

FACULTY SENATE EXECUTIVE COMMITTEE

Minutes of September 6, 1995 (approved)

revised 10/3/95)

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The meeting was called to order at 2:00 PM in the Jeannette Martin Room to consider the following agenda:

1. [Approval of the FSEC minutes of August 30, 1995](#)
2. [Report of the Chair](#)
3. [Reports of the President and Provost](#)
4. [Intercollegiate Athletics](#)
5. Old Business (none)
6. New Business (none)

ITEM 1: Approval of the FSEC minutes of August 30, 1995

Professor Welch stated that approval of the minutes had been postponed until September 13, 1995.

ITEM 2: Report of the Chair

A moment of silence was observed in memory of deceased colleagues: Herman Bozer (Otolaryngology), Mitchell Clinton (Medicine), David Hays (Linguistics), Dorothy Lynn (Social Work), Philip Pepper (Libraries).

Professor Welch reported that:

- The election results had been compiled in the Faculty of Social Sciences that afternoon.
- The Meeting of the Voting Faculty was scheduled for September 26th at 2:00 PM in the Screening Room of the Center for the Arts and would include addresses by President Greiner and Professor Welch. He requested suggestions from FSEC members regarding his address. Professor Malone mentioned the restructuring of SUNY. Professor Nickerson commented on the reaction of the faculty on the attacks on public higher education. Professor Hadighi, expanding on a previous comment by Professor Adams, suggested discussing the effects of budget cuts throughout the University to emphasize specific examples. Professor Malone stated that it was

necessary to obtain precise information regarding the continued operation of the University. Professor Welch suggested turning the idea around and discussing the faculty visions for the University in the future.

- An Executive Session would be utilized to fill key committee positions.
- A national interactive teleconference would occur on September 29th from 1:00 to 3:00 PM in Clemens 120 regarding "Academic Integrity: Truth of the Matter". He noted that "A Practical Guide to Preventing Cheating", developed at Rutgers, was being utilized by the appropriate Faculty Senate committees.
- The first annual Academic Convocation was scheduled for October 13, 1995 at 3:00 PM in Slee Hall with an honorary degree to be given to S. Lightfoot.
- Professor Acara, Chair of the Faculty Senate Tenure and Privileges Committee, together with Professors Boot and Benenson had met with Dean Winter, Dean Cranley, Dean Boyer and Vice Provost Fischer to discuss the Senate resolution on extension of the tenure clock. Professor Acara stated that the three person faculty committee had been asked to review the issue and that the next meeting was scheduled to "hopefully" finalize the agreement. Professor Boot stated that it appeared to be a decision by the Provost for faculty input and "advice" and he noted that this might be a positive development. Professor Churchill inquired if the proposed changes were in accord with UUP and Professor Acara replied positively. Professor Churchill also checked that the issue was in agreement with accepted AAU practices.
- Since the Office of Teaching Effectiveness had been abolished by the Provost's Office, Professor Welch suggested that the FSEC and the Provost establish a small working group to oversee reassignment of the responsibility for teaching effectiveness to individual Faculties and Schools. Professor Welch suggested reconstituting the Faculty Senate Committee on Teaching Quality. He noted that the idea of the administration was to increase the prominence of teaching in academic life and improve its quality through decentralization.
- The Budget Priorities Committee would meet on September 11th and that Professor Gates had been invited to listen to the Intercollegiate Athletics Board (IAB) discussion. Professor Welch noted that the 1986 Faculty Senate resolution stated that upgrading of athletics should not divert resources from or jeopardize academic programs.
- The Academic Planning Committee would be working within its charge with the Provost regarding restructuring of the mix of students.
- Senate resolution on the use of undergraduate teaching assistants would be referred to the Educational Policies and Programs Committee for advice.
- The orientation for newly appointed Senators had included discussions of issues with "seasoned" colleagues.

- Senate information including resolutions and minutes were in the process of being updated for inclusion on Wings.
- The Bylaws Committee was proposing changes in the areas of the Standing Orders, the Charter of the Senate and Bylaws of the Voting Faculty. The proposals were noted to include cosmetic as well as substantial issues and were scheduled for presentation to the full Senate on October 24th. Executive Session was held to discuss nominations to Committees.

ITEM 3: Report of the President

The President, during Executive Session, reported on the state of the budget based on an article from the Buffalo News entitled "SUNY Bracing for Further Budget Cuts in 1996" which noted additional profound, SUNY-wide reductions for 1996-97 in the area of \$150M of state operating budget support.

Vital committee appointments were discussed and nominees were suggested for various committees.

ITEM 4: Intercollegiate Athletics

Professor Welch provided ground information including personal experiences with University at Buffalo athletics, administrative experience as the faculty member to whom the Director of Athletics reported during the period that the SUNY Trustees' policy precluded state support for grants-in-aid and experience as Chair of the Faculty Senate in 1986 when the resolution was passed stating that upgrading of athletics should not divert funds from academic programs nor jeopardize existing recreational and intramural activities.

He introduced Mr. Townsend, Director of Athletics, Professor Fournier, the NCAA faculty representative, Professor Chatov, Chair of the Faculty Senate Athletics and Recreation Committee and Professor Malone, Chair of the Intercollegiate Athletics Board.

Professor Malone explained that the Intercollegiate Athletics Board (IAB) was mandated by the Board of Trustees and had been established to broadly oversee the administration and functioning of athletics. He noted that the IAB reported to the President and reviewed and recommended the budget for the intercollegiate athletics program. He stated that the IAB oversees student academic performance and reports on academic averages and graduation rates of athletes. He reported that athletic academic averages compared favorably to the averages of the general student body with a lower attrition rate. He commented that graduation rates were greater than the percentages for honors students. He cited the academic averages for women's basketball and football to be 3.2 and 2.17 respectively.

Professor Malone stated that the IAB discussed and approved changes in conference membership and adopted NCAA standards. He mentioned a violation of NCAA rules which had occurred related to travel expenses. He stressed that the IAB reviewed overall philosophy and goals but did not establish policies.

Professor Malone stated that unrestricted endowment funds could not be used for grants-in-aid. He noted that intercollegiate athletics provided a strong, positive atmosphere at the University involving the student body, the faculty and the alumni. He remarked that funding from non-state sources was desirable. He stated that 57% of the proposed budget was from state operating funds and the remainder was self-generated.

He commented on the requirement for gender equity and that women's sports approximated 43% of activities without the inclusion of football.

Professor Malone reiterated the 1986 Faculty Senate resolution that stated that "upgrading shall not divert resources from academic programs nor jeopardize existing recreational and intramural activities".

He noted that the IAB had consulted with Vice Provost Goodman regarding codification of the policy for Academic Good Standing. Professor Malone stated that a full-time MFC student was eligible for participation in athletics.

Mr. Townsend, the Director of Athletics, stated that intercollegiate athletics at the University followed two sets of principles including the May, 1986 upgrade and the "impacting concerns" of the Faculty Senate regarding the upgrading.

Mr. Townsend stated that a timetable was being followed which included Division II level in 1988 followed by Division I in 1990-1991. He stressed that the guiding principles were important and that concern existed for development of the entire division encompassing athletics and recreation. He noted that not one person in recreation, intramurals or instruction had been replaced during the upgrading process. He commented that recreation and intramural activities were functioning 18 hours per day from 7:00 AM to 12:30 AM.

He stated that Clark Gym on the south campus had remained open and had been refurbished without tax support beyond the 1987 level. He commented that services had been increased through entrepreneurship and that the student body had agreed to doubling fees. He noted that in the Middle States review, the Department of Athletics had been one of the units that delivered services beyond expectations.

Mr. Townsend remarked that varsity basketball practices in the gym were held in the morning at approximately 5:30 AM prior to the facilities opening for general use.

He stated that the facilities "serve well" the University community and noted that the new stadium had not been a capital expense but resulted from state funding of the World University Games. Mr. Townsend stated

that all funds were expended and managed through IFR accounts under the comptroller. He stressed that there were no "slush" fund accounts from independent sources.

In reference to the 1995-1996 \$4.4M budget, Mr. Townsend stated that state operating funds accounted for 57% of the budget and that fees generated \$1.3M. Breakdowns of spending included 31% for salaries, 30% for grants-in-aid and 38% for OTP services including buses and uniforms.

Mr. Townsend noted that attendance had increased and that the University was doing more with less and was operating with one-third of the resources available at competing institutions.

Favorable factors, according to Mr. Townsend, included inexpensive tuition, thus keeping grants-in-aid low. He noted that upgrading was designed and approved with the proviso of maintaining academic and professional integrity.

Professor Fournier, the NCAA faculty athletic representative, was appointed by President Greiner with the responsibility to report on intercollegiate athletics. Professor Fournier stated that his job was to be the "University conscience" regarding proper adherence to rules of the NCAA including eligibility and certification of athletes. He stated that a healthy tension existed at the University between himself, the Director of Athletics and the President.

Professor Malone requested Professor Fournier to explain the process of conference changes. Professor Fournier stated that there were three divisions in the NCAA - 1, 2 and 3. At the level of Division 1, he explained that there were 1A, 1AA and 1AAA subsets. He noted that 1AA football had deteriorated and that the football conference at this level, in which UB currently participates, was in dire straits. He noted that Senior Vice President Wagner, Mr. Townsend, President Greiner and Professor Nickerson were aware of the problems. He stated that the Division 1A MAC (Mid-America Conference) afforded an opportunity for 1A football and was a strong, long term conference. He added that the Atlantic 10 conference had not offered an invitation to the University.

Professor Welch encouraged the FSEC to discuss the issues with the participants. Professor Churchill inquired as to the procedure to attract athletes of good moral character. Mr. Townsend replied that counselors became familiar with athletes and their families and that there was greater insurance regarding character based on the time involved and the level of acquaintanceship established.

Professor S. Bennett inquired if a formula was used related to the information on page 5 of the document. Mr. Townsend replied affirmatively, stating that the NCAA decides the maximum balance between men's and women's sports.

Professor Bennett asked if increases were anticipated for grants-in-aid and Mr. Townsend replied positively.

Professor Eberlein asked if new sports were anticipated for women and Mr. Townsend answered affirmatively for lacrosse, crew and softball.

Professor S. Bennett requested clarification related to page 9 regarding "average tuition value". Mr. Townsend responded that average tuition value averaged in-state and out-of-state value or cost.

Ms Cornwall inquired how the three new sports for women had been selected. Mr. Townsend responded that there had been full consultation with student athletes.

Professor Welch reiterated that 25% of the athletics budget, \$1M, was generated by voluntary increases in student support.

Professor Ferry inquired if expansion of the stadium would be necessary for participation in Division 1A football. Mr. Townsend stated that expansion would be practical if beneficial. He noted that in discussions with the MAC, the availability of Rich Stadium had been posed as an alternative site. He stated that in meetings with the County Executive, participation with the MAC had been endorsed.

Professor Fournier commented that the MAC was "lower level" 1A and that big 8 1A required a student body of 30,000.

Professor Acara asked for a schedule for phasing in of new women's sports and the estimated date was 1997.

Professor Adams requested information concerning the student athletics fee and Mr. Townsend stated that the fee was \$100. per year. Professor Welch added that the fee was assessed only on undergraduates.

Professor Schuel expressed serious question regarding the rationale for 1A football. He noted that success was tied to a winning tradition and paying customers. He remarked that basketball was easier since fewer athletes were required while football necessitated 50 athletes. He questioned if frustrating losses and decreased community support would result from participation in a higher division. Mr. Townsend replied that building of the program was proceeding by plan and that losses would be sustained. He remarked that success could be anticipated within five to six years.

Professor Nickerson labeled Professor Fournier "Mr. Integrity" and commended him for his diligence. He inquired into the discontinuation of mentoring for student athletes. Mr. Townsend replied that he would like to resume the mentoring program. Professor Fournier stated that mentoring should exist and that it was a personnel matter. He noted that the Division of Athletics was responsible for mentoring and that Keith Davidson was a potential candidate to direct the mentoring program.

Professor Nickerson inquired if the relationship between the FSEC and the Division of Athletics was optimum.

Professor Malone responded that the Chair of the Senate Committee was not required to be on the IAB. He commented that the annual report of the IAB was shared with the Faculty Senate and that he had met with the Faculty Senate Committee on Athletics and Recreation during the prior year but had not been aware that the Committee had met during the immediate past year. Professor Chatov replied that Professor Malone had been included on the distribution list for committee meetings.

Professor Welch stated that the Faculty Senate Committee had broad responsibilities including intramurals, recreation and athletics.

Professor Jameson requested clarification of Professor Malone's comments regarding unrestricted endowments and grants-in-aid. She referred to the summary by Senior Vice President Wagner regarding increased spending for structural biology, University Development and intercollegiate athletics, to be based on the one-time use of available endowment reserves. She questioned the use of a "trick" to achieve gender equity required by the NCAA such as closing particular men's sports or reducing the sports to club status. Professor Jameson inquired as to the rationale for adding women's sports rather than adding scholarships to established sports. Professor Jameson commented on the tone and relations between the faculty and the Division of Athletics and cited cases of athletes studying via correspondence courses at other institutions. She expressed concern regarding the inclusion of faculty within the recreational component of the Division of Athletics and noted that the new fee structure had singled out faculty and staff for increases.

Professor Fournier replied that by merely increasing the number of scholarships to women, the University would not meet Title IX and NCAA requirements. He noted that it was necessary to provide a reason beyond gender equity for closing men's sports. Professor Malone responded that unrestricted endowments could not be used for grants-in-aid. He noted that restricted endowments could be used such as alumni gifts or solicitations through UBF to general endowments. Vice Provost Goodman stated that the funds were on a one-time basis from quasi-endowment, meaning unspent interest earned from the endowment. He asked if NCAA rules prohibited use of interest on endowment funds for athletic purposes and Professor Malone stated that in his opinion, it was allowable. Mr. Townsend responded to the concerns expressed by Professor Jameson related to academic standards and stated that faculty integrity was at such a high level there would be no problems. He referred to the safeguard of athletes following regular registration procedures. He noted that the Division of Athletics was accountable for following procedures and faced penalties for violations for non-compliance. In terms of recreation and instruction, Mr. Townsend stated that he wished for greater faculty consultation. He explained that increased fees had been necessary to maintain the programs since there had been no increased

state support for eight years.

Professor Wooldridge asked for elaboration regarding the advantages and disadvantages of participation in Division 1A. Mr. Townsend replied that on the downside, the University was not currently at a competitive level. He noted that the three years preparing for Division 1A placed the University in competition with institutions at a similar level for thirty five years. He stressed that it was crucial to maintain the interest of alumni. He cited total contributions over a twelve year period of approximately \$63,000 as compared to \$80,000 in 1987-1988 and \$160,000 in 1992-1993. He stated that the goal was to sustain football scholarships totally through endowments. He added that victories were essential.

Professor Malone stated that in the previous five year plan the degree to which football was equated to athletics had not been appreciated when estimating alumni support. He noted that support was now at the anticipated level. He stated that support was not as readily available for women's sports and that alumni support overemphasized football.

Professor Chatov, Chair of the Faculty Senate Athletics and Recreation Committee, stated that there were not optimal relations between the faculty and the administration of the Division of Athletics. He noted that in general there was satisfactory communication and that Professor Fournier had been present at all meetings with the other members of the IAB receiving notifications of meetings. He noted that the lack of optimality was related to the need for development of a definition of the relationship of the Senate Committee to the distribution of authority and information. Professor Chatov stated that the Committee's charge was broad but not include an operational definition. He noted that the complete report of the Committee would define optimal relations and that a draft report would be distributed to the administration and the FSEC by October 15, 1995. Professor Chatov stated that lack of experience of the Committee had resulted in the Committee being responsive rather than proactive. He noted that a marketing study had been proposed regarding the level of sales, facilities and costs. He commented that the Committee was not desirous of involvement in decisions of the day to day operation of the Division of Athletics. He remarked that the purpose of the Committee was to provide monitoring and present the information to the faculty. He stated that there was a need for real information and analysis of the information. He expressed concern regarding the details of a February 2, 1994 FSEC meeting. Professor Malone clarified that there had been a criticism of IAB operations. It appeared that Professor Jameson would review the details with Professor Chatov since she had been Secretary of the Faculty Senate at that time.

Mr. Townsend encouraged faculty participation and involvement with the Division of Athletics.

Professor Welch recommended that the IAB and the Faculty Senate Committee share information. He expressed thanks to the participants.

There being no further business, the meeting was adjourned at approximately 4:30 PM.

Respectfully submitted,

Carol Ann Sellers

Secretary of the Faculty Senate

Those present:

University Officers: W. Greiner, N. Goodman

Senate Officers: C. Welch, C. Sellers

Architecture & Planning: M. Hadighi

Dental Medicine: G. Ferry

Educational Opportunity Center: S. Bennett

Engineering & Applied Sciences: W. Bialas

Graduate School of Education: R. Stevenson

Law: E. Meidinger

Management: R. Ramesh

Medicine & Biomedical Sciences: M. Acara, B. Albini, H. Schuel

Natural Sciences & Mathematics: M. Churchill

Nursing: P. Wooldridge

Pharmacy: N.

SUNY Senators: J. Boot, M. Jameson, D. Malone, P. Nickerson

University Libraries: J. Adams

GUESTS:

Academic Affairs Director: L. Cornwall

Reporter: S. Cox

Others: N. Townsend, C. Fournier, R. Chatovj