

FACULTY SENATE

Minutes of December 10, 1996 - (approved)

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

1. [Report of the Chair](#)
2. [Approval of the Minutes of November 19, 1996](#)
3. [Amendments to the Charter of the Faculty Senate \(Second Reading\)](#)
4. [Report of the President](#)
5. [Discussion on Effective Resource Allocation](#)
6. [Revised Standing Orders of the Faculty Senate \(First Reading\)](#)

Item 1: Report of the Chair

The Chair opened the meeting with some reflections on the Bylaws and Standing Orders of the Faculty Senate, scheduled for discussion. These provide for ways to organize ourselves effectively, delineate our major areas of responsibility, and thus provide a basis for power and influence.

The Faculty Senate itself is more than a debating body that assembles roughly once per month every academic year. It is first an office, staffed by one professional who serves both the Faculty Senate and the Professional Staff Senate. Secondly, it is a series of specialized working committees, whose activities the Chair updates and summarizes for each Senate meeting. Third, the Senate is a source of expertise on several issues, ranging from admissions of students through faculty responsibilities to university governance. Fourthly, the Senate conducts complex elections and referenda. The Senate also functions as an institutional memory, hence the importance of recording and having available all minutes and resolutions. Finally, the Senate is the most significant university-wide expression of the faculty's powers, interests, responsibilities, and concerns. In sum, the Senate is not an episodic, but rather a continuous body.

The Secretary reported that the statements from the four candidates for Senate Chair were being printed along with the ballots, which would be mailed within the next few days. The deadline for submitting ballots was set for January 24, 1997.

The Chair reported that the President was attending a meeting of the academic deans, who will examine, in the next three to four weeks, the Provost's ideas and suggestions for an academic plan. This includes both an assessment of our current position and projections for our future. The Chair hoped that the beginning of the Spring semester would bring about more open consultation and dialogue on this matter, which he considered imperative.

The Chair had discussed with the Provost the evaluation of deans. Although the process tried in the past did not work well under certain circumstances, this did not mean that the entire process was wrong. Therefore, the Chair continued to stress to the Provost the importance of evaluating the deans in terms of the quality of their leadership.

The Faculty Athletic Representative had asked for input from the Faculty Senate Executive Committee on several matters, including academic eligibility for student-athletes with learning disabilities. The Chair had circulated materials to the FSEC for discussion at its next meeting.

The Chair opened the floor for discussion. Professor Noble commented that some of the discomfort that some have had with their deans may be related to the process by which deans have been chosen recently -- a process, she argued, which has become an increasingly "-door, ad hoc procedure". As a result, the proportion of the number of deans selected by any open, committee-driven process is rather small.

Professor Doyno emphasized both the importance of the evaluation of the deans, as well as the fact that it is stipulated in the Bylaws. Without faculty consultation, several issues can be brushed aside; he believes this lack of faculty input has hurt the University a great deal over the last 20 years.

Item 2: Approval of the Minutes of November 19

The Minutes of the meeting of the Faculty Senate of November 19, 1996, were approved unanimously.

Item 3: Draft Amendments to the Bylaws of the Voting Faculty and to the Charter of the Faculty Senate (Second Reading)

Prior to discussion of the amendments, Professor George asked if there were any separate Standing Orders for the FSEC. Professor Hopkins replied that there were not; rather, sections of the Standing Orders of the Faculty Senate referred specifically to the FSEC.

The draft amendment to the Bylaws of the Voting Faculty, consisting of one explanatory footnote, was approved unanimously.

Professor Hopkins reviewed the draft amendments to the Charter of the Faculty Senate. Most of the amendments to Article III, specifying membership in the Faculty Senate, were pro forma and based on Senate resolutions passed in April 1996. No discussion arose, and the amendments were approved unanimously.

Professor Hopkins then explained in detail the Bylaws Committee's revision of Article IV, concerning the apportionment of senators among electoral units, and particularly the calculation of the number of senatorial seats to be allotted to the School of Medicine and Biomedical Sciences.

She reviewed two changes to Article VI, "Committees of the Faculty Senate". The first added the immediate past Chair and immediate past Secretary of the Faculty Senate as non-voting ex officio members to the FSEC, the second raised the cap of FSEC membership from 3 to 4 for the largest electoral unit, in accordance with the larger representation of the School of Medicine and Biomedical Sciences.

The University Governance Committee had requested that one of its recommendations, namely, that appointments to Senate committees be made at the beginning of the academic year, be included in the Charter of the Faculty Senate. The Bylaws Committee concluded

that this was a procedural matter and decided to include the recommendation into the Standing Orders of the Faculty Senate instead.

All proposed amendments were approved unanimously.

Item 4: Report of the President

President Greiner wished everyone a happy holiday season. He said he will be working with the deans and Provost on managing the future of UB. He urged the Faculty Senate to play an active role in that planning on behalf of the entire faculty.

He reported that soon he will be meeting with the leadership of the North Campus chapter of UUP to discuss any progress in collective negotiations. He asked the members of the Senate what difference it has made -- from their point(s) of view as faculty members -- that we have not had a contract for nearly three years now.

Professor Welch said he would have to rule the question as out of order for the Senate, in the sense that there is a contract that gives the Union the right to negotiate; if however the President wished to hear comments from individuals as individuals, i.e., not on a formal Senate basis, the question would be permissible.

Professor Wooldridge stated that the lack of a contract has affected him directly through the loss of benefits for dental and eye care. He added that he was not alone in this respect, and that the lack of a contract and its benefits "certainly does not lead to high morale". Furthermore, the lack of raises and its effect on faculty recruitment have been damaging to the university.

Professor Ebert noted that the lack of a contract is particularly difficult for the younger faculty, and increased the uncertainty of our direction and future. Consequently, several younger faculty are beginning to look elsewhere.

Professor Baumer agreed that the loss of meritorious and across-the-board salary increases, as well as the loss of fringe benefits, has had a negative impact. The Union's position with

regard to contracting out has been largely nonsense; he felt that the Union should be negotiating a contract that protects the faculty, without which we will have no contract at all.

Professor Schroeder expressed surprise that his colleagues spoke in such even tones about an issue which he finds outrageous and intolerable. He asked President Greiner to explain his position with regard to contracting out; he added that it would be particularly valuable if the leadership of this university explained to the public at large its position. President Greiner asked to return to that issue later.

Professor Doyno noted that one part of the issue, dealing with the benefits of dental and eye care and other details, was simply irritating. He argued that the more important side of the issue was that the University appeared to lack any mission, which makes one wonder about this institution and its overall reputation. President Greiner asked what that has to do with whether or not we have a contract. Professor Doyno replied that it seems as if the State has "walked away from its obligation or commitment to public education". Thus he felt the lack of a contract was a strong indicator of decline.

Professor George commented that one of the nice things about UB was the fact that the faculty did not have to deal with the President on salary issues, and as a consequence could maintain a freer atmosphere of collegiality. Because of the innuendos and charges resulting from the budget impasse, this spirit of collegiality is being eroded.

Professor Doyno added that contracting out will affect the ability of our students to get recommendations, since those teachers who are contracted out will not be there to write them.

Professor Brown reminded the Senate that markets abhor uncertainty, and that uncertainty in itself is bad news. Also, with fewer incentives for faculty recruitment, it will prove to be more difficult to move forward along the lines of our mission.

Professor Wilski remarked that the 15 faculty members of the USC School of Medicine filed suit because the School decided to rewrite the contract

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Professor Mattei reiterated that the lack of salary increases and incentives, of a guarantee of a solid contract, and certainly of a clearly defined contract will severely impair faculty recruitment.

President Greiner noted that, technically speaking, we are operating with the contract we had except for the salary increases and benefits. He said this was not the most important issue, since we still have all the protections that are built into the contract; rather, the whole question revolves around the issue of morale. He sensed no urgency on this issue in SUNY-Central, partly because it is in a "meltdown mode for a variety of reasons".

President Greiner, replying to the question posed by Professor Schroeder, said he had no opinion on the matter of contracting out, simply because nobody has shown him the language of what is being discussed. Because the process has dragged on for so long, he intends to become as fully informed as possible on the issues. He advised against mixing the issue of tenure with that of job security, which is different; how the differences are explained is something we all have to address. He suggested we remove the emotions as much as possible and analyze the issue very objectively, stressing that outsourcing is not necessarily related to the concept of academic tenure.

Professor Schack commented that the promise of tenure is part of any financial calculation, and that it keeps prices down in the long run. He also stressed the gravity of the salary issue by noting that not having any increase in four of the past six years affects faculty morale tremendously.

Professor Zarembka, as past president of the UUP, explained that the State is offering the unfettered right to contract out, and does not understand the subtleties of the University. He also told the senators that, while we must now pay up front for eye care and dental care,

we should keep the receipts, because the probability of getting reimbursed at some point in the future is quite substantial.

President Greiner concluded by saying that although he cannot speak publicly on the language of the contract, he could get advice from the faculty, and thanked them for their comments.

Item 5: Discussion on Effective Resource Allocation

A statement on Effective Resource Allocation from the Budget Priorities Committee was distributed to the Faculty Senate as a basis for comment and discussion. The Chair reminded the Senate that it did not constitute a recommendation for any action.

Professor D'Elia asked whether the statement had been forwarded to the Provost. Professor Welch responded that the document could not be forwarded to the Provost as a statement by the Senate, since it was intended to serve only as a springboard for Senate feed. Nevertheless, he remarked that some have argued that the statement contained principles close to what the Provost has announced. The Provost is aware of the document under consideration, but has not been asked to comment. The Chair then invited further discussion.

Professor Doyno remarked that occasionally in the past, the University has undertaken new initiatives which cost resources; if we really are hitting on hard times, perhaps we should consider taking on some new initiatives.

Professor Benenson found the entire statement vague, and said he would like to have explained what the document means.

Professor Mattei commented that, if memory served correctly, the management of UB's future was not something that was supported 100 percent, and that consequently Item 1 in the statement was much too positive about what the Provost has done to this point.

Professor Baumer said that, although it was difficult to pick a particular point to which to address his comment, UB needs to increase its enrollments. The plan as outlined is in "total disconnect" with changing resource allocation procedures, and this is a recipe for disaster.

Professor Welch said he would direct the Admissions and Retentions Committee to address this issue, and invited further discussion. No further discussion followed.

Item 6: Revised Standing Orders of the Faculty Senate-(First Reading)

Professor Hopkins, as Chair of the Faculty Senate Bylaws Committee, reviewed the proposed modifications to the Standing Orders of the Faculty Senate.

Concerning Article 2.B. which deals with absences from Senate meetings, Professor Baumer pointed out that since the senators are elected in alternate years, throwing out non-attending senators and their alternates would result in the loss of two years in one case and one year in another. He suggested that the phrase "for the remainder of the unexpired term" be changed to "for the remainder of the academic year".

Professor Hopkins replied that the Committee had discussed this possibility, but reached no firm conclusion.

Professor Benenson agreed with the written note that the measure was somewhat draconian, and suggested instead that the concerned unit should simply conduct another election to fill the expired term. Professor Hopkins replied that that is the current procedure, which does not seem to work.

Professor Spaulding reiterated that the wording should be changed to enable a unit to fill a vacancy for the coming year. Professor Baumer addressed the concern about counting vacant seats and raising a quorum. He suggested that the way to deal with this is to deal only with the number of elected members; if there is a vacant seat, it simply does not count as part of the tally.

Professor Douglass observed that alternates are not informed of the dates of the Senate meetings, and that therefore they are not given the chance to fill in for the elected senator.

Professor George proposed that the clause crossed out in the original wording be left in, along with the statement that a vacant seat will not be counted until a new senator has been elected.

Professor Hopkins explained that the additions of Paragraphs A ("Alternates") and B ("Attendance") to Article 3, "Duties and Responsibilities of FSEC Representatives", make explicit what indeed was practiced. Professor Benenson noted that an electoral unit is allowed to fill a vacancy in the FSEC, and that this courtesy should be extended to fill vacancies in the Senate as well.

Professor Brown suggested that wording be added to 3.B. which states that a vacant seat shall not be counted in the determination of a quorum, as specified also for Senate meetings.

Professor Bloebaum asked whether Article 4.A. ("Minutes") should take into account the posting of the Minutes on the Web. Professor Welch noted that the wording of the Article is not meant to be exclusive, that distribution of the Minutes may take other forms. Professor George thought Article 5.B ("Exceptional Procedure") needed to be modified to accommodate cases in which the Senate does not agree with the actions of the FSEC. The Chair asked the Parliamentarian whether there is a way that the Senate can request or demand that a given matter be brought up for discussion. Professor Malone replied that any member may make such a motion on the floor of the Senate.

Professor Schack contested the statement in Article 5.A.ii. that decisions on draft resolutions before the FSEC "will normally not require an extensive discussion of the merits of the issue", recalling that the FSEC very often discusses and indeed votes on the merits of several issues. He suggested that the Bylaws Committee strengthen the language in this sentence to remind the FSEC that it has no role in deciding whether or not a given issue merits the Senate's support.

Professor Hopkins then explained that the decision to move the list and charges of the Standing Committees from the Charter to the Standing Orders makes it easier to modify the number and charges of the committees. In addition, the charges were worded in such a way as to make them more or less parallel, most of them kept general to allow for more specific charges each academic year.

Professor D'Elia noted that all committees are charged to "consult, review, report and recommend to the Senate", with the exception of the Budget Priorities Committee, which alone is empowered to directly advise the President. He asked why this one committee is given such a special status and by-pass any consultation with the Senate. (The Chair at this point explained off record the rationale of the charge.)

Professor Spaulding wondered if it might be useful to include the ex officio memberships of these committees. Professor Hopkins replied that the Standing Orders do not discuss committee organization or membership at all, that this was left to the discretion of the Chair of the Senate.

No further discussion followed, and the meeting was adjourned at 3:50 pm.

Respectfully submitted,

Robert G. Hoeing

Secretary of the Faculty Senate

Present:

Chair: C. Welch

Secretary: R. Hoeing

Architecture: M. Tauke

Arts & Letters: A. Anderson, V. Doyno, J. Holstun, M. Horne, J. Ludwig, M. Metzger

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

Education: L. Ilon, B. Johnstone, L. Malave, T. Schroeder

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

Health-Related Professions: S. Kuo

Information & Library Studies: G. D'Elia

Law: L. Swartz

Management: L. Brown

Medicine & Biomedical Sciences: M. Acara, H. Douglass, R. Heffner, B. Noble, R. Perez, F. Schimpfhauser, C. Smith, M. Spaulding, A. Vladutiu, J. Wactawski-Wende

Natural Sciences & Mathematics: J. Cai, P. Calkin, J. Faran, M. Sachs, D. Schack, R. Vesley

Nursing: P. Wooldridge

Pharmacy: N.

Social Sciences: D. Banks, W. Baumer, J. Gayle Beck, J. Charles-Luce, V. Ebert, P. Hare, L. Mattei, P. Zarembka

Social Work: L. Sloan

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

University Libraries: L. Bushallow-Wilbur, W. Hepfer, M. Kramer, M. Zubrow

Absent:

Architecture: G. Danford

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

Dental Medicine: A. Aguirre, R. Hall

Education: J. Hoot

Engineering & Applied Sciences: J. Atkinson, M. Ryan

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

Law: E. Meidinger

Management: J. Boot, P. Perry, R. Ram>

Transfer interrupted!

Sciences: B. Albin, C. Bloomfield, W. Flynn, C. Leach, J. Richert, H. Schuel, J. Sulewski, B. Willer

Natural Sciences & Mathematics: S. Bruckenstein, C. Fourtner,

H. King, R. Shortridge

Nursing: M. Marecki

Pharmacy: W. Conway

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

University Libraries: D. Woodson **Excused:**

Arts & Letters: M. Gutierrez, R. Mennen

Medicine & Biomedical Sciences: D. Amsterdam, J. Schriber

Nursing: M. Rhodes

Social Sciences: J. Meacham, C. Sellers