

FACULTY SENATE EXECUTIVE COMMITTEE
Minutes of March 28, 2001 - (approved)
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The Faculty Senate Executive Committee met at 2:00 PM on March 28, 2001, in Capen 567 to consider the following agenda:

1. [Report of the Chair](#)
2. [Report of the President/Provost](#)
3. [Tuition on Grants - Professor Joseph Mollendorf, Chair, Faculty Senate Research and Creative Activity Committee, Professor Frank Gasparini, College of Arts & Sciences Policy Committee](#)
4. [Issues on Workload - Professor Samuel Schack, Chair, Faculty Senate Tenure and Privileges Committee](#)
5. Old/new business

Item 1: Report of the Chair

The Chair reported that

1. the following Faculty Senate committees have been active: the Budget Priorities Committee is working on a statement on budgeting to be presented at the May 2 meeting of the FSEC and the May 8 meeting of the Faculty Senate; the Budget Priorities Committee is also working with the Information and Library Resources Committee on budget issues; the Elections Committee is working on reapportioning seats for the Senate and will report to the FSEC on April 18 on some difficult issues that it has identified; the Computer Services Committee heard from Vice Provost Pitman, Associate Vice Provost Willbern, CIT's Director of Academic Services Lesniak and CIO Innus; on April 20 in 120 Clemens Hall the Teaching and Learning Committee is sponsoring a workshop entitled Teaching and Learning as Acting and Performing presented by Professor Terry Gates; the Research and Creative Activity Committee is working on a report to be presented at the April 18 FSEC meeting

Item 2: Report of the President/Provost

There was no report of the President/Provost.

Item 3: Tuition on Grants

The Provost recently issued a policy requiring that grant proposals submitted to federally sponsored programs include tuition for graduate students working on the grant as a direct cost. The Research and Creative Activity Committee is looking at the impact of this new policy and will report to the FSEC.

The College of Arts & Sciences' Policy Committee has also examined the policy and unanimously passed a resolution urging that it be rescinded. Professor Gasparini, a member of the Policy Committee, outlined the logic of the resolution:

- proposals are never fully funded; if research assistant tuition has to be fully funded, researchers will have even less money available to conduct their work
- policy could make costs for a graduate student comparable to those for a post-doc; if that is the case researchers will choose to use post-docs who are more effective researchers rather than graduate students who need to be trained
- UB does not compare well to AAU institutions we call our peers in terms of departmental staff support, indirect costs returned to the PI (at most only 8% of indirect costs are returned to units/Departments and none to PI's), and the small size of many of UB's department, which requires PI's to be much more involved in governance and teaching
- in the College of Arts & Sciences, this year tuition costs for research assistants total \$421K, not a trivial figure
- UB's indirect costs rate of 54% is high compared to the average indirect costs rate of 48% for AAU public institutions; it will go to 57% in 2003
- a university's reputation rests on the quality of the Ph.D.'s it trains; this policy will weaken UB's reputation

Professor Mollendorf stated that the Research and Creative Activity Committee has had preliminary discussions about

the policy and is also concerned that the policy will result in fewer graduate students being included in research projects. Moreover the Committee was disturbed that the policy was issued without any consultation with the Committee.

There were comments from the floor:

- Engineering competes for grants from private industry which is very cost conscious; this policy will make UB less competitive in that arena (Professor Sridhar)
- agree this policy will make us less competitive with private industry; also agree there should have been consultation prior to issuing the policy (Professor Malone)
- other institutions routinely ask for and receive federal funding for graduate student tuition and Provost Capaldi is interested in adopting "best practices" at UB; federal grant officers base funding decisions on the scientific merit of proposals, not on the size of the request; for proposals whose direct costs are less than \$275K, NIH asks for modular budgets that do not include detailed information; these modular budgets are very difficult for a grant officer to cut; furthermore, President Clinton issued a directive that requires federal agencies to pay tuition for research assistants; NSF does frequently award amounts that are less than a researcher requests, but it expects the researcher to then negotiate (Vice President Turkkan)
- the policy may be correct, but promulgating it without having discussions with faculty was damaging (Professor Nickerson)
- worked as the grants officer in the private sector; we would not pay indirect costs and we wanted to know what the direct costs were; we believed that a university should pay for research infrastructure (Professor Easley)
- private sector funding is a separate issue (Vice President Turkkan)
- have been funded by NSF for 27 years and have never gotten full funding; will UB give tuition waivers to all PI's who receive less than full funding or will it be a crap shoot as to who gets waivers?; UB's practice of automatically giving tuition waivers was a perquisite that helped make up for its inadequate infrastructure (Professor Gasparini)
- policy says that if a PI doesn't receive funding for the tuition, UB will grant a waiver (Vice President Turkkan)
- UB has a deficit from giving tuition waivers and won't be able to give everyone a waiver; who will decide who gets the waivers? (Professor Gasparini)
- don't know; will be relying on the same resources we have used in the past (Vice President Turkkan)

- am very concerned that there was no collegial consultation before this policy was issued (Professor Swartz)
- Provost disseminates information through the Deans; the Deans did not raise any questions about the policy; to insure faculty knew about the policy, I sent an e-mail message to all faculty (Vice President Turkkan)
- Deans should not be viewed as surrogates for informing faculty of important issues (Professor Swartz)
- have created a group composed of the Associate Deans for Research with whom I meet every other week; if meetings with the Deans, with the Associate Deans for Research and the Provost meeting with the FSEC aren't enough to satisfy faculty, what would be? (Vice President Turkkan)
- if you're not talking to the faculty actually writing proposals, you're not talking to the right people (Professor Malone)
- a description of how information is disseminated to faculty is not responsive to a question about consultation with faculty; dissemination occurs after consultation (Professor Schack)
- taking advice from the group of Associate Deans for Research, especially those who are themselves active researchers is a good approach (Professor Boot)
- consult first with the Faculty Senate Committee on Research and Creative Activity; it is the official representative of the faculty for matters of research (Professor Baumer)
- policy is aimed at generating more dollars for the University, not more dollars for research; researchers don't like being cynically manipulated (Professor Fournier)
- had I known about the policy before it was issued, I could have advised on an appropriate process; did not know because I no longer have a standing invitation to the Deans' meetings (Professor Nickerson)
- grants rarely pay the full cost of research, so universities subsidize research; as savvy researchers we should ask for all allowable costs, including graduate tuition (Vice President Turkkan)
- School of Dental Medicine doesn't have any mechanism through which the Dean could inform faculty of issues discussed at the Deans' Meetings (Professor Easley)
- understand that the NSF will no longer fund subscriptions to journals needed for research; how are library interests being figured into grants; are there any librarians on your advisory group? (Professor Booth)
- believe that a request in the direct costs budget for funding for a journal that is very specific to the research would be allowed; have directed Grants and Contracts to allow payment out of grant accounts for such titles; meet frequently with the Associate Vice President for University Libraries (Professor Turkkan)
- this policy may have the effect of decreasing the amount of revenue generated rather than increasing it (Professor Gasparini)

- how would the University react if because of this policy, PI's decrease their use of graduate students and increase their use of technicians? (Professor Mollendorf)
- part of the mission of a university is to train graduate students; use a mix of graduate students, post-docs and technicians as appropriate to the research (Vice President Turkkkan)
- as a grants reviewer for NIH, saw technicians as being appropriate for the research and graduate students as extras (Professor Cohen)
- institutional goals and the goals of the researchers need to be reasonably congruent; researchers are saying this policy is not in their interest so it may be necessary to scrap it; researchers should stop arguing that indirect costs belong to them; indirect costs are a payment to the University for services provided to researchers (Professor Baumer)

There was a motion (seconded) to refer the policy and the College of Arts & Sciences Policy Committee's resolution on the policy to the Committee on Research and Creative Activity for their recommendation. The motion passed unanimously.

The recommendation of the Committee will be presented to both the FSEC and the Faculty Senate. There was strong support for scheduling these presentations before the end of the academic year.

Vice President Turkkkan asked faculty to keep May 15 -May 17 free so they can attend the Research Fair she is sponsoring.

Item 4: Issues on Workload

At the behest of the Deans, Provost Capaldi issued a memo entitled "Policy on Faculty Workload" on November 1, 2000. Her policy states that faculty "whose research output has been evaluated as not meeting the standard for the School or College for two consecutive years should be assigned to increased teaching and service responsibilities". The Chair noted that there had been no prior consultation with the Faculty nor had he been invited to the Deans' Meeting at which the policy was discussed. He noted parenthetically that under prior Provosts the Chair of the Faculty Senate was never excluded from this forum; Provost Capaldi,

however, has indicated that she and the Deans have been discussing policy and developing working procedures and so the meetings are not appropriate for him to attend.

- there is a Faculty Senate resolution that requests that the Chair be included as a member of decision-making Presidential and Provostal groups, e.g., the Council of Deans. (Professor Cohen)

Professor Schack, Chair of the Tenure and Privileges Committee, presented the report of the Committee on this new policy. The report first sets out the history of the 1993 Workload Policy promulgated by President Greiner that the Provost's policy seemingly supersedes.

- in 1991 the SUNY Provost asked for statements of "faculty utilization policies and practices" from each campus in reaction to an audit of SUNY Faculty Utilization Practices issued by the State Comptroller.
- Interim Provost Levy prepared a draft document that placed responsibility for assigning faculty workload on department/unit heads. The draft was submitted for review by SUNY and later by the Faculty Senate.
- in Spring 1992 the Faculty Senate adopted a resolution that asked that Deans "neither require nor suggest that departments adopt policies different from those at leading institutions in their disciplines with regard to teaching load and assignments; it also adopted a resolution stating that an "increased teaching assignment should never be used as a sanction, or a disincentive, or because of asserted deficiencies in other areas of a faculty member's academic performance"
- in Fall 1992 a committee of deans produces a document advocating differential teaching loads; the FSEC finds numerous problems with the document
- in Spring 1993, working at the request of Provost Bloch, Faculty Senate Chair Goodman and Senior Vice Provost Levy produce a policy whose core is that workload policies within a department should be consistent with those of the relevant discipline at leading institutions; this policy was approved by the Faculty Senate and promulgated by President Greiner

The Tenure and Privileges Committee believes the 1993 policy was a good one and allowed UB to be competitive in recruiting new faculty. The new policy, however, reduces UB to second rate status. The Committee, therefore, has

drafted a resolution for the Faculty Senate to consider which "reaffirms its support for President Greiner's policy on workload" and, in light of the Provost's initiative on benchmarking, urges departments "to gather data about faculty workload practices in the departments they have identified as their benchmarks."

There were comments from the floor:

- very difficult to ascertain faculty workload if you mean anything more than course assignments; what is your definition? (Professor Boot)
- workload means any duty which a chair can assign, e.g., can assign courses and committee work but not advisement of doctoral students; will modify wording to indicate "workload assigned by the chair" (Professor Schack)
- benchmarking as explained by the Provost was to involve the faculty; in Engineering the Dean and some department chairs chose the benchmarking institutions without consulting faculty (Professor Malone)
- resolution should include a rationale (Professor Malave)
- can expand the Committee's report to include more ground (Professor Schack)
- not opposed to limiting the resolution to cover only assigned work but it is inevitable that chairs will be asked to collect data on other faculty responsibilities like research production and this resolution should be understood in that context (Professor Baumer)
- would like the Faculty Senate to go on the record about the Provost's failure to consult with faculty before issuing the policy; a Faculty Senate resolution should not delve into administrative affairs, so we should not urge departments to collect data; don't believe departments widely complied with the President's directive to develop written guidelines which define faculty responsibilities within departments (Professor Swartz)
- the resolution does not pretend to compel departments to collect data, only urges them to do so (Professor Schack)
- Faculty Senate discussions and the President's subsequent memo deliberately used the term "faculty responsibility" not "workload" and this resolution should do the same; interestingly though the Provost's memo eliminates departments from the discussion, here in the FSEC she responded to my question on the topic by saying that in the College of Arts & Sciences, the departments are responsible (Professor Fournier)
- almost all institutions make differential assignments (Professor Adams-Volpe)

- practices vary tremendously from discipline to discipline; looking at an institutional average is not useful; the resolution should specify the collection of data specifically on workload because not all departments included that element in their benchmarking process (Professor Schack)
- resolution should quote from "Faculty Responsibility: Policy and Process" to make it clear why departments are urged to collect data about faculty workload practices (Professor Sridhar)
- the term "workload" has legal ramifications; New York, for example, refuses to negotiate about workload issues with the UUP and will not allow the term to be used in the contract or any attachments thereto; SUNY hasn't read the Provost's memo or she would have heard from Albany (Professor Baumer)
- need an explanation of workload since it is a very complicated term (Professor Malave)
- Committee will reword the resolution as follows: "The Faculty Senate reaffirms its support for President Greiner's policy on faculty responsibility... In line with that policy...the Senate urges all departments to gather data on faculty assignments..." (Professor Schack)
- need to somehow indicate this resolution is in response to the Provost's new policy (Professor Booth)
- would any department chair attempt to assign additional workload on senior faculty? (Professor Cohen)
- yes; if any dean actually tries to implement the Provost's policy there will be warfare and grievances; will title the document "Resolution is response to the Provost's Policy on Workload" (Professor Schack)
- would edit the resolution as follows: delete the second sentence from the resolution; add to the reworded first sentence the following: "and respectfully asks the Provost to make that policy the basis for any administrative consultations and actions on this subject." (Professor Swartz)
- we are treating these matters too seriously; first, faculty should continue to write grants the way they want; second we should thank the Provost for her thoughts on the matter of workload, but tell her that the President's memo prevails; as President of the UUP I will respond to her memo at the Chairs' meeting on April 26; no need for us react or continue this debate (Professor Boot)

There was a motion (seconded) to adopt the Committee's reworded resolution. There was a motion (seconded) to amend the resolution to the following: "The Faculty Senate reaffirms its support for President Greiner's policy "Faculty Responsibility: Policy and Process" as promulgated on June 2, 1993 and urges all departments to gather data about faculty assignments in the departments they have identified as their benchmarks."

There was discussion on the amendment:

- the Committee favored linking the Provost's initiative on benchmarking to the resolution to make the context of the resolution clear; the Policy Committee of the College of Arts & Sciences came to the same conclusion in their memo to the Faculty Senate (Professor Schack)
- benchmark initiative must be mentioned in the resolution, but the scope of that initiative must be explained (Professor Fourtner)
- can do so in the Committee's accompanying report (Professor Schack)
- agree benchmarking should be included (Professor Sridhar)

Professor Baumer moved the question on all matters before the house. The amendment failed. The resolution as originally moved passed unanimously.

There was a motion (seconded) to refer the matter to the Faculty Senate at the earliest possible moment, i.e. at its April 18 meeting as new business. The motion passed unanimously.

Professor Schack agreed to add a section on benchmarking to the Committee report, which will be distributed to the Senators prior to the April 18 meeting.

There being no old/new business the meeting adjourned at 4:15 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. Fourtner
Dental Medicine: M. Easley
Engineering & Applied Sciences: R. Sridhar
Graduate School of Education: L. Malave
Health Related Professions: G. Farkas
Law: L. Swartz
Management: J. Boot
Medicine & Biomedical Sciences: S. Spurgeon
Nursing: E. Perese
SUNY Senators: J. Adams-Volpe, J. Boot, H. Durand P. Nickerson
University Libraries: A. Booth **Guests:** J. Lewandowski, *Reporter*
J. Turkkan, Vice President for Research
J. Mollendorf, Chair, Committee on Research and Creative Activity
F. Gasparini, Policy Committee, College of Arts & Sciences
S. Schack, Chair, Committee on Faculty Tenure and Privileges
K. Levy, Senior Vice Provost **Absent:** **Architecture:** R. Shibley
Arts & Sciences: J. Bono, M. Jardine
Informatics: J. Ellison
Medicine & Biomedical Sciences: B. Noble, C. Pruet, A. El Solh
Pharmacy: R. Madejski