

**RESOLUTION TO ENDORSE SUNY UNIVERSITY FACULTY SENATE APPROVED
RESOLUTIONS FROM THE FALL 177TH PLENARY MEETING,
OCTOBER 19-21, 2017**

To: The UB Faculty Senate

From: The SUNY Faculty Senate

Date Proposed to FSEC: February 7, 2018

First Reading to the Faculty Senate: February 20, 2018

Second Reading to the Faculty Senate: March 13, 2018

Approved by the Faculty Senate: March 13, 2018

Effective Date: March 13, 2018

Whereas, the SUNY University Faculty Senate has approved 7 Resolutions at the Fall 177th Plenary Meeting at SUNY Delhi, on October 19-21, 2017;

Therefore, be it resolved, that the UB Faculty Senate recognizes and endorses the resolutions of the SUNY University Faculty Senate.

Sent for Consideration on: March 15, 2018

Decision: No action necessary.



TO: SUNY University Faculty Senate
FROM: Equity, Inclusion and Diversity Committee
RE: To Recognize the Second Monday of October as Indigenous Peoples' Day
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-01-1
VOTE TALLY: For: 38; Against: 2; Abstain: 3

RATIONALE:

WHEREAS in 1977 the International NGO Conference on Discrimination against Indigenous Populations in the Americas began discussing the replacement of Columbus Day with Indigenous Peoples' Day; and

WHEREAS there is growing recognition and understanding in the United States that the celebration of Columbus' "Discovery of America" is insulting to indigenous peoples and directly contrary to the fact that a way of life for indigenous people was irrevocably impacted with the arrival of the first European immigrants to the Americas; and

WHEREAS since 1992 more than 58 municipalities including the states of Minnesota, Vermont, and Alaska have chosen to celebrate Indigenous Peoples' Day instead of Columbus Day (*as of 9 October 2017*); and

WHEREAS many of our SUNY campuses reside on land once inhabited by the Haudenosaunee people; and

WHEREAS SUNY is committed to creating campus communities that are inclusive, diverse and representative of all people; and

WHEREAS campuses have recognized the importance of this matter and have created resolutions supporting an "Indigenous Peoples' Day," and no longer list Columbus Day on their school calendars; and

WHEREAS the Student Assembly of SUNY unanimously passed resolution 1516-115, "Indigenous Peoples' Day" on April 16, 2016.

RESOLUTION:

THEREFORE BE IT RESOLVED that the University Faculty Senate (UFS) endorses the SUNY Student Assembly resolution 1516-115, "Indigenous Peoples' Day"; and

BE IT FURTHER RESOLVED that SUNY University Faculty Senate requests that campuses recognize Indigenous Peoples' Day instead of Columbus Day on their respective campus calendars.; and

BE IT FURTHER RESOLVED that SUNY faculty are encouraged to engage in sustained and meaningful discussions with Indigenous Peoples to further SUNY's commitment to diversity, equity, and inclusion as stated in the BOT Resolution of September 10th 2015; and

BE IT FURTHER RESOLVED that the UFS President is charged to bring this matter forward to the Union of University Professions and to the SUNY Board of Trustees requesting that they change the name of the holiday celebrated or listed on SUNY calendars on the second Monday of October to Indigenous Peoples' Day.

BACKGROUND:

Definition of Indigenous Peoples: While there is no universal definition of Indigenous Peoples (Kenrick and Lewis, 2004), there is concurrence that Indigenous Peoples self-identify as indigenous and are recognized as such by their communities. Their cultural, economic, social, and political beliefs and systems are rooted in places and histories that are distinct from the post-colonial societies and cultures in which they are embedded.

<http://www.ohchr.org/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf>

http://www.un.org/esa/socdev/unpfii/documents/5session_factsheet1.pdf

http://www.unesco.org/new/en/indigenous-peoples/http://www.ilo.org/global/topics/indigenous-tribal/WCMS_503321/lang--en/index.htm

<http://www.who.int/mediacentre/factsheets/fs326/en/>

<https://www.culturalsurvival.org/issues>

Kenrick, J. and Lewis, J. (2004), Indigenous peoples' rights and the politics of the term 'indigenous'.

Anthropology Today, 20: 4–9. doi:10.1111/j.0268-540X.2004.00256.x

Continental Summit of Indigenous Peoples and Nationalities of Abya Yala

http://cumbrecontinentalindigena.org/about_guate.php

UN Chronicle: The Magazine of the United Nations, September 2007,

<https://unchronicle.un.org/article/discrimination-against-indigenous-peoples-latin-american-context>

Daily News: “Columbus Day Changing to Indigenous Peoples Day”, October 10, 2016,

http://www.nydailynews.com/life-style/columbus-day-changing-indigenous-people-day-article-1.2_825082

SUNY Student Assembly, Resolution, #1516-115, “Indigenous Peoples’ Day”, April 16, 2016,

<http://sunysa.org/wp-content/uploads/2015/10/1516-115Indigenous-Peoples-Day-1.pdf>

University at Albany, SUNY, Student Association Senate resolution #S.1516-106R, “Indigenous Peoples’ Day”,

February 10, 2016, www.albany.edu/sasenate/docs1516/1516-106.docx

SUNY Board of Trustees’ Resolution on Diversity, September 10, 2015.

<https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/Reso%20Tab>

[%2005%20-%20Diversity,%20Equity,%20and%20Inclusion%20Policy.pdf](https://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/Reso%20Tab%2005%20-%20Diversity,%20Equity,%20and%20Inclusion%20Policy.pdf)

SA Press release. http://sunysa.org/wp-content/uploads/2017/10/PressRelease_20171008.pdf

New York Times article. https://www.nytimes.com/2017/10/09/us/columbus-day-protest.html?emc=edit_ne_20171009&nl=evening-briefing&nlid=72284997&te=1



TO: SUNY University Faculty Senate
FROM: Equity, Inclusion and Diversity Committee
RE: To Provide Free Access to Menstrual Products at All SUNY Campuses in All Restrooms
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-02-1
VOTE TALLY: For: 37; Against: 3; Abstain: 3

RATIONALE:

WHEREAS the SUNY Board of Trustees September 10, 2015 Resolution desires to “make SUNY the most inclusive higher education system in the country”; and

WHEREAS the SUNY Board of Trustees September 10, 2015 Resolution’s Guiding Principles state that “diversity and inclusiveness are integral components of the highest quality academic programs and the strongest campus climate. Diversity is essential to excellence in the university setting” and that “SUNY’s statutory mission makes clear its responsibility to provide the broadest possible access, fully representative of all segments of the population of New York State”; and

WHEREAS campuses should work to “ensure that services are in place to support retention (of faculty and students) and foster student completion at a rate that closes existing achievement gaps; and implement programs and strategies to establish a welcoming environment for all”; and

WHEREAS the federal government recognizes the need for improved affordability and access to menstrual products and “in early August 2017, the U.S. government began to offer tampons and a variety of sanitary pads free to federal inmates”¹; and

WHEREAS New York State is a national model for progress in menstrual equity: “On July 13, 2016, NYC Mayor Bill de Blasio signed legislation, with unanimous support, providing free access to feminine hygiene products to all public schools, prisons and homeless shelters in the city’s five boroughs (Bill Intros 1122-A, 1123-A and 1128-A). And, “on July 21, 2016, Governor Cuomo signed legislation eliminating local and state sales tax on feminine hygiene products (bill A.7555-A/S.7838)”; and

WHEREAS female student body is 239, 073 (54%); and

WHEREAS many of students in SUNY are financially fragile: 75% of all SUNY students receive financial aid; and

WHEREAS if campuses do provide menstrual products, female students must ask for these products at a campus health center; if not, they must buy their own; and

WHEREAS if students cannot afford these products, they may miss class, which could affect their ability to be successful in their classes and complete their programs in a timely manner; and

WHEREAS there is national foundation support in place through *Free the Tampons*, to help institutions overcome the financial concerns of this exact type of policy and “provide education and resources that empower advocates to create change for women nationwide.”⁴

RESOLUTION:

THEREFORE BE IT RESOLVED that SUNY support students on our campuses who need these products by developing and funding programs that provide access to free menstrual products in all campus restrooms.^{2,3}

BACKGROUND:

1. Federal law to allow free access to menstrual products for inmates.
https://www.washingtonpost.com/local/social-issues/federal-prisons-must-provide-free-tampons-and-pads-to-incarcerated-women/2017/08/23/a9e0e928-8694-11e7-961d-2f373b3977ee_story.html?utm_term=.0c6112633465
2. www.suny.edu
3. Free the Tampon Non Profit Foundation. <http://www.freethetampons.org/about.html>
4. Products in men's room for gender equity.
<http://www.chronicle.com/article/Tampons-in-Men-s-Rooms/240091>

JAR 11/13/17



TO: SUNY University Faculty Senate
FROM: Operations Committee
RE: Recommendations for Academic Advisers Related to Financial Aid
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-03-1
VOTE TALLY: For: 33; Against: 6; Abstain: 3

RATIONALE:

WHEREAS state, federal, and private aid sources have varied and student-specific academic progress-related conditions required to meet academic eligibility requirements for financial aid; and

WHEREAS it is critical for students to be fully informed about the impact of registration choices on their financial aid support; and

WHEREAS incomplete and incorrect information related to the impact of a student's registration on current or future financial aid eligibility may negatively impact a student's funding eligibility and persistence/graduation, and create legal implications for academic advisers; and

WHEREAS understanding the complexity of determining satisfactory academic progress (e.g., the number of semester credits attempted and completed, the specific courses for which students are currently registered, total credits hours earned, and cumulative GPA are all considered when determining academic eligibility for financial aid), the changing nature of aid eligibility regulations, and a comprehensive understanding of the intersection of these matters on individual student's aid eligibility requires a focus and commitment of time that is unreasonable to expect of academic advisers whose primary purpose is to provide academic, major, and career guidance within the scope of their expertise rather than financial counsel;

RESOLUTION:

THEREFORE BE IT RESOLVED that campuses should make it clear to academic advisers that students' registration impacts their financial aid eligibility. As such, academic advisers should refer students to the financial aid office on their campus for information on how registration and registration changes may impact aid eligibility; and

BE IT FURTHER RESOLVED that SUNY develop and deploy on all campuses an automated financial aid information system that will provide to students clear and early information on their aid eligibility statuses and aid eligibility appeal procedures, and provide warnings during registration processes that notify students that their aid may be impacted by particular semester registrations or changes to registration during the course of a semester.

BACKGROUND:

None provided.



TO: SUNY University Faculty Senate
FROM: Operations Committee
RE: Recommendation on Broad-Based Fees
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-04-1
VOTE TALLY: For: 40; Against: 1; Abstain: 1

RATIONALE:

WHEREAS stagnant direct state financial support and increasing operating costs have led to increasing broad-based fees for student services, with an average increase of 24.3% from 2011/12 to 2016/17 (with a range from 15.9% in the technology sector to 17.0% in the comprehensive college sector to 41.3% in the doctoral sector and to 43.5% in the university centers sector)¹; and

WHEREAS financial aid, in some cases, is not sufficient to cover the cost of these fees; and

WHEREAS students and their families may view fees at SUNY institutions negatively and may therefore opt to enroll elsewhere²;

RESOLUTION:

THEREFORE BE IT RESOLVED that the University Faculty Senate recommend to campuses and campus leadership that broad-based fees be closely scrutinized to ensure the appropriate balance of addressing student services, fiscal need, and long-term institutional financial viability, student access, success, and completion; and

BE IT FURTHER RESOLVED that campuses work closely with SUNY System Administration to ensure that all broad-based fees are implemented and administered in line with appropriate policy and guidelines (See [SUNY policy document 7804: Fees, Rentals, and Other Charges](#), effective 9/20/11).

BACKGROUND:

¹Calculations by Operations Committee member, Dr. David Vitt, Assistant Professor of Economics at Farmingdale State College, identifies the rate of inflation from 2011-2016 for the average college student to be between 1.2%-1.58% based on Federal Reserve Economic Data (FRED) and compares this rate to the Higher Education Price Index (HEPI) which shows higher education prices increasing at an average rate of 2.04% during the same period of 2011-2016.

²Helmet and Marcotte (2008) estimate a tuition elasticity of demand for college that suggests for a given percentage increase in tuition, enrollment will fall by 0.1 times that percentage change in tuition. Increases in fees likely have a similar enrollment and revenue impact which should be considered.



TO: SUNY University Faculty Senate
FROM: Executive Committee
RE: University Faculty Senate's Response to Charter School Committee of SUNY Board of Trustees
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-06-1
VOTE TALLY: For: 40; Against: 1; Abstain: 0

RATIONALE:

WHEREAS on October 11, 2017, the State University of New York Board of Trustees Charter Schools Committee approved regulations (NYCRR T. 8, Ch. V, Subch. E, Pt. 700, Subchapter E. Regulations of the Board of Trustees' Charter Schools Committee) that establish a process by which certain charter schools may establish their own criteria for certification of their own teachers; and

WHEREAS the State University of New York Board of Trustees approved TeachNY in June 2017 as the policy governing educator preparation for SUNY programs; and

WHEREAS TeachNY resulted from two years of in-depth discussions among national experts, university faculty and administrator, practicing teachers and school administrators, students, and members of the SUNY Board of Trustees; and

WHEREAS attendance policies apply to all students, including students within the United States Military community¹, who are held to the same standards as other students relative to classroom attendance policies; and

WHEREAS TeachNY resulted from two years of in-depth discussions among national experts, university faculty and administrator, practicing teachers and school administrators, students, and members of the SUNY Board of Trustees; and

WHEREAS SUNY's educator preparation programs are staged over a number of semesters to ensure that there is adequate time to develop and deepen both content knowledge and the practice of teaching in a variety of instructional environments with diverse students; and

WHEREAS SUNY's educator preparation programs have been evaluated by external accreditation agencies, unlike the untried and untested process approved in the Charter School regulations; and

WHEREAS the Charter School regulations fail to meet the quality demands of SUNY's educator preparation programs: not in the demonstrated quality of incoming students, not in the time needed to develop a deep understanding of the relationship between content and pedagogy, not in providing specification of the knowledge and skills teachers need to master BEFORE they enter the classroom, nor in the extent of pre-service clinical experience; and

WHEREAS the Charter School regulations were developed without engaging the existing expertise of the university community to seek solutions to problems with teacher recruitment and retention other than to lower the qualifications of potential teachers, nor have proponents explained why Charter School students do not

deserve the best prepared teachers; and

WHEREAS public officials including the Speaker of the New York State Assembly, the Chair of the Assembly Higher Education Committee, other members of the Legislature, the Commissioner of the State Education Department, and the Chancellor of the State Regents, as well as leaders of SUNY teacher education programs and leaders of state and national teachers' organizations, have opposed this action of the Charter Schools Committee; and

WHEREAS to protect its residents, New York State has established specific certification requirements for a number of professions, including but not limited to education (teaching and administration), medicine (doctors, nurses, physician assistants and medical technologists) and dentistry

RESOLUTION:

THEREFORE BE IT RESOLVED the University Faculty Senate condemns in the strongest possible terms both the process that created and the regulations that have been passed by the SUNY Board of Trustees Charter Schools Committee; and

BE IT FURTHER RESOLVED that the University Faculty Senate urges in the strongest terms that the Board of Trustees exercise its authority in Section 700.1 to "alter, amend, revise or repeal the provisions" of actions of its Charter Schools Committee to repeal the new regulations at its November Board of Trustees meeting.

BACKGROUND:

Resolution passed by Board of Trustees Charter Schools Committee:

<http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/Resolution%20Approving%20Regulations.txt>

Regulations passed by Board of Trustees Charter Schools Committee:

[http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/SUNY%20Charter%20School%20Regulations%20\(revised\).txt](http://www.suny.edu/about/leadership/board-of-trustees/meetings/webcastdocs/SUNY%20Charter%20School%20Regulations%20(revised).txt)



TO: SUNY University Faculty Senate
FROM: Governance Committee
RE: Recommended by-laws changes (2-motions)
DATE: 177th Plenary, October 19-21, 2017
LOCATION: SUNY Delhi
RESOLUTION #: 177-07-1
VOTE TALLY:

RATIONALE:

IN RESPONSE TO a request by the AY 2016-2017 Nominating Committee, the Governance Committee has reviewed Article III: Officers and Elections of the UFS Bylaws and Procedures (2013), and proposes the following two changes to address issues raised by the Parliamentarian, the Nominating Committee and several of last year's Presidential Candidates. Specifically, the committee looked at the length of statement and vita, and the method and conduct of elections.

The committee felt that the length of statement and vita were acceptable, as links could be used to longer documents, but felt that the following should be addressed before a more thorough review of the entire Bylaws and Procedures Document is undertaken during AY 20172018: (a) allowing the candidates to address the electorate, (b) campaigning (allowed or not allowed), (c) what to do in case of a tie vote and (d) teller's reports between rounds.

RESOLUTION:

THEREFORE BE IT RESOLVED that the Governance Committee recommends that the UFS Senators vote on two separate motions as outlined below. These additions, highlighted below in yellow, will go into effect immediately and will be reflected in the spring election of a Vice President/Secretary.

MOTION #1: Add language to allow and ensure that candidates have an opportunity to answer questions from the electorate and to ask the nominating committee to provide guidance on electioneering/campaigning.

CURRENTLY (2013 bylaws):

Article III: Officers and Elections. Section D. Conduct of Elections. It shall be the responsibility of the Nominating Committee or Interterm Nominating Committee to conduct all elections for Officers of the Senate and Members of the Executive Committee at meetings of the Senate.

CHANGE TO:

Article III: Officers and Elections. Section D. Conduct of Elections. It shall be the responsibility of the Nominating Committee or Interterm Nominating Committee to conduct all elections for Officers of the Senate and Members of the Executive Committee at meetings of the Senate. **Facilitated by the chair of the Nominating Committee, at a plenary during which there is an election, time will be offered to the candidates to answer questions from the voting members. In conjunction with any election, candidates will receive guidelines for campaigning from the Nominating Committee.**

MOTION #2: Add language to clarify the process that will be taken in the event that there is tie and to suppress the numerical teller's report between rounds.

CURRENTLY (2013 bylaws):

Section E. Method of Elections. Elections shall be by secret ballot of the Senate as a whole, and a majority of the votes cast shall be required for election. If no candidate for an office or position receives a majority of the votes cast, then the candidate who received the lowest number of votes shall be removed from the slate, and the election repeated until a candidate receives a majority of the votes cast. If there is only one candidate for an officer position as Member of the Executive Committee and if there is no objection from the floor, the Senate may authorize the Vice President/Secretary to cast a single ballot for that candidate.

CHANGE TO:

Section E. Method of Elections. Elections shall be by secret ballot of the Senate as a whole, and a majority of the votes cast shall be required for election. If no candidate for an office or position receives a majority of the votes cast, then the candidate who received the lowest number of votes shall be removed from the ballot, and the election repeated until a candidate receives a majority of the votes cast. In the case of a tie for the lowest number of votes in any round, the two tied candidates will be identified and the election will be repeated with no candidates removed from the ballot. The vote count for the teller's report shall be reported only for the final ballot. If there is only one candidate for an officer position as Member of the Executive Committee and if there is no objection from the floor, the Senate may authorize the Vice President/Secretary to cast a single ballot for that candidate.

JAR 11/13/17