



University at Buffalo
The State University of New York

FACULTY SENATE

October 6, 2015

CHAIR:

Phil Glick

SECRETARY:

Cynthia Tysick

ARCHITECTURE & PLANNING:

Ernest Sternberg (excused)

ARTS & SCIENCES:

Alex Anas (absent)

Ana Mariella Bacigalupo (Franquea-alt present)

Michael Cowen (Hundley-alt present)

Sergey Dolgopolski (absent)

Stephen Dyson (absent)

Walter Hakala (Lee-alt present)

David Johnson (absent)

Jacob Kathman (excused)

Nicholas Lustig (absent)

Sara Metcalf

Peter Morgan (excused)

Alyssa Mt. Pleasant (absent)

Harvey Palmer

Katja Praznik

David Schmid

Adam Sikora

Jean-Jacques Thomas

Camillo Trumper

Paul Zarembka

Ewa Ziarek

DENTAL MEDICINE:

Khalid Almadi

Michael Hatton (excused)

Ray Miller

Benita Sobieraj

GRADUATE SCHOOL OF EDUCATION:

Maureen Boyd

Kayte Conroy

Lilliam Malave

Sarah Robert

Margaret Sallee

ENGINEERING & APPLIED SCIENCES:

Paschalis Alexandridis

Christine Human

Igor Jankovic

James Jensen

Joseph Mollendorf

Adel Sadek (absent)

Sabanayagam Thevanayagam

Robert Wetherhold

LAW:

Martha McCluskey (excused)

Matt Steilen

Mateo Taussig-Rubbo (alt)

MANAGEMENT:

Jun Ru

Larry Sanders (spring)

Sudhir Suchak (fall)

MEDICINE & BIOMEDICAL SCIENCES:

Omar Al-Ibrahim

Nikolaos Almyroudis (absent)
Daniel Amsterdam
Daniel Antonius
Jeffrey Anker
Peter Bradford
Michael Chaskes (absent)
George Chen (absent)
Clarice Cooper (absent)
Peter Elkin
Julia Faller
Edward Fine
Richard Gronostajski
James Hassett
Hoon Jung (absent)
Supriya Mahajan
Dennis Nadler (absent)
Chukwumere Nwogu (absent)
Sangita Patel (absent)
Garbriela Popescu
Rajeev Sharma
George Simpson
Satpal Singh (absent)
Scott Stewart (absent)
Susan Udin
Taechin Yu

NURSING:

Grace Dean (Castner-alt present)
Donna Fabry

PHARMACY:

Alice Ceacareanu
Fred Doloresco

PUBLIC HEALTH & HEALTH PROFESSIONS:

Peter Horvath (absent)
Heather Kearns (absent)
Jim Lenker (absent)

SOCIAL WORK:

Robert Keefe (excused)
Kathleen Kost

UNIVERSITY LIBRARIES:

Glendora Johnson-Cooper
Liz Stellrecht
Margaret Wells

SUNY SENATORS:

Ezra Zubrow (excused)
TBD
TBD
TBD

PARLIAMENTARIAN:

Richard Gronostajski

GUESTS:

Satish Tripathi, President
Chip Zukoski, Provost
Ashley Inkumsah, The Spectrum
Euchiro Kazamai
Ophelia Morey, Libraries
Huy Duc Pham, The Spectrum

Meeting began at 3:00pm

- Minutes from 5/5/15 approved
- Secretary, Cindi Tysick, demonstrated the Sharepoint website for distributing senate documents
- Phil Glick welcomed everyone and gave a brief presentation on the history of faculty senate and the right and responsibilities of voting faculty.
- Preident's Report
 - Invited everyone to his State of the University address this Friday
 - He attended an alumni event at the Harbor Center with 400 alumni. Every excited about where UB is going.
 - Controversial student art project
 - Exploring difficult and painful topics is what we do but we must be a safe and inclusive campus.
 - We need to allow students to feel safe, heard, and respected. We need to listen to their concerns and make corrections when we can.
 - Many expressed deep distress but as campus community we are balancing freedom of speech and respect
 - Student leadership is taking great steps to address this issue.
 - They are concerned about the campus climate
 - They would like a definition of artistic academic freedom
 - Mentioned the celebration of Faculty and Staff Excellence & Critical Conversations speaker series to begin in October.
- Provost
 - Enrollment is 2nd largest in UB history (5587 new undergraduates and 3425 new graduates)
 - Strong in engineering, management and public health with a drop in law and CAS
 - This year 80% of incoming undergraduates signed up for Finish in Four program. The program is a finalist in APLU 2015 for Project Degree Completion award.
 - General Education
 - Launching in 2016
 - Integrated education through pathways. With a pathfinder tool coming soon.
 - Communities of Excellence
 - SMART, Genome (GEM), and Global Health
 - Will offer new degree programs
 - SUNY Excels

- Performance Improvement Plans for campus presidents tied to 17 categories.
- RFP for \$100 million in project plans went out and UB has 13 plans moving forward. Including Finish in Four, Heart of the Campus, Empire Innovation Fund, and ReNew.
- It was determined there was a quorum so the meeting continued with the following items
 - Textbook Resolution 2nd reading by Tysick-**approved**
 - Shared Governance Motion 1st reading by Hassett
 - Timelimits 1st reading by Popescu
 - Electronic Voting 1st reading by Tysick

Meeting adjourned at 4:10p

Submitted by Cynthia Tysick, Secretary of the Faculty Senate

10/29/15

Proposed Faculty Resolution On Faculty Conduct Regarding Textbooks and Other Educational Material Assigned to Classes

WHEREAS, some assigned textbooks, electronic resources, supplies, or other educational materials (henceforth “assigned educational materials” or “such materials”) are very expensive and put an undue burden on student budgets; and

WHEREAS, there are reports that some instructors at UB require student to purchase assigned educational materials for which the instructor receives royalties, mark-ups, or profits, raising a perception of conflict of interest; and

WHEREAS, in some cases, students are given no alternatives, such as books placed on reserve; and

WHEREAS, there are reports that in some instances faculty members carry out direct cash transactions for the sale of such materials to students; and

WHEREAS, there are reports of that in some universities faculty members have charged for quizzes, tests, or other assessments meant to influence class grade, [and [optional: WHEREAS, it is understood that for small royalties, as for one or just a few books, it is cumbersome and difficult to alter publishers’ payment methods, and the Faculty Senate has concern primarily for unwarrantedly large impositions of expense on students;]

THEREFORE BE IT RESOLVED THAT:

1. Regarding textbook affordability in general: In partial support of a 2013 resolution by the SUNY Student Assembly, the Faculty Senate

- a. Urges campus administrators, faculty and libraries to explore ways to increase faculty knowledge of the low- or no-cost textbook alternatives, through presentations in faculty orientations, training programs, webinars, and outreach.
- b. Supports the “Open SUNY Textbooks” initiative and encourages the Provost and Deans to promote it to faculty.

- c. Supports, where feasible, the disclosure of required textbook ISBN numbers and costs, and course pack costs, on web-based class information.
2. To Expand Options for Multiple Kinds of Access to Educational Material: The Faculty Senate: a. Declares that instructors must permit students to gain access to material for study or for class activities through means such as sharing, library borrowing, renting, leasing, on-line reading, or purchase from lowest-cost vendors of their choice.
 3. Regarding educational material mark-up or profits to the faculty member, in classes to which he or she has assigned material:
 - a. This Article applies to published text book royalties, course-packs, supplies, instructor's proprietary material, and other material assigned by the instructor for his or her class.
 - b. A faculty member must not receive profits or royalties on material he/she has assigned to classes, unless remedial measures are taken as below.
 - i. Provide opportunities for no-cost reserve books or reserve electronic resources, in number sufficient for the class enrollment (and hence to benefit from the class without buying the materials), or
 - ii. Make a documented charitable contribution equal to the profits or royalties to a fund established by UB Libraries, UB Foundation, and/or the UB Student Association for such purpose.
 - c. This article applies only to sales of materials to the instructor's own classes and does not apply to royalties, etc., for educational material sold in other settings.
 4. Regarding transactions by which assigned educational material are sold to students, the Faculty Senate:
 - a. Payments made to a professor for course materials should be collected and processed by a third-party that provides an accounting of the payments to UB.
 - b. Department Chairs or Deans may provide to faculty written exceptions to this rule, as for class tours or lab or studio expenses, when no reasonable third-party payment method is available. Such written explanation must be filed, as by a Department Secretary, and made available upon request.
 - c. Urges UB administration, deans and chairs to make third-party transactions available through a UB-administered electronic (web-based) mechanism, into which faculty members can login to upload material to be sold.
 5. Regarding charges for certain quizzes, tests, and other assessments meant for in-class grade, The Faculty Senate
 - a. Prohibits charges for such assessments that are (1) prepared by the instructor, and (2) assigned to his/her class, with the intent of affecting the class grade.
 - b. Prohibits instructors from managing exams and other assessments through an electronic platform that also hosts the instructor's e-text, forcing students to purchase the text in order to be allowed to take the exam.
 - c. The following are not covered by this prohibition:
 - i. Exercises, tests, or simulations obtained from a third party, and available only for a charge from the third party, and for which the instructor UB instructor receives no profit or mark-up, and for which payment is arranged in accordance with Article 4.

- ii. Exams meant for external recognition for professional certification or licensure
 - iii. Exercises, quizzes, and tests for which a Department Chair or Dean asserts in writing, that there must be a charge, and provides an explanation. Such written explanation must be filed, as by a Department Secretary, and made available upon request.
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Statement of Shared Governance Resolution

Preamble

Governance is the name commonly given to the processes by which the faculty and staff participate in the expression and exercise of their authority and responsibility in support of the University at Buffalo. It is most often accomplished within the context of what we called “shared governance,” a distribution of authority to various campus and system constituencies based upon law and its mandates.

Shared governance must be a process as well as a goal. It requires an ongoing commitment from all, in order to be achieved. Campus governance members must make use of many strategies to listen to, inform, and involve their constituents. University and campus presidents and other administrators responsible for the management of their institutions recognize that the health and vigor of the college or university depend fundamentally upon the vitality, creativity, intelligence, and commitment of academic and professional staff.

Whereas, the National Education Association and the American Federation of Teachers have declared “Shared governance is the foundation of higher education in the United States” and **Whereas**, civic service by academic and professional staff to the university at the campus level or at the State-wide level are critical to the collective thought, collective effort and common cause of democratic participation, and

Whereas, the Middle States Accreditation, Standard 4 Leadership and Governance, reads “The Commission on Higher Education expects a climate of shared collegial governance in which all constituencies (such as faculty, administration, staff, students, and governing board members) involved in carrying out the institutional mission and goals participate in the governance function in a manner appropriate to that institution; and

Whereas, collaboration between faculty, staff, students, administration and governing boards is essential in carrying out the vision of shared governance,

Therefore be it resolved:

The Faculty Senate and the Professional Staff Senate, in the spirit of shared governance, will inculcate the values of trust, collegiality, dialogue, sharing perspectives, listening, shared sense of purpose, recognizing differences while remaining open to finding common ground, transparency of information, and

Therefore be it also resolved, The Offices of University Governance, aka the Offices of the Professional Staff Senate and the Faculty Senate will be known as the “Offices of University Shared Governance: Faculty Senate and Professional Staff Senate”.

Resolution for a 3 (three) minute limit on debate and questions at the Faculty Senate meetings to the Standing Orders of the Faculty Senate.**Preamble**

Life is short (71 year equals approximately 37.3 million minutes). We are all very busy. Time spent attending University at Buffalo Faculty Senate Meetings should be meaningful! Each agenda item has a specific time allotment. Each Senator, representing their constituents, has opinions. Everyone who wants to speak should be able to speak. No one should dominate a discussion.

Whereas, The faculty Senate meetings have a limited time period in which to perform the work required;

Whereas, The time of each members of Faculty Senate is valuable and should be used to maximum efficiency; and

Whereas, time limits on questions and debate are frequently imposed in legislative bodies and Robert's Rules lists a 10 (ten) minute limit on debate unless extended by a majority vote; and

Therefore be it resolved, no one shall speak a second time until all Senators who want to speak get a turn; and

Therefore be it resolved, that a time limit of 3 (three) minutes be imposed on each Faculty Senate member on all questions and debate related to topics under discussion, excluding presentation of the Chair, Provost, President, and committee reports; and

That this time limit will be kept by the Chair or the Chair-designee; and

Therefore be it resolved, That members may yield their time to other members who desire it, after recognition by the Chair, with the understanding that they then lose this time on this topic.

That any response to direct questions by other members regarding positions taken by a member or for general clarification will not be counted against the 3 (three) minute limit.

Resolution to amend the Standing Orders of the Faculty Senate allowing electronic voting for elections, resolutions and referenda

Preamble: There is the need for efficient and inclusive participation of the Voting Faculty in the University at Buffalo Governance;

Therefore be it resolved, That the following electronic voting amendment be inserted as Article 1.H into the faculty Senate Standing Orders;

H. Electronic Voting. Referenda, resolutions and elections of the Voting Faculty may be conducted by electronic voting.

i. Electronic voting by Voting faculty may be conducted only after resolutions have been presented and discussed at two Faculty Senate meetings (cf. Standing Orders, 5.A.iii), unless judged urgent and requiring haste but the Chair (cf. Standing Orders, 5.B.). The resolution and proposed amendments along with pertinent arguments for or against will be sent electronically to the official e-mail address of the Voting Faculty members together with instructions on the voting process for the resolution and amendments. Votes will be Yes or No for the resolution and each amendment. Votes must be cast within 14 (fourteen) days of the e-mail announcement. All votes will be confirmed by a reply to a message sent to the official University at Buffalo e-mail address of the Faculty member. Upon Confirmation the vote will be officially cast. As with paper ballots, passage of the referendum or resolution will be based on a

Yes response by either a simple majority or a 2/3 majority votes cast depending on the rules affected as described (cf. Bylaws, VII.4; Charter, VIII.3.B; Standing Orders, G).

ii. Electronic elections of SUNY Senators and Faculty Senate officers will be performed as described in the preceding paragraph and determined by simple majority of votes cast.

iii. The results of all electronic votes will be transmitted to the Faculty Senate and Voting Faculty electronically and recorded in the minutes of the next Faculty Senate meeting by a report from the Chair.

iv. Voting procedures will ensure confidentiality of the voting process and accuracy of vote counting by oversight by the Chairs of the faculty Senate Elections Committee and Bylaws Committee or their designees, who must be approved by the Faculty Senate Executive Committee.

v. No one who is a candidate in any given election will participate in vote counting in that election.

vi. Electronic voting procedures will ensure the confidentiality and accuracy of voting procedures and may include e-mail balloting and casting as recommended by the Elections Committee and proved by the Faculty Senate Executive Committee.