course sections in the last few years to accommodate growing enrollments. In 2004, we've been able to seat 2,614 course sections and utilize 76% of the total time slots available. This is up from 2003 when we seated 2,434 sections at 70% utilization.

We've been able to increase the number of technology-equipped classrooms each year so the supply still exceeds the demand. There are now 60 "full tech" classrooms utilized 82% of the time.

Many centrally scheduled classrooms will become available when the School of Management's (SOM) new building addition is ready in fall 2005. Over 140 SOM class slots are currently scheduled in the Natural Sciences Complex and Knox Lecture Hall, plus a few each in most other North Campus buildings with classrooms.

Some changes that Enrollment & Planning is considering include requiring deans (instead of the Scheduling Office) to manage scheduling conflicts, relocating some UB101 sections to the Student Union, and using additional university space, e.g. Alumni Arena, Student Union, Center for the Arts, for exam scheduling.

Questions & comments:

- The current classroom supply is not really ahead of the demand. We're actually undersupplied, because we can't offer some courses because there are no rooms available. Of course statistics counting courses and classroom space on the first day

of classes will always show that there are enough classrooms. The current supply discourages offering experimental courses or inviting guest speakers – not because faculty don't want to teach during off-peak times, but because students won't attend classes then. (Schack)

- If we don't have enough classrooms now, what would we need to have a good supply? (Sullivan)
- Full use of housing – around 95% – produces undesirable consequences, such as hoarding and inflexibility. Housing at 80-85% produces greater flexibility. Based on that, we have a 20% undersupply. We should add 25 or so classrooms – preferably in a new building at the west end of campus, since we currently have lopsided distribution of classrooms toward the east end of campus. This should be a priority in our future construction projects. (Schack)
- FSEC might want to invite Cheryl Bailey to come and discuss space planning. She is UB's interface with the State University Construction Fund (SUCF), which has formulae for how many buildings a campus needs. According to SUCF, UB has plenty of classroom space. We wouldn't get very far trying to justify additional classrooms as new construction projects. (Sullivan)
- We would do better to propose construction to enhance student services and then convert space that would be freed up into classrooms. As for needing more classroom space for final exams, instructors should consider scheduling rooms without extra space to deter cheating. Alternative means such as having the same questions in different sequences can be quite effective. (Baumer)
- Much time is wasted because many final exams don't require the entire period, and everyone is done with an hour or more to spare. That time could be put to better use during examination scheduling. (Schack)
- Figuring out a way to reduce seating and the length of selected exam periods could make a big difference in classroom availability for final examinations. (Sullivan)
- Students should be allowed three hours for all final examinations whether they use them or not. Finals are stressful and represent a significant portion of students' grades. (Hoeing)

Item 5: Report from the Admissions & Retention Committee – Judith Adams-Volpe

Professor Adams-Volpe, chair of the FS Admissions & Retention (A&R) Committee, reported that enrollments are looking very good overall for fall 2004. Undergraduate applications to UB are up 7.1% (highest among the SUNY Centers). However, graduate applications are down by 42% from last year due largely to immigration difficulties for international students. The decline in international student applications is affecting higher education enrollments nationwide.

As a result of projected shortfalls in international student enrollments here, UB will increase freshmen and transfer enrollments to compensate. Even with increasing the size of the freshman class by 200, we'll remain highly selective with a target of 60% freshmen from the G-1 (highest) group. In fall 2003, G-1 students comprised 43% of freshmen.

Vice Provost Sullivan said that G-1 students represent the most significant increase in applications to UB and are among the most talented in the selectivity matrix.

UB's four-year graduation rate – 32% to 34% for the past five years – is lower than the national average. UB's six-year graduation rate is 57%.

Professor Adams-Volpe also reported that a committee has been formed to investigate how data are used to determine university and college rankings in *U. S. News & World Report* . The criteria and weighting are: peer assessment (25%), retention (20%), faculty resources (20%), selectivity (15%), financial resources (10%), graduation rate (5%), alumni giving (5%).

Only "Financial Resources – average spending per student" is provided by SUNY. UB provides the remainder of the data, except for "Peer Assessment," which is based on a survey that is sent to presidents, provosts, and deans of admissions at peer institutions. The committee will be looking at ways to make UB more visible to university administrators nationwide.

Questions & comments:

- G-3 students often take light course loads making it harder to graduate in four years. Many of the brightest students don't graduate in four years because they've decided to stick around and get dual majors. (Baumer)
- As selectivity increases, there will be fewer G-3 students going through the system, so this should help to improve our graduation rate. Students who are formally enrolled in dual-degree programs are counted as having graduated in four years, but there are many going that route who haven't formally enrolled as such, and they're counted as taking longer than four years. (Sullivan)
- The A&R Committee has discussed whether UB's admitting more G-1 and fewer G3 students might be of interest to the FS Grading Committee. Is there a change in grading trends as a result of having higher quality students? Is grading getting tougher because of competition for grades? Is grade inflation an issue? Perhaps

grading data, which is available through the Fall 2003 semester, should be analyzed to see if the quality of students has an impact on grading practices. (Adams-Volpe)

Item 6: Report from the Computer Services Committee – J. Ringland

Professor Ringland, chair of the FS Computer Services Committee (FSCSC), updated the FSEC about their recent deliberations. One involved responding to a university policy draft, "How UB Responds to Allegations of On-Line Copyright Infringement (DMCA Notices): DRAFT." The Committee wanted to strengthen the following statement by adding the **bolded phrase** : "UB will reveal names of alleged offenders when, **and only when**, given a valid subpoena." The Committee also recommended that the statement should spell out the "counterclaim" or "counternotice" procedure described in the Digital Millennium Copyright Act (DMCA). The statement should likewise make clear that no mandatory admission of guilt on the part of the target of a DMCA notice shall be part of the process for regaining access to UB computer systems and accounts. Standardized language should be developed for the statement that is required to be signed by the targets of complaints.

Sandy Peters, who is now responsible for drafting these policy statements, agreed with these recommendations and has incorporated the first two points in a revised draft statement.

Another FSCSC recommendation is that a reasonable procedure should be outlined for occasions, hopefully rare, in which a DMCA notice is superficially conformant with the prescriptions of the DMCA, but is in fact an improper attempt to suppress or restrict

protected speech. The university should *decline* to seek the safe harbor provided in the DMCA for ISPs, recognizing that protecting and facilitating the noncommercial publication of critical information on matters of public importance is a key function of a university. The DMCA allows 10 days for a takedown, which is sufficient time to convene a committee with faculty and student representation charged with assessing the validity of DMCA complaints in questionable cases.

A fifth recommendation: Since the safe harbor provisions of the DMCA apply only to cases in which the role of the university is solely as ISP, i.e., as a conduit for information from a computer not owned by the university, policies should be developed and publicized dealing with cases in which the safe harbor is unavailable, such as when the challenged content is on a university-owned computer, or on a university Web site. These policies should reflect the doctrine of Fair Use.

On another topic, the FSCSC is disappointed with Chief Information Officer Voldemar Innus's response to last year's FS resolution regarding open source software. The Committee has invited Dr. Innus to their next meeting for further discussion.

Questions & comments:

- Interpreting legal issues such as “safe harbor” provisions for a university policy document is risky. These issues should be explored with university counsel.
(Baumer)

Item 7: Approval of the Faculty Senate calendar for 2004/05

A few dates for FSEC meetings with the Provost were also shown in the grid of regular FSEC meeting dates, so the calendar will be re-drafted for approval at another meeting.

Item 8: Old/New business

New business: Professor Schack said he recently discovered that UB's Grade Change Form has been revised, and he objected to several of the changes. Since the revision was done without consulting the Faculty Senate, he made a motion that we revert to the previous policy and form until the FS has had a chance to review proposed changes. Meanwhile, rather than printing more copies of the old forms, the new forms should be distributed with a note saying numbers 1-3 do not apply, additional approvals are not required, and the only fields that need to be completed are the fields that were part of the previous form.

Professor Adams-Volpe said that Vice Provost Grant had mentioned something about this at our last meeting. He said that some changes had been made in order to comply with laws dealing with providing equal opportunities for all students.

Professor Boot said this matter should have been dealt with differently than simply changing the form. Legal implications should have been publicized, and the Faculty Senate should have been consulted.

The motion was seconded and passed by unanimous vote.

New business: Professor Fabian distributed flyers and encouraged everyone to tell colleagues about the Educational Technology Grants Program. Round Six has an April 9, 2004 , deadline for proposals demonstrating the development of instructional tools, applications, or innovating learning objects.

Item 9: Executive session (if needed)

The FSEC held a brief executive session.

Item 10: Adjournment

The meeting was adjourned at 4:08 p.m.

Respectfully submitted,

Will Hepfer

Secretary of the Faculty Senate

Attendance (P = present; E = excused; A = absent)

Chair: P. Nickerson (P)

Secretary: W. Hepfer (P)

Architecture & Planning: S. Danford (A)

Arts & Sciences: S. Bruckenstein (P), M. Churchill (P), R. Hoeing (P), S. Schack (P), K. Takeuchi (P)

Dental Medicine: M. Donley (E)

Education: L. Malave (E)

Engineering & Applied Sciences: J. Jensen (P), R. Mayne (A)

Informatics: F. Tutzauer (E)

Institutional/General: O. Mixon (P)

Law: L. Swartz (P)

Management: J. Boot (P)

Medicine & Biomedical Sciences: J. Hassett (A), G. Logue (A), B. Murray (A), J. Sellick (A)

Nursing: P. Wooldridge (P)

Pharmacy: G. Brazeau (A)

Public Health & Health Professions: C. Crespo (P)

Social Work: Barbara Rittner (E)

SUNY Senators: J. Adams-Volpe (P), W. Baumer (P), M. Kramer (P), P. Nickerson (P)

University Libraries: CA Fabian (P)

Guests: D. Budniewski (Reporter), C. Grant (Academic Affairs), L. Labinski (Prof. Staff Sen.), B. Simpson (Grad. Student Assn.), S. Sullivan (Enrollment & Planning)