

Faculty Senate Executive Committee

Minutes of March 1, 2000 - (approved)

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The Faculty Senate Executive Committee met at 2:00 PM on March 1, 2000 in Capen 567 to consider the following agenda:

1. [Report of the Chair](#)
2. [Report of the President/Provost](#)
3. [Resolution from the Faculty Senate Computer Services Committee](#)
4. Faculty Senate Budget Priorities Committee - Statement on the College of Arts and Sciences
5. [Issues related to smoking in and the cleaning of campus buildings](#)

Item 1: Report of the Chair

The Chair reported that:

- the Budget Priorities Committee's statement on the College of Arts and Sciences will be discussed in executive session at the end of the meeting; will ask to put its statement on the agenda for the March 14 Faculty Senate meeting
- he attended a meeting at which a training program for chairs was discussed; also attending the meeting were Vice Provost Fischer, Dr. Coles, Chair of the Professional Staff Senate, staff from Human Resource Services and officers of the Center Chapter of the United University Professions; the Chair asked Vice Provost Fischer and Professor Boot to add their comments:
 - meeting began with the simple, immediate goal of developing training sessions for chairs focused on a few specific issues; that goal expanded to setting up new chair orientation sessions and providing conflict resolution support and a chair's handbook (Vice Provost Fischer)
 - the program will keep every new chair from re-inventing the wheel; it will cover common mistakes to avoid and where to go for advice, the new Assistant Vice President for Human Resources, Susan Howe, has experience with this type of program (Professor Boot)

- he attended a meeting of the Professional Staff Senate at which Vice Provost Dunnett spoke on international programs and recruitment; the PSS used distance learning facilities to connect the two campuses
- the final draft of the section of the Faculty and Staff Handbook dealing with criteria for promotion and the content of the promotion dossier checklist is ready for review by the FSEC and the Faculty Tenure and Privileges Committee; he asked Vice Provost Fischer to comment
 - this draft contains two changes; first, Provost Headrick asked the Tenure and Privileges Committee to consider more flexible criteria for promotion from Associate to Full Professor; the end product of its work was provision in the dossier checklist for a teaching portfolio; second is material written by Professor Nyberg on promotion criteria; the FSEC, the Faculty Tenure and Privileges Committee and the Deans reviewed the two component parts, and Senior Vice Provost Levy, Professor Nyberg and I revised the entire section in light of comments (Vice Provost Fischer)

Professor Baumer moved (seconded) that the document be referred to the Faculty Tenure and Privileges Committee. There was discussion of the motion:

- Deans were asked to promulgate norms for teaching portfolios from their units; what progress has been made in obtaining these norms? (Professor Swartz)
- Deans were asked to implement a mentoring procedure which would in part focus on promotion issues, and they have done so; Deans were not asked to develop norms (Vice Provost Fischer)
- is there a phasing in period for the teaching portfolio requirement? (Professor Swartz)
- no; candidate will have control of developing the teaching portfolio, so there shouldn't be a problem (Vice Provost Fischer)

The motion passed unanimously.

- the Faculty Tenure and Privileges Committee should also look at delays in dossier review by the Provost's and President's Offices (Professor Boot)
- Handbook should include provisions governing dossier preparation when the candidate has engaged in cross-disciplinary activities (Professor Adams-Volpe)
- President Greiner has not yet responded to those recommendations (Senior Vice Provost Levy)

- Professor Kramer would report on SUNY Senator elections
 - two SUNY Senators were elected: Professor Nickerson as the Health Sciences Senator and Dr. Durand as Senator from the academic core (Professor Kramer)
- FSEC will probably have a chance to meet with President Beering on the morning of March 13
- Chief Information Officer Innus has announced that there will be a search to fill the position of Vice Provost for Educational Technology; Dr. Lesniak, assisted by Dr. Eckert, will deal with student access issues in the interim
 - strange to have a Vice Provost reporting to a Vice President (Professor Malone)
 - important to have faculty input in this search (Professor Schack)
- the Budget Priorities Committee, in addition to working on the report on the College of Arts & Sciences, reviewed the athletics budget; the Budget Priorities Committee in cooperation with the Athletics and Recreation Committee will work on an approach for releasing the budgets for athletics and for recreation and may report in April; the Budget Priorities Committee also reviewed the development budget, the draft of a document on Decentralized Financial Management and an IT initiative
- with the word "confidential" removed from the document, the President will promulgate the Alert to Instructional Staff

Item 2: Report of the President/Provost

There was no report of the President/Provost.

Item 3: Resolution from the Faculty Senate Computer Services Committee

Professor Peterson, chair of the Computer Services Committee noted that the concern expressed earlier about the need for faculty participation in the search for a new Vice Provost for Educational Technology provided a poignant segue into the Committee's resolution. She introduced Professor Straubinger, the past Chair of the Committee, whom she credited with piecing together the concerns of the Committee into the resolution. Professor Straubinger stated that the resolution grew out of anecdotal, but wide spread faculty dissatisfaction with the way their IT needs are being met.

There were comments from the floor:

- the resolution calls for an assessment of how well the IT needs of end users are being met to be done by an external agency; why not use our own faculty to do the assessment? (Professor Malone)
- IT is not accustomed to being assessed; having the assessment done by people with whom IT staff work closely will be uncomfortable because of conflict of interest and confidentiality issues; on the other hand some internal assessment will go on, for example to respond to accrediting agencies (Professor Peterson)
- while the resolution was being drafted, the Committee learned that the University would probably bring in the Gartner Group to do a Best Practices assessment of the administrative side of IT; the idea was that a portion of that assessment could be devoted to IT delivery on the teaching/learning side (Professor Straubinger)
- there is not wide spread dissatisfaction with IT in my unit; makes sense to bring in an outside group to look at administrative functions, but am not comfortable with having an outsider make determinations on the academic side (Professor Schroeder)
- company that can tell us how to integrate technology to make a better sewing machine factory can't necessarily tell us what is necessary to support our educational mission; would send the resolution to the Committee for more discussion on how faculty can affect the way decisions are made about IT and the way it meshes with our educational and research missions (Professor Schack)
- external assessment would cost at minimum \$100 K; using our own faculty would be far less costly and we could use the savings to buy more computers (Professor Meacham)
- assessment done by an external agency will be given greater credence as impartial than would one done by local faculty; faculty could work with the external agency to construct an approach appropriate for academic issues (Professor Baumer)

Professor Baumer moved (seconded) to send the resolution to the Faculty Senate for discussion. The motion carried 9-4-0.

Item 4: Issues related to smoking in and the cleaning of campus buildings

The Chair asked Cindy Konovitz, Assistant Dean of the School of Pharmacy, to begin the discussion of UB's Smoke-Free Policy. Assistant Dean Konovitz's office is located near an outside door where people smoke. As a consequence her office accumulates second hand smoke which makes it difficult to work. She has asked smokers to move further away from the door, but she believes that the University itself is responsible for enforcing its Smoke-Free Policy, not individual members of the campus community. Instead the University has located butt stops near door ways, encouraging

smokers to cluster there. She asked that the Faculty Senate add its voice to hers in seeking better enforcement of the Policy.

Professor Jorgensen, who suffers from asthma, said that she came to the University with the understanding that her workplace would be smoke free, only to find that she was expected to enforce the Smoke-Free Policy herself. She has tried, unsuccessfully, to find a University office or officer to take responsibility for enforcement of the Policy.

Director of Public Safety Grela explained that the Smoke-Free Policy is intended to rest on collegial enforcement. An employee who fails to comply with the Policy should be reported to the building head, etc.; a student who refuses to comply should be reported to the Ombudsman and the Student Wide Judiciary. Public Safety officers will aid after a request for compliance has been made and refused. The officer will take the name of the smoker and will forward the it appropriately (however, when the officer arrives, the smoker typically flees). Personnel procedures are invoked when an employee is involved; a student is counseled or given community service.

Director of Occupational and Environmental Safety Henry stated that his office is not mentioned in the Smoke-Free Policy and plays no role in its enforcement. In response to a question from Professor Nickerson, Director Henry added that his office has no equipment to measure for cigarette smoke.

Associate Vice President for University Facilities Dupre supplied the history of the butt stops. When the Smoke-Free Policy was promulgated, Facilities was told to remove containers from around entrance ways to discourage smoking there and did so. After several years of experience with smoking litter, Facilities has been told to install butt boxes to control the litter at the request of individual building managers and is doing so.

There were comments from the floor:

- suggest providing the butt stops at a distance from building entrances; better would be to build smoking shelters away from buildings (Professor Schack)
- believe that people will smoke near shelter rather than near a butt stop (Associate Vice President Dupre)

- there is a dissonance in the Policy in that it is designed to protect non-smokers but requires them to enforce it (Professor Charles Smith)
- are most smokers students or staff or faculty? (Professor Meacham)
- yes (Associate Vice President Dupre)
- is there any administrator responsible for enforcing the Policy? surprising the Policy is working as well as it is; do Public Safety officers take initiative in enforcing the Policy as they patrol? (Professor Swartz)
- officers advise smokers to move away from entrances as they patrol (Director Grela)
- other places seem able to enforce no-smoking policies, but UB's enforcement procedures totally do not work; at the beginning of each semester we need a very proactive period of enforcing the Policy, supplemented by periods of heavy enforcement during the semester; am hearing again that no administrative body takes responsibility for enforcing the Policy; am ready to go to UUP, OSHA and the media (Professor Jorgensen)
- every place that enforces a smoke-free building policy has the problem of smoking at entrance ways; can't expect Public Safety or Occupational and Environmental Safety to enforce the Policy because there are too many smokers, too many places to patrol and too much else to do; department chairs and building superintendents are better placed to enforce the Policy; senior administrators should lean on subordinates to make clear the importance of the Policy (Professor Baumer)
- institute a policy that staff could smoke only in their cars which would contain some litter and smoke; then aggressively enforce the Policy at the beginning of semesters to control student smoking (Professor Fournier)
- Policy says no smoking anywhere except in designated dorm rooms; if we don't intend to enforce the Policy we should stop saying it; equipment to measure cigarette smoke is available; assess fees for picking up litter (Professor Malone)
- need to educate students about not smoking; need more signage to encourage smokers to move away from entrances; could have contests centered on picking up cigarette butts (Ms. Muller)
- having Facilities staff pick up smoking litter is a choice that could be made, but Facilities' budget has been continually cut over the past ten years even as new buildings were added and inflation ate into the budget; as a consequence have outsourced about 40% of the cleaning, cut trades staff by 30%, grounds staff by 25%, utilities staff by 12%, administration and support by 18%, management by 20% and my staff by 33%; the impact of these cuts has been most visible in the level of cleaning and grounds maintenance (Associate Vice President Dupre)
- could tickets be given for smoking? (Professor Adams-Volpe)

- don't have tickets for smoking (Director Grela)
- if marijuana, rather than tobacco, were being smoked, there would be resources available to control that problem because it would be viewed as serious; tobacco smoke is a serious problem for people with asthma (Mr. Coggins)
- there are a lot of people who are not asthmatic but for whom smoke is objectionable; they tend to keep silent and look to activists like myself to fight for them (Assistant Dean Konovitz)
- the Policy should be changed to make the entire campus a smoke-free area with several designated smoking areas provided; some of Baird Hall cleaning people goof off in the evenings (Professor Charles Smith)
- don't see people smoking in buildings; the problem is smoking too close to entrance ways; there are two remedies for that: mark 20 feet away from buildings and designate that as the smoking distance; enforce the Singapore solution that one can't smoke and stand still, but must walk and smoke (Professor Boot)
- extended reductions in cleaning and grounds maintenance will impact our ability to recruit students; solution to the smoking problem is to designate areas in which smoking is permitted and forbid smoking elsewhere (Professor Shibley)
- am concerned that smoking in buildings will result in false fire alarms that will lull people into not responding when the alarm is sounded; dorms will become smoke-free next year (Mr. Celock)
- other campuses provide smoking rooms in their libraries where students can smoke and study; at Berkeley student athletes are paid to pick up butts (Professor Booth)
- since no administrator is willing to take responsibility for enforcement of the Smoke-free Policy, am afraid this will just have been a hand wringing exercise (Professor Swartz)
- was in the Natural Sciences Building late and was very impressed with the level of cleaning that went on; have worked at and visited other institutions and UB is the worst for exposure to smoke; smoking does take place in the buildings; if I am hospitalized with a cigarette smoke induced asthma attack, I will bring a law suit (Professor Jorgensen)
- the Natural Sciences Building is well cleaned, but more chalk and erasers should be provided to last through a whole day of teaching; would like access to the janitors' closets so I could clean my own office (Professor Fournier)
- an unenforced policy is a waste of time; any student caught smoking should be given community service of picking up butts; the Policy must also be enforced against faculty and staff (Mr. Pallickal)

There was a motion (seconded) to establish an ad hoc committee to look at the smoking issue. There was discussion of the motion:

- just give the problem publicity in the *Reporter* and *The Spectrum* (Professor Boot)
- schedule report of such an ad hoc committee next academic year when I'm no longer a member of the FSEC
(Professor Schack)

The motion failed, 4-6-1.

Associate Vice President Dupre added a post script to his comments on staff reductions in Facilities. Ten years ago, UB's Facilities staff was the fattest among its peers; today it is the leanest, so the cuts were appropriate. There was campus wide discussion of giving Facilities a disproportionate share of budget cuts and a consensus to do so, but that was six years ago. On the issue of who is responsible for enforcing the Smoke-Free Policy, he editorialized that no one administrator is responsible, but that senior administrators all over campus should set the tone of enforcement.

Assistant Dean Konovitz countered that she is a senior administrator, but she gets no respect when she tries to enforce the Policy. Having found no support from the FSEC, she is prepared to go to OSHA and the media.

At 3:45 PM the meeting went into executive session.

Respectfully submitted,
Marilyn McMann Kramer
Secretary of Faculty Senate

Present:

Chair: P. Nickerson

Secretary: M. Kramer

Architecture: R. Shibley

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

Education: T. Schroeder

Engineering & Applied Sciences: D. Malone

Health Related Professions: J. Tamburlin

Information Studies: C. Jorgensen

Law: L. Swartz

Management: J. Boot

Nursing: E. Perese

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

University Libraries: A. Booth

Guests:

K. Levy, Senior Vice Provost

W. Fischer, Vice Provost

L. Peterson, Chair, Computer Services Committee

R. Straubinger, Computer Services Committee

C. Konovitz, Assistant Dean

W. Coggins, Graduate School of Education

S. Muller, Student member, UB Council

J. Grela, Director, Public Safety

L. Henry, Director, Occupational and Environmental Safety

M. Dupre, Associate Vice President

L. Pallickal, Student Association

J. Celock, Red Jacket Council

M. McGinnis, *Reporter*

Excused:

Dental Medicine: Michael Easley

Medicine & Biomedical Sciences: Cedric Smith

SUNY Senators: J. Fisher

Absent:

Medicine & Biomedical Sciences: B. Albini

Pharmacy: N.