

FACULTY SENATE

Minutes of January 28, 1997 - (approved)

E-MAIL: ZBFACSEN@ACSU.BUFFALO.EDU

The meeting of the UB Faculty Senate was called to order at 2:00 PM in the Center for Tomorrow to consider the following agenda:

1. [Report of the Chair](#)
2. [Report of the Elections Committee](#)
3. [Approval of the Minutes of December 10, 1996](#)
4. [Report of the President](#)
5. [Report on the SUNY Senate meeting, January 23-25, 1997](#)
6. [Statement on Faculty Productivity](#)
7. [Standing Orders, Article 7 \(Complaints Procedure\) - \(First Reading\)](#)

Item 1: Report of the Chair

In addition to the written summary of Senate committee activities since the last meeting (December 10, 1996) circulated prior to the meeting, the Chair reported the following items:

- The President issued an Affirmative Action statement previously endorsed by the FSEC. This statement indicates the various levels of responsibilities from "bottom-up", and includes career development plans and annual reviews for all.
- The FSEC approved replacements for two members of the DUAS Curriculum Committee, in accordance with the duties specified in the Charter of the Faculty Senate. Also, the FSEC has continued to focus on a single major policy issue at each weekly meeting.
- The eighteen standing committees of the Faculty Senate can always use new ideas, particularly from younger faculty. The Chair cited the Personal Safety, Parking, and Bookstore Committees as having vacancies to fill.
- Following the FSEC discussion on Information Technology during its meeting of January 15, 1997, the Chair wrote to Voldemar Innus, urging substantially larger

faculty representation on the two proposed committees responsible for system upgrades.

- The Chair plans to write to Larry Castellani, the new Chair of the UB Council, to welcome him and to urge him to become better acquainted with the Faculty Senate as the primary means of University-wide faculty governance.
- The Chair wrote to President Greiner informing him of the Senate decision (through the FSEC and the Committee on Admissions and Retention) to implement the NCAA initial eligibility criteria as a minimum requirement for admitting freshman student athletes, with the proviso that these criteria also satisfy the criteria of the Individualized Admissions Program. He reminded the Senate that admissions policy for undergraduates is clearly defined as a power of the Faculty Senate.
- The Governance Committee will meet this evening to initiate its review of the bylaws of all Schools and Faculties, in accordance with resolutions passed last Spring. After the review, it will make specific recommendations for changes.
- In February and March, the University Faculty Senate is sponsoring two video presentations on effective grant-writing.
- On January 29 at the Center for Tomorrow, a public hearing will be held by the Higher Education Committee of the State Senate on "The Status of the Relationship among the State University, Health Care and Medical Education in New York State".
- Auditors are visiting the campus this week to examine teaching efficiency in the departments of English, History, Modern Languages and Literatures, and Theater and Dance. The deans met yesterday with the auditors to try to explain to them teaching efficiency in terms of learning effectiveness, the impact of budget cuts, and pedagogical and cultural needs for instruction. The Chair reminded the Senate that the auditors are not trying to make educational judgment, but rather to examine institutional policy.
- At the meeting of the Deans' Council on January 27, 1997, the Chair and the deans urged the Provost to move expeditiously on making the Academic Plan open for wide discussion. As of mid-December, the Plan consisted of a preliminary section (roughly 60 pages of institutional reflections), followed by comments (in widely differing

degrees of specificity) about the individual Schools, Faculties, and departments. Most of the basic ideas were presented in the Provost's address to the Voting Faculty in October. The Plan is expected to be made public by mid-February, after which a 3- to 4-month period of discussion and review follows.

The Chair added that the Provost's recommendations are clearly affected by the disappointing results of the NRC study. The Chair urged the faculty members to take an active role in the discussion of the Academic Plan draft, since they seemed to him to lack the sense of urgency which he noted in the Provost and deans. The Chair anticipated increased activity of the Academic Planning Committee, and said he will consult with the FSEC on how the Senate can most effectively address this issue. The Provost had indicated that the planning document is guiding how he looks at issues; thus, although it is still a draft, the document demands the Senate's careful attention and deep involvement.

The Chair invited questions and comments from the floor. Professor George, in answer to the Chair's question as to how the FSEC could facilitate the debate on the planning document among the whole Senate, advised that the FSEC not use itself, or be used by administration, to replace the Senate. He did not think the FSEC "has any business expressing an opinion on anything". If an issue is important enough, the Chair should speak on behalf of the Senate, or the action should be referred to the Senate as a whole. Only then can the Senate exercise its delegated powers. Although he had no objections to the FSEC screening or refining certain issues, he warned against the temptation and historical precedent for the FSEC to replace the Senate.

Professor Jameson said it was her understanding that each of the deans received a portion of the planning document, and asked for clarification on that point. Professor Welch replied that each dean received the 60-page preliminary portion of the draft, and the section that pertained to his/her school or faculty; no dean has seen the entire document.

Professor Schack stressed that the entire Senate, and not just the FSEC, should discuss the planning document immediately after it has been released. He did not think there should be any reluctance whatsoever in calling special meetings of the Senate or even the Voting Faculty for discussing an issue of such gravity. By no means, however, should it be property of the FSEC alone.

On a different topic, Professor Boot thought it would be proper to express, through a formal motion, gratitude to Philip Wels for his service as Chair of the UB Council for many years. He suggested this could be carried out by the Chair himself. The Chair asked the Senate if there were any objections to what amounted to a suspension of the rules in this respect; the motion was seconded, with the proviso from Professor Schack that it be worded as a proper Senate resolution.

Professor Swartz noted for the record some disagreement with Professor George concerning the role of the FSEC. Professor Swartz believed the FSEC must necessarily function as more than a conduit, and suggested further discussion and dialogue about this on some appropriate occasion.

Item 2: Report of the Elections Committee

The Secretary, as Chair of the Elections Committee, reported that no candidate had won the election for next Chair of the Faculty Senate. The Bylaws of the Voting Faculty, Article V, Section 1, state clearly that, in order to win, a candidate needs "an affirmative majority of the votes cast". Because no candidate won a majority of the votes, there will be a run-off election between the two with the highest number of votes, Professors Welch and Nickerson.

He also announced that the process for electing a SUNY Senator from the School of Medicine and Biomedical Sciences was now underway; at least four people have accepted nominations so far.

Item 3: Approval of the Minutes of December 10, 1996

Professor Malone asked for a change in the wording on page 2, line 3 of the Minutes of December 10, 1996, from "on the matter of academic eligibility" to "on several matters, including academic eligibility".

Professor George submitted in writing a clarification of his comments on page 3, last paragraph.

Pending these corrections, the Minutes of December 10, 1996, were approved.

Item 4: Report of the President

President Greiner echoed the hope that the Faculty Senate would meet as frequently as required to discuss the Provost's plan, which he referred to as a starting point from which we will move forward under very difficult circumstances.

He referred to the executive budget as "business as usual"; were the budget to pass with its base-level reduction, it would be the fifteenth reduction in eleven years. Addressing a Trustee's comments that SUNY must "get rid of the waste" in its system, the President remarked first that UB has done a fair job on its part, and secondly, wondered whether the waste was equally distributed across the SUNY system -- since the budget reduction will be distributed essentially across the board, based on "outmoded algorithms as to how campuses should be funded". Thus he sees the need for an ongoing mutual education between UB and the Trustees. His expectation for the Spring semester is that the "normal cast of characters" will, as usual, be actively engaged in the process of negotiating both the funding and the terms and conditions of the Tuition Assistance Program (TAP). Although he expressed disappointment over what he considered a lack of creativity in the Division of the Budget, he hoped that by next June/July there would be a budget with minimal or no reductions at the campus level, "and maybe some significant changes elsewhere in the SUNY system". He encouraged people on this campus to let the various representatives of the campuses work things out (to minimize any negative impact here), and to pay more attention to what the future of UB will be.

President Greiner emphasized the urgent need for conversation among administration, Trustees, and politicians about what New York State expects from higher education in the 21st century, something he believed was not being thought about very carefully.

He then reported that he had had enlightening (if frustrating) discussions with SUNY representatives and GOFR with respect to the bargaining issues. After a conversation with the North Campus UUP Chapter, he said he has a clear sense of its views. His frustration centered on not being able to lay hands on the language of either side regarding the issue of contracting out, saying it is protected by a "cloak of confidentiality". President Greiner noted this is a serious issue on three levels:

1. As an attack on academic tenure, it is fueled by activities around the country (he cited the Universities of Minnesota and Texas), as well as within SUNY itself (e.g. the elimination of the German department on the Albany campus). This rightly gives faculty cause for alarm; nevertheless, President Greiner believed this would not turn out to be a deal-breaking issue, but one which could be resolved.
2. Some activities which the Professional Staff now execute might in the future be done through outsourcing. The President also considered this issue one which could be resolved; if someone is hired on permanent appointment, there should be "very significant protections and the possibility of reassignment", often without the need for retraining.
3. The most intractable issue concerned the three SUNY hospitals. On the one hand, President Greiner observed, they are essential to the functioning of the medical centers; but on the other hand, he does not consider it essential to have them run as State-owned and -operated enterprises -- one need only look at UB for proof of this. As State-controlled entities, they face the difficulty of operating successfully in an increasingly competitive environment.

One possible solution would be to move them into the category of not-for-profit charitable corporations, not owned and operated by the State, but rather controlled by

State entities, namely the Health Science centers at Stony Brook, Syracuse, and Brooklyn. This potentially entails moving people out of the bargaining unit. Since there are approximately 7700 UUP members at the hospitals out of a total membership of about 22,000, this is very problematic for the Union. Negotiations over this issue will be much more difficult, President Greiner said, but not impossible.

The floor was opened for questions and comments. Professor George observed, as a "point of humor", that usually the State sends mediators to negotiate between management and labor; now, however, management is negotiating between the State and labor. President Greiner noted that a university is a somewhat different enterprise, and found it appropriate that we conduct negotiations differently.

Item 5: Report on the SUNY Senate meeting, January 23-25, 1997

Professor Jameson reported on the 115th plenary meeting of the University Faculty Senate, held at the SUNY College at Farmingdale, January 23-25, 1997. No member of the Board of Trustees were present; instead, system administration was represented by the newly-appointed Interim Provost Peter Salins, Vice-Provost William Messner, Associate Vice-Chancellor Brian Stenson, and Richard Mills, Commissioner of the New York State Education Department.

Vice-Provost Messner presented a policy project in development on "Campus Academic Mission Review and Differentiation", in which he acknowledged the tension between greater autonomy for local campuses (endorsed in Rethinking SUNY) and the differentiation of campuses within the system to avoid redundancy. The tension between the two goals, he concluded, were not "inextricably opposed".

Associate Vice-Chancellor and Director of University Budgets Stenson delivered a sketchy and "highly unsatisfactory" budget update via conference call.

Commissioner Mills delivered a presentation in which he asked how we can best inquire into the quality of education. Referring to SUNY as an "ornament to the State of New York", he quoted Labor Secretary Robert Reich's comment that education is "the creation of capacities

to be free and to be prosperous". Mills thought that inquiries into the quality of higher education should lead to a better awareness of areas where investment will be needed to overcome weaknesses. Professor Jameson remarked that many participants at the meeting were encouraged to hear an evaluation of higher education could have such a positive focus.

A presentation on the new Resource Allocation Method sketched out the history of funding formulas in SUNY, the principles in planning for a new mechanism, and questions and issues arising as this new mechanism is developed.

The President of the University Faculty Senate, Professor Vincent Aceto, reported the following:

- The approval of the document Public Higher Education and Productivity: A Faculty Voice by the leaders of the unions and senates of the SUNY and California State University systems.
- The upcoming broadcasts (by SUNYSat, in February and March) of newly-completed videos on effective grant writing.
- Following a conference on General Education this past October, the Undergraduate Academic Programs Committee had been directed to prepare a position paper responding to the central question of responsibility of System Administration for general education. A draft of the report was presented at the meeting. President Aceto's own report to the Board of Trustees urged "the Faculty Senate to examine the implications of a common core [curriculum] and other general education issues for SUNY" -- whereupon, according to Aceto, Board of Trustees chair Thomas Egan declared that responsibility for curriculum was a Board of Trustees privilege.

Professor Jameson then summarized committee activities. The Governance Committee is examining practices for involving faculty in presidential searches and reviews, the question of Senate representation by campus, and the role of professional staff in governance at SUNY campuses. The Student Life Committee presented a resolution opposing the 28% TAP reduction and the

linkage of TAP awards and Pell Grant eligibility; it is also examining the issue of recording disciplinary suspensions and expulsions on student transcripts. The Programs and Awards Committee is considering celebrating the 25th anniversary of the first Chancellor's Awards in 1998, and is also looking into problems caused by the addition of various requirements to eligibility standards for Chancellor's Awards and Distinguished ranks.

Finally, the Operations Committee sponsored two successful resolutions. The first called for the inclusion of Faculty Senate representatives into the group responsible for the development of the annual SUNY budget; the second recommended to the Chancellor the development and implementation of a plan to integrate the SUNY-card database with various student alumni and employee databases on the various campuses. The Committee is also preparing a ten-year profile of the University which incorporates gender and ethnicity for a variety of employee categories, in order to determine the extent to which there is a retention problem for minority faculty. Among other activities, it is articulating a minimum set of technology resources for all campuses.

Item 6: Statement on Faculty Productivity

The Chair reminded the Senate that the Statement had undergone several drafts, and has been endorsed by the leaders of the faculty senates and unions of the two largest public higher education systems in the country. The Statement had been circulated to the Senate for its consideration for a variety of reasons. First, it is a thoughtful statement on a difficult series of issues, and includes creative thinking about ways to approach the problems that face the faculty. Secondly, it has brought together entities which have rarely operated so closely in the past. Thirdly, it is an incentive for us to ponder these principles and their potential impact.

The Chair asked the Senate whether it wished to discuss the document now, or whether he should transmit it to the Committee on Faculty Tenure and Privileges for its consideration and postpone discussion in the full Senate until the Committee reports on it. Professor Calkin favored the latter option. Since no objections or discussion followed, Professor Welch directed the matter to the Faculty Tenure and Privileges committee, but at the same time

urged the Senate to examine the document carefully and engage in future discussion. He then asked Professor Johnstone, the Project Director, if he would like to comment.

Professor Johnstone stated that the document is significant because it addresses issues and problems "that a large body of people outside the academy think that we are incapable of addressing". His initial interest in the project was to show "influential outsiders" that we are able to talk about productivity. The statement is also important in that the senate and union leaderships worked together cooperatively. He expressed the hope that, rather than tinkering with the wording of the Statement (which he considered final), we would move on to the other issues which the Statement addresses, such as the academic calendar, status of junior faculty, load differentiation, and evaluation (especially post-tenure evaluation).

Item 7: Standing Orders, Article 7 (Complaints Procedure) - (First Reading)

The Chair noted for the record that Article 7 of the Standing Orders of the Faculty Senate provided one of three major avenues by which complaints by and against faculty may proceed:

1. The contract between the State and the UUP, which provides only for those grievances covered by the terms and conditions of the contract; there are grievances which do not fall within its scope.
2. The complaints procedure adopted by the Office of the Provost in 1989, included in the Faculty/Professional Staff handbook.
3. Article 7 of the Standing Orders.

The Chair invited Professor Hopkins to explain the changes made to the existing complaints procedure in the Standing Orders.

Professor Hopkins reported that the Bylaws Committee had been charged in 1992 to determine whether a faculty grievance procedure was needed, and if so, to draft a new procedure based on the existing one. The Committee quickly determined that a procedure was needed, since, as the Chair pointed out, the UUP procedure was too limited in its scope. The Provost's procedure and the procedure in the Standing Orders are more closely attuned

in scope; but whereas the former is an administrative procedure, the latter is a faculty procedure. In addition, the Provost's procedure applies only to faculty members within the Provost's jurisdiction; the procedure in the Standing Orders does not have this restriction.

The revised Article 7 of the Standing Orders (distributed prior to the meeting), although based on the earlier one, incorporates the following important changes:

1. It is more specific both as to scope and to process.
2. It contains a confidentiality statement.
3. It changes the manner in which the Complaint Resolution Committee is selected, i.e. the members of the Committee are no longer selected at random.
4. It eliminates duplicate committees, and thus does not allow for a repeat of the entire process.
5. It differs stylistically from the earlier version; the revision consists of multiple short paragraphs, each individually designated to facilitate reference to specific topics.

Professor Hopkins invited discussion; none ensued.

There being no further business, old or new, the meeting was adjourned at 3:11

Respectfully submitted,

Robert G. Hoeing
Secretary of the Faculty Senate

Present:

University Officer: W. R. Greiner

Chair: C. Welch

Secretary: R. Hoeing

Architecture: G. Scott Danford, M. Tauke

Arts & Letters: V. Doyno, M. Gutierrez, M. Horne, M. Runfola

Dental Medicine: A. Aguirre

Education: J. Hoot, B. Johnstone, L. Malave, T. Schroeder

Engineering & Applied Sciences: D. Benenson, C. Bloebaum, W. George, M. Ryan, R. Wetherhold

Health-Related Professions: S. Kuo

Information & Library Studies: G. D'Elia

Law: E. Meidinger, L. Swartz

Management: J. Boot, L. Brown, P. Perry

Medicine & Biomedical Sciences: M. Acara, B. Albin, D. Amsterdam, W. Flynn, C. Leach, R. Perez, C. Smith, M. Spaulding, A. Vladutiu

Natural Sciences & Mathematics: P. Calkin, J. Faran, C. Fournier, M. Sachs, D. Schack

Nursing: M. Marecki, M. Rhodes

Social Sciences: D. Banks, J. Gayle Beck, J. Charles-Luce, V. Ebert, P. Hare, M. Harwitz, L. Mattei

Social Work: L. Sloan

SUNY Senators: M. Jameson, D. Malone, P. Nickerson, C. Welch

University Libraries: L. Bushallow-Wilbur, M. Kramer, D. Woodson, M. Zubrow

Absent:

Arts & Letters: A. Anderson, M. Frisch, J. Holstun, J. Ludwig, R. Mennen

Dental Medicine: R. Baier, G. Ferry, R. Hall, W. Miller

Education: L. Ilon

Engineering & Applied Sciences: J. Atkinson

Health-Related Professions: A. Awad, P. Horvath

Management: R. Ramesh

Medicine & Biomedical Sciences: C. Bloomfield, R. Heffner, B. Noble, J. Richert, J. Schriber, H. Schuel, J. Sulewski, J. Wactawski-Wende, B. Willer

Natural Sciences & Mathematics: S. Bruckenstein, J. Cai, H. King, R. Shortridge, R. Vesley

Nursing: P. Wooldridge

Pharmacy: N. , W. Conway

Social Sciences: W. Baumer, M. Farrell, D. Henderson, D. Pollock

University Libraries: W. Hepfer

Deans: W. Anderson, G. Bobinski, B. Boyer, M. Cranley, B. Eckert, B. Freschi, L. Goldberg, K. Grant, M. Karwan, M. Kristal, H. Petrie, F. Seidl, J. Tufariello, F. Winter, J. Wright

Excused:

Arts & Letters: C. Bramen, N. Grant, M. Hyde, M. Metzger

Medicine & Biomedical Sciences: H. Douglass, F. Schimpfhauser

Nursing: M. Rhodes

Social Sciences: C. Sellers

Guest: J. Hopkins (Chair, Faculty Senate bylaws Committee)