

Attendance:



University at Buffalo  
OFFICE OF SHARED GOVERNANCE  
FACULTY SENATE

Executive Committee Meeting  
Wednesday, September 6<sup>th</sup>, 2017  
3:00pm - 4:30pm, 567 Capen Hall

<b>CHAIR:</b> Philip Glick <i>PRESENT</i>
<b>SECRETARY:</b> Cynthia Tysick <i>ABSENT/RESIGNED</i>
<b>PARLIAMENTARIAN:</b> James Hassett <i>ABSENT</i>
<b>ARCHITECTURE &amp; PLANNING:</b> Beth Tauke <i>W. Spuler</i>
<b>ARTS &amp; SCIENCES:</b> Sampson Blair <i>EXCUSED ABSENCE</i> Michael Cowen <i>MJC</i> Kenneth Dauber <i>Stephen L. Dye</i>
<b>DENTAL MEDICINE:</b> Michael Hatton <i>M Hatton</i>
<b>EDUCATIONAL OPPORTUNITY CENTER:</b> Nancy Lane <i>Nancy McHane</i>
<b>ENGINEERING &amp; APPLIED SCIENCES:</b> Marina Tsianou <i>Marina Tsianou</i>
<b>GRADUATE SCHOOL OF EDUCATION:</b> Vladimir Ageyev <i>ABSENT</i>
<b>LAW:</b> James Milles <i>PRESENT</i>
<b>MANAGEMENT:</b> Jurriaan de Jong <i>Jurriaan de Jong</i>
<b>MEDICINE &amp; BIOMEDICAL SCIENCES:</b> Jessy Alexander <i>Jessy Alexander</i> Peter Elkin <i>ABSENT</i> Robert Miletich <i>PRESENT</i> <i>EXCUSED</i>
<b>NURSING:</b> Laura Anderson <i>L Anderson</i>

<b>PHARMACY:</b> Fred Doloresco <i>AFD</i>
<b>PUBLIC HEALTH AND HEALTH PROFESSIONS:</b> Jim Lenker <i>ABSENT</i>
<b>SOCIAL WORK:</b> Diane Elze <i>PRESENT</i>
<b>UNIVERSITY LIBRARIES:</b> Susan Dow <i>Susan Dow</i>
<b>SUNY SENATORS:</b> Cemal Basaran <i>Cemal Basaran</i> Philip Glick Kathleen Kielar <i>PRESENT</i> Ezra Zubrow <i>Ezra Zubrow</i>
<b>PRESIDENT OF THE UNIVERSITY AT BUFFALO:</b> Satish Tripathi <i>ABSENT</i>
<b>PROVOST OF THE UNIVERSITY AT BUFFALO:</b> Charles Zukoski <i>PRESENT</i>
<b>PROFESSIONAL STAFF SENATE:</b> Domenic Licata <i>PRESENT</i>
<b>COUNCIL OF ADVOCACY AND LEADERSHIP (COAL):</b> Mike Brown <i>PRESENT</i>
<b>INVITED GUESTS:</b>
<b>OTHERS IN ATTENDANCE:</b>
Lindsay Allen <i>PRESENT</i>
<i>Sharon Nolan Weiss</i>

Meeting called to order at **3:00pm** by Chair Philip L. Glick

Welcome to 2017-2018 FSEC

**UB Box** access for all FSEC members – please let office know if you do not have access

Motion to accept agenda with minor changes to include SUNY Chancellor's YouTube video

- motion accepted 1) K. Kiellar 2) E. Zubrow

Reminder that all meetings are **recorded** – recordings are place in UB Box in meeting folder

**Cindi Tysick** stepped down as Secretary of FS – accolades from Chair Glick, sorry to see Cindi go

- Chair Glick asked if anyone is interested in taking over as Secretary – if so, please let the office know

### 1. Chair's Report

- Obituaries – Philip Coppens, Department of Chemistry; Mary Cassata, Department of Communications. Moment of silence.
- Reminder of memorial for Peter Nickerson, School of Medicine, Chair of FS for 10 years
- CESS is ongoing – presenting to FSEC 9/13/17
- BreatheFree UB Committee
- FS Handbook Task Force – update from task force should be done by end of year
  - UB Policy Library Website
- UB hosting SUNY FS Spring Plenary in April 2018
- 1 Capen is now open – one-stop shop for student services
- New Faculty Orientation – 80 new faculty members
- Freedom of Expression Resolution Promulgated 8/31/17 – on FS website
- Protection of Non-Citizens at UB Resolution – passed in May 2017, needs review prior to presidential promulgation – hoping that FS can make a statement on DACA in future meeting
  - Does ICE come on campus? Question by Diane Elze. Provost answered; yes they can come on campus, but cannot pursue anyone unless they have lawful reason to. ICE was on campus last year, PLG will discuss with Diane Elze off-line.
- Student Name Policy has been rolled out – students can identify however they want
- SUNY CGL – October 6<sup>th</sup> & 7<sup>th</sup> in Albany
- SUNY Diversity Conference in Albany in November
- SUNY FS Fall Planning Meeting - September, Fall Plenary – September, October
- SUNY SA – Rally to support Maintenance of Effort (MOE) Legislation – Mike Brown will discuss – PLG explained what MOE is, after question about it.
- Hurricane donations needed – PLG editorial comment: “who says global warming isn't real?”

### 2. SUNY Chancellor's Report: [SUNY Chancellor's You Tube Video](#)

### 3. Provost's Report

- a. DACA/ Protection of Non-Citizens at UB Resolution – form not content of resolution was requested to be changed – what is expected of the President’s Office? Support is substantial. Read parts of the following letter:

Letter from President Tripathi on DACA:

Sept. 6, 2017

Dear University Community:

Yesterday, on behalf of our university, I once again publicly expressed UB’s support of the Deferred Action for Childhood Arrivals (DACA) program by cosigning a letter with my fellow educational leaders from the Association of American Universities (AAU).

To further underscore our commitment to a diverse and inclusive campus community, I, on behalf of our SUNY campus, have also wholly supported SUNY Board of Trustees Chairman H. Carl McCall and SUNY Chancellor Kristina M. Johnson in urging Congress to protect the earned rights of New York State’s 42,000 DACA enrollees. In calling for a fair and permanent solution for DACA participants, Chairman McCall and Chancellor Johnson state that **“SUNY’s commitment to diversity, equity, and inclusion will not falter.”**

Since 2012, DACA has enabled hundreds of thousands of young people to realize their potential through education and employment. We at UB have always upheld this commitment to providing equal opportunity for all students to pursue their life goals. Providing a permanent legal solution for DACA participants is imperative.

As I have publicly stated recently—and on many occasions in the past—our institution fully supports the DACA program. All students, including DACA students across our state and our nation, should have the opportunity to pursue their educational goals and their professional aspirations. Our mandate as a public research university is to contribute to the educated citizenry that is so critical to a robust democracy.

Sincerely,

Satish K. Tripathi  
President

- b. Many UB achievements for this coming year, including: hired 80 new faculty: 29 in engineering, 20 in CAS – the 2 largest cohorts; 8,800 new undergrad and grads on campus in 2017; 4,100 new freshman – would like to grow by 2000 more students yearly by 2020; Excelsior Scholarships are being rolled out/accepted – more information coming; 1,300 international students on campus; Increased # of medical students in 2017; Faculty – 72 tenure promoted; awards, accolades for several faculty members; many achievements and much to look forward to
- c. Addressing Resolution on Public Censure: strong senate = strong university, but all must work together to achieve common academic goals, all have different roles and responsibilities. Provost is responding to resolution because FS has chosen to supersede

roles and responsibilities. Deep concern over FS actions. All FSEC members must consider the precarious precedent this sets. *Request to include statement in minutes.*



University Provost  
Office of the Provost

**STATEMENT FROM PROVOST ZUKOSKI IN RESPONSE TO FSEC AGENDA ITEM  
REGARDING PUBLIC CENSURE**

**SEPTEMBER 6, 2017**

Regrettably, I must address a matter that is on today's agenda and that is a resolution of public censure. I have deep concerns about this resolution.

A strong and productive Faculty Senate is essential to a strong and productive university. For example, as I have stated many times, the faculty own the curriculum. I have no intention of creating an adversarial relationship with the Faculty Senate, on whom I rely for advice and guidance regarding academic policy matters. We want to work together, we must work together to achieve our common academic goals, but, in order to do that, we must recognize that we have different roles and responsibilities. Recognizing and appreciating our different roles and responsibilities benefits the university. Together, it allows us to jointly address academic challenges and opportunities facing the university.

However, when the Faculty Senate chooses a path that is not in keeping with the Policies of the Board of Trustees or the collective bargaining agreement under which we all operate, there is no choice but for the president or me to respond. That is our responsibility as officers of the university.

In the matter on which this resolution is based and as I have shared orally and in writing with Chair Glick, renewal and non-renewal actions are conditions of employment governed by the Policies of the Board of Trustees and lie solely within the scope of the collective bargaining agreement between SUNY and its faculty. Again, within the university operating system, different bodies have different responsibilities.

I am deeply concerned that the Faculty Senate has chosen to discuss and publish confidential employment information. In addition to these breaches of confidentiality, the information discussed and published may not be accurate. As an officer of the university, it is my responsibility to protect the privacy of university employees. Therefore, I will not participate further in this meeting and ask that all members of the Executive Committee seriously consider what I have shared with you and the precarious precedent you may be setting today.

I ask that my comments be entered into the formal minutes of this meeting.

Thank you.

*Charles F. Zukoski  
Provost and Executive Vice President for Academic Affairs  
University at Buffalo*

Discussion briefly continues – comment by E. Zubrow, Provost exits meeting. FSEC Members (newly elected) wonder about which resolution the Provost was referring to.

4. **Senator's Orientation** by Mike Hatton – slides available on UB Box; Alternates should be identified by each FSEC member.
5. **COAL Student Representative Report** – Mike Brown – Report added to minutes; discussion follows.



**Mike Brown**  
Student Representative 2017-18  
University at Buffalo Council

501 Capen Hall, Buffalo, NY 14260  
[www.buffalo.edu/ubcouncil](http://www.buffalo.edu/ubcouncil)  
[mpbrown@buffalo.edu](mailto:mpbrown@buffalo.edu)

## STUDENT REPORT TO THE FACULTY SENATE

September 6, 2017

The recent cuts to late night busing on Friday and Saturday nights will improve neither safety for students nor quality of life for residents. Speaking from experience as a longtime volunteer at the University Heights Tool Library, quality of life in the neighborhood is important and misconduct does need to be addressed.

Students should be treated as adults and be prepared to face the consequences of their decisions. There is no excuse for underage drinking, disruptive parties, or disrespectful conduct. This behavior should be dealt with by improving the presence of law enforcement, not by cutting safe transportation options for the entire student body because of the actions of some of their peers. That is an easy answer, but it is not the right answer.

Every student pays \$232 each semester as a transportation fee. Regardless that Uber and Lyft are now available, this decision discriminates against students who cannot afford to pay even more money to find their own transportation. It would be quite mistaken to assume that the only students using these late buses are just those going to parties.

There are many students, especially international students as well, who live in University Heights because it is the only housing they can afford. While the Yellow Line from Flint Loop to Main Circle will continue 24-hour service Sunday through Thursday, there are many students who shared with me how they will still be impacted. Architecture students often work on their studio projects late into the night on South Campus. Student drivers of the SBI Safety Shuttles can end their shifts as late as 4:00 AM. Campus Dining & Shops often have shifts running that late as well and after UB's decision last year to reduce late night buses from 6 per hour to 3, many student workers have struggled to catch rides. Furthermore, it makes little sense to provide the 24/7 library in Capen without providing 24/7 transportation for students wanting to use it.

This is a complex issue with many sides and that is why it is critical to give all stakeholders involved a voice at the table. Without any student input, this decision was a failure of shared governance. Lest we forget last year's armed robberies and student stabbing, UB is sending a dangerous message that students don't deserve a say in issues that affect our safety.



**Mike Brown**  
Student Representative 2017-18  
University at Buffalo Council

501 Capen Hall, Buffalo, NY 14260  
[www.buffalo.edu/ubcouncil](http://www.buffalo.edu/ubcouncil)  
[mpbrown@buffalo.edu](mailto:mpbrown@buffalo.edu)

Students are angry that services we pay for were cut without our say. Parents are worried about their student's safety when they often need it the most. Bus drivers are upset about lower pay because of reduced hours. Alumni are disheartened to see this continued theme of blindsiding decisions just like last year's cuts to the athletics teams.

These are exactly the reasons why the University needs to include students and other stakeholders on issues like this from the start, not just after it hits the headlines.

I am optimistic that myself and other student leaders can work with Parking and Transportation to find a better solution. To update you all on my steps going forward, tomorrow I'll be speaking with UB's Community Relations and next week I'll be attending the monthly meeting of the University Heights Collaborative to listen to residents. I'm also bringing together students leaders to talk with Scott Weber, Laura Hubbard, and Chris Austin about this issue.

I urge the University to recognize that the best solutions to issues that we face will come as a result of collaboration between students, administration, and community members to ensure that all stakeholders have a voice at the table.

6. **Budget Priorities Committee Report** – Postponed to 9/13/17
7. **Asymmetry of Legal Council Resolution** – Sponsored by James Milles, FSEC Member, Law School



- a. Resolution called to question by 1<sup>st</sup> Mike Hatton, 2<sup>nd</sup> Cemal Basaran; Passed by FSEC unanimously (17 in favor, 0 opposed) – will go to 1<sup>st</sup> reading to FS on 9/19/17
  - b. Matt Steilen Research Paper will be added to UB Box
8. **Resolution of Public Censure** – Sponsored by Steve Dyson – SD proposed to present to the Faculty Senate, 2<sup>nd</sup> by Marina Tsianou – B. Tauke requests it wait until 10/17/17 FS Meeting. Motion to postpone to 10/17/17 passes.
- a. When grievance is asked for, the faculty member surrenders their confidentiality, despite Provost’s comments.
  - b. Redact faculty member’s identity from resolution before sharing with the full senate.
  - c. Policies & Procedures were not followed – School of Architecture & Planning is changing their P&P currently, so they do not make another similar mistake.
  - d. FSEC & Ad Hoc Committee acted in good faith in regard to this matter.
  - e. “Presidential Compassion Reappointment” was requested for this faculty member because of grave illness.
  - f. E. Zubrow comment, re: UUP not able to handle this case.
  - g. Steve Dyson comments, statement of concern by Beth Tauke presented, Marina Tsianou comments on this, Cemal Basaran comments, Susan Dow comments on resolution – needs to know more about it, also comment by Diane Elze. Need time to read resolution. Discussion by several ensues.
  - h. Typos in resolution found by Cemal Basaran – staff will edit and replace on Box.
9. **Motion to adjourn** by Mike Hatton, 2<sup>nd</sup> Ezra Zubrow.

Minutes prepared by Lindsay Allen, Staff Assistant, Office of University Shared Governance, 9/28/17.

Minutes unanimously accepted at 10/4/17 FSEC Meeting.