

## FACULTY SENATE EXECUTIVE COMMITTEE

Minutes of April 18, 2001 - (approved)

E-MAIL: [ZBFACSEN@ACSU.BUFFALO.EDU](mailto:ZBFACSEN@ACSU.BUFFALO.EDU)

The Faculty Senate Executive Committee met at 2:00 PM on April 18, 2001 in Capen 567 to consider the following agenda:

1. [Approval of the minutes of March 28 and April 4, 2001](#)
2. [Report of the Chair](#)
3. [Report of the President/Provost](#)
4. [Research Days - Dr. Jaylan Turkkan, Vice President for Research](#)
5. [Report on the survey of the Research and Creative Activity Committee - Professor Joseph Mollendorf, Chair](#)
6. [Report from the Elections Committee - Professor Marilyn Kramer, Chair and Report from the Bylaws Committee - Professor Judith Hopkins, Chair](#)
7. [Old/new business](#)

### **Item 1: Approval of the minutes of March 28 and April 4, 2001**

The minutes of March 28 and April 4, 2001 were approved.

### **Item 2: Report of the Chair**

In the absence of the Chair, Marilyn Kramer presided.

### **Item 3: Report of the President/Provost**

There was no report of the President/Provost.

### **Item 4: Research Days**

Vice President Turkkan described the Research Fair her Office is sponsoring on May 15-17. She hopes the Research Fair will become an annual event.

- there will be a reception on May 15 to recognize faculty who have received their first grant at UB in this academic year; both junior faculty but also senior faculty with a prior history of grant getting at other institutions will be recognized
- the May 16 program will focus on the practical aspects of grant getting; during the morning session federal funders will discuss NIH's SBIR/STTR programs, NIH's Career Mechanisms program and NSF's research interests; midday there will be booths from areas that can help researchers, e.g., Sponsored Research, Animal Facilities, etc., and some of UB's research centers will offer demonstrations of their work, e.g., CEDAR; the afternoon session will include the Vice President for Programs and Communications of the Burroughs Wellcome Fund, UB's National Center for Geographic Information Analysis will be featured as a model transdisciplinary center and a seminar on inventing and patenting
- on May 17 there will be two symposia with presentations by national and UB researchers: Postgenomics and Bioinformatics in the morning and Information Technology in the afternoon; during the day there will be poster session by new researchers from all of UB's Schools; the Keynote Address will be given by Deanna Church from the National Center for Biotechnology Information, National Library of Medicine, NIH

There were questions from the floor:

- important for young faculty to know if there is a UB policy that federal funding is given preference over other types of funding for purposes of tenure (Professor Farkas)
- peer review through federal sponsors is much more rigorous than through private funding and a federal grant carries with it the sense that this is prime time research; there are also private funding agencies, e.g. National Heart Foundation, that do very

tough reviews and have the same cachet as federal agencies; don't know if there is a specific policy (Vice President Turkkan)

- the School of Medicine considers the product of the research more than the funding agency (Professor Cohen)
- PRB looks at the impact of research rather than whether/by whom the research was funded; federal funding is one component of institutional rankings and is important for that purpose (Senior Vice Provost Levy)
- dean and chair letters in tenure dossiers may be influenced by their research agendas for their units; there is not necessarily consistency of philosophy as deans and chairs change (Professor Swartz)

**Item 5: Report on the survey of the Research and Creative Activity Committee**In

the absence of Professor Mollendorf, there was no report.

**Item 6: Report from the Elections Committee; Report from the Bylaws Committee**

- Professor Kramer, Chair of the Elections Committee, reported that Human Resources provided the Committee with a listing of the Voting Faculty organized by departments as of March 2001. There are 1759 members of the Voting Faculty; 704, or 40%, in the School of Medicine and 440, or 25%, in the College of Arts and Sciences. The formula for apportioning Senate seats (Charter of the Faculty Senate, Article IV, Section 4) gives conflicting signals viz., it specifies that the School of Medicine is to be capped at 25% of the total seats and gives directions for doing so, but it also generalizes that no school can have more than 25% of the total seats without describing a process for achieving that outcome. The Elections Committee has referred the matter to the Bylaws Committee.
- Professor Hopkins, Chair of the Bylaws Committee, characterized the problem as one of finding a way to rewrite the Charter to deal with multiple large size electoral units in a way that is equitable for all units. The Committee needs a sense of direction from the FSEC on both interim and long term approaches. Because amending the Charter will take time, it will be necessary to provide an interim solution. The

Committee suggests that the current seat allocation be carried forward for the 2001/2002 academic year. The long term solution must accommodate two issues. First, shall apportionment strictly reflect the size of the various electoral units, or is it desirable that some sort of capping mechanism be used? If a capping mechanism is desirable, upon what rationale should the cap be based? Second, is it a priority to have a Senate of more or less 100 Senators, or is it acceptable to have a more widely varying number of Senators according to the size of the Voting Faculty? Professor James Faran of the Department of Mathematics with whom the Committee consulted has proposed a procedure which would cap the number of Senators that any electoral unit could have at 25% of the total number of Senators and would produce a Senate of 100 Senators, more or less. Professor Faran also proposed an alternate approach, viz., giving each electoral unit one Senate seat for each x number of its faculty, excepting only the Medical School which would be capped at 25% of the total number of Senators. As a historical note the Medical School agreed to the 25% cap prior to the Charter revision. The cap was thought useful because the Senate tends to deal more with undergraduate matters than with graduate issues, causing a bad fit between Senate membership and its primary issues. Also Medical School Senators have a low attendance rate, making it difficult to achieve the 50% quorum. There were comments from the floor:

- capping the Medical School makes sense, but not capping the College of Arts & Sciences which is most involved with undergraduate education; prefer Professor Faran's alternate proposal; am concerned that smaller electoral units will not have a voice; consider some sort of mechanism to add to their representation (Professor Sridhar)
- what is the definition of Voting Faculty? School of Medicine only has about 350 tenure track faculty but a large number of clinical faculty (Professor Cohen)
- definition derives from the Policies of the Board of Trustees; clinical faculty are included in the Voting Faculty (Professor Malone)
- in fact there are about 1500 clinical faculty in the School of Medicine, so the 704 figure is suspect (Professor Cohen)

- only full-time clinical faculty are included in the definition; terms of appointment determine full or part time status (Professor Baumer)
- there is intense debate in the Medical School about who is full time and who is part time; question the accuracy of saying that the Faculty Senate deals primarily with undergraduate issues (Professor Cohen)
- the 25% cap is an attempt to recognize the difference between unqualified faculty and clinical faculty; that is the only rationale for limiting Senate representation with which I am comfortable; because the College of Arts & Sciences' Bylaws assign one Senate seat to each department and additional at large seats, they will have to be revised to reflect the numbers of seats the College will actually get; simpler approach to apportionment is a 30% across the board cap and one seat for each 15 faculty member, not worrying about the resulting size of the Senate (Professor Baumer)
- how is the ratio of seats to Voting Faculty now ascertained? (Professor El Solh)
- the ratio is the total number of Voting Faculty divided by 100 with the dividend being rounded ( $1759 / 100 = 18$ ); that number is then divided into the number of faculty in the School of Medicine ( $704 / 18 = 40$ ); the cap is then imposed giving the School 20 seats in a Senate of 80 (Professor Hopkins)
- a unit could challenge the imposition of a cap on it; question including clinical faculty in the definition of Voting Faculty since they are not interested in the affairs of the University (Professor El Solh)
- the Policies of the Board of Trustees compels us to include them (Professor Hopkins)
- favor setting the Senate size at 100, giving the School of Medicine 25 seats because of its prior acceptance of the cap and the nature of its faculty, and then establishing a ratio for the remaining 75 seats based on the number of Voting Faculty minus those in the School of Medicine ( $1759 - 704 = 1055$ ;  $1055 / 75 = 14$ ); the College of Arts & Sciences would then get 32 seats, which is appropriate because of its heavy involvement in undergraduate education; if an across the board cap is proposed, don't think affected schools should be asked for their consent to a cap; the proposal should be voted on by the whole of the Voting Faculty (Professor Boot)
- could argue that the School of Medicine's consent to a cap establishes a precedent for requiring consent (Professor Hopkins)
- while the Faculty Senate discusses a broad range of topics, about 40% of its resolutions deal with matters of undergraduate education; the professional and graduate schools have their own systems of faculty governance which act independently of the Faculty Senate; the graduate and professional

schools should have a majority of Senate seats only if the Faculty Senate were the true governance body of all the schools which it is not now (Professor Fournier)

- from reading the Bylaws and the Charter, understood that a matter came to the Faculty Senate when a school's governance system couldn't resolve it, and that the role of the Faculty Senate is to comment and advise on all matters (Professor Cohen)
- what the Bylaws and the Charter say is one thing; our practice is another (Professor Fournier)
- if other SUNY campuses have difficulty with the definition of Voting Faculty, perhaps we could ask the Board of Trustees to reconsider the definition (Professor Sridhar)
- putting a cap on the Medical School already seems to run counter to the Board of Trustees definition; could just do what we want without the formality of going to the Trustees (Professor Cohen)
- although the cap imposes a different Senate seat ratio on the Medical School, its faculty are fully recognized for voting purposes (Professor Sridhar)
- the definition of Voting Faculty reflects concerns of the Medical Schools at Syracuse and Brooklyn, and they would fiercely oppose any attempt at change; agree that the Senate should give more attention to issues of graduate education, but it should not try to take on such functions of the Graduate School as assessing the adequacy and quality of specific Ph.D. programs and approving individual degrees; the Senate, not individual schools, should be setting undergraduate policies that are universally applicable (Professor Baumer)
- strongly disagree that the Faculty Senate has or ought to have plenary jurisdiction over all academic matters; would pose accreditation problems for the Law School; Law School governs itself by common law principles rather than relying on rules and regulations (Professor Swartz)
- suggest letting the size of the Senate float by using an established ratio for all electoral units, excepting the Medical School which should be capped at 25 solely because of its large number of clinical faculty; undergraduate education is the primary responsibility of the Faculty Senate but it can also speak to other issues, so schools with a primarily graduate focus should be fully represented in the Senate (Professor Adams-Volpe)
- professional schools don't want the Faculty Senate to have jurisdiction over their affairs, but they do want a say in matters of undergraduate education; I have a problem with that; consider relating seat allocation to types and numbers of degrees granted (Professor Fournier)

- the issue of a cap for the Schools of Arts & Letters, Social Sciences and Natural Sciences and Mathematics would not have arisen; don't think the College of Arts & Sciences should have lesser representation than the sum of the representation of its antecedent schools; agree that the cap on the Medical School is justified only on the grounds of its mix of regular and clinical faculty (Professor Durand)
  - because the Senate considers issues other than degree programs, do not favor relating Senate representation to the kind of degrees given (Professor Baumer)
  
- There was a motion (seconded) that the FSEC instruct the Bylaws Committee to draft revisions providing that apportionment of Senate seats will be on the basis of one seat for every 15 members, or major fraction thereof, of the Voting Faculty, but with provisions that every decanal unit will have at least one seat and that no electoral unit will receive more than 30% of the seats.
  - simpler to say 25 seats to the Medical School and the remaining 75 seats pro rata to the remaining electoral units (Professor Boot)
  - the formula should not have changing elements; don't think we should single out a single school for a cap (Professor Baumer)
  - would prefer to delay the vote till the next meeting after having time to reflect on written versions of the various proposals (Professor Swartz)
  
- There was a motion (seconded) that the vote on the prior motion be postponed to the April 25 meeting of the FSEC.
  - should instruct the Bylaws Committee today; the FSEC and the Senate will vote on their drafts (Professor Adams-Volpe)
  - should be a fixed number of Senators, not a Senate that fluctuates with the size of the University (Professor Cohen)
  
- The motion to postpone passed 6 to 3.
  - the Bylaws Committee should also revise Article III (d) of the Bylaws (Professor Malone)
  - is representation to the FSEC also under consideration? (Professor Fournier)
  - the Bylaws Committee had no substantive discussion of the FSEC; wait until Senate apportionment is taken care of (Professor Hopkins)

- matters at what point the cap is applied; suggest the following process; calculate 25 % of the total Voting Faculty, reduce the number of Voting Faculty in any unit which is above that number to that number, then calculate the ratio using the revised sum of the Voting Faculty and work the allocation (Professor Baumer)

### **Item 7: Old/new business**

Professor Boot expressed concern about how undergraduate teaching assistants are being used in the Economics Department. The Faculty Senate approved the use of undergraduates as teaching assistants but under strict regulation. Professor Boot believes that the Economics Department is not adhering to those regulations.

Several students who served as teaching assistants in the Department of Economics have complained to Professor Boot that they were not provided any learning experiences. One instructor used the students only as course administrators. Another instructor required the students to handle two sections, imposing a very heavy work load on them.

The College of Arts & Sciences became aware of student complaints about these practices in August 2000. The College formed a committee to investigate the matter. The committee met for the first time in April and intends to postpone its investigation until Fall 2001.

Professor Boot had requested that the FSEC look into the matter, but the College objected saying that its committee had not yet had time to investigate. Professor Boot stated that the committee clearly did have time to investigate but delayed doing so. Furthermore several of the most articulate of the complaining students graduate in May and will not be available to the committee in the Fall. He, therefore, proposed that several of the graduating students be invited to speak with the FSEC at its April 25 meeting.

- do you object to the use of undergraduate teaching assistants? (Professor Sridhar)
- support using them but not misusing them (Professor Boot)
- clearly this is a violation of University regulations; the matter should have been formulated as a grievance and brought either to the College's Grievance Committee,

which I chair and which must respond within ten days of a complaint, or to the Provost (Professor Fournier)

- students majoring in Economics are afraid to speak openly; only students outside the Department are willing to complain; the Provost has heard about the complaints, didn't like what she heard and told the College to investigate the matter (Professor Boot)
- unusual for a matter to be brought to the Senate by other than a member of the school's own faculty or students (Professor Malone)
- courses involved are required for Management students and other students outside the College, since this is an inter-school matter, the FSEC has the right to intervene; suggest forming a subcommittee of FSEC members to hear the students (Professor Baumer)
- grieving is not so simple; would be satisfied if an FSEC subcommittee that would be seen as impartial talked to the students (Professor Boot)

There was a motion (seconded) to establish a subcommittee consisting of Professor Malone, Professor James Bono, and Professor Farkas. The subcommittee is charged to talk with students who have raised serious questions about the use of undergraduate teaching assistants in the basic Economics courses and report to the FSEC if it finds substantive issues present. The motion passed.

Professor Baumer reported that the Grading Committee has discussed comments offered by the Faculty Senate on its proposed class absence policy; the Committee will reformulate wording, but there will be no major changes. Professor Baumer will be speaking to the Provost since some of the Deans are concerned about the proposed policy.

Professor Cohen asked whether the membership of the FSEC will remain the same into next academic year. Professor Hopkins explained that the Senators from an electoral unit caucus and pick the appropriate number of FSEC representatives to serve for a one year term, with a limit of two consecutive terms. Senators are elected either in the Spring for the coming

academic year or in the early Fall depending on the practice of the unit. Senators and FSEC representatives continue serving until their successors are chosen.

There being no other old/new business, the meeting adjourned at 4:00 PM.

Respectfully submitted,

Marilyn McMann Kramer  
Secretary of the Faculty Senate

**Present:**

**Secretary:** M. Kramer

**Chair-elect:** M. Cohen

**Parliamentarian:** D. Malone

**Arts & Sciences:** W. Baumer, C. Fourtner

**Engineering & Applied Sciences:** R. Sridhar

**Health Related Professions:** G. Farkas

**Law:** L. Swartz

**Management:** J. Boot

**Medicine & Biomedical Sciences:** A. El Solh, S. Spurgeon

**SUNY Senators:** J. Adams-Volpe, J. Boot, H. Durand **Guests:** *Reporter*

P. Urban, *The Spectrum*

J. Turkkan, Vice President for Research

J. Cusker, Exec. Assistant to the Vice President for Research

J. Hopkins, Chair, Bylaws Committee **Excused:** **Chair:** P. Nickerson

**Dental Medicine:** M. Easley

**Medicine & Biomedical Sciences:** B. Noble **Absent:** **Architecture:** R. Shibley

**Arts & Sciences:** J. Bono, M. Jardine

**Graduate School of Education:** L. Malave

**Medicine & Biomedical Sciences:** C. Pruet

**Nursing:** E. Perese

**Pharmacy:** R. Madejski

**University Libraries:** A. Booth