

**UNIVERSITY SENATE  
UNIVERSITY AT ALBANY  
STATE UNIVERSITY OF NEW YORK**

Introduced by: Governance Council

Date: September 30, 2013

**Amendment RE: Dissolution of CAFFECOR**

IT IS HEREBY PROPOSED THAT THE FOLLOWING BE ADOPTED:

- That the proposed amendment to the University *Senate Charter below* be adopted.
- That this amendment go into effect for the Spring 2014 Senate.

**Current Charter:**

VII.6 The Executive Committee may establish subcommittees.

VII.7 Standing Subcommittees of the Executive Committee

VII.7.1 Two standing committees which shall report to the Senate through the Executive Committee shall be appointed to be called upon as needed to author, review and implement policies governing the conduct of the University community, and as needed, for alleged cases of misconduct.

VII.7.3 Committee on Academic Freedom, Freedom of Expression and Community Responsibility

VII.7.3.1. Composition

VII.7.3.1.1. CAFFECOR shall consist of six Teaching Faculty, at least two of whom shall be Senators and at least three at the level of Full Professor, who shall serve two-year terms and up to four Professional Faculty.

VII.7.3.1.2. The members of CAFFECOR shall be nominated for Senate approval by the Committee on Council Nominations of the Governance Council.

VII.7.3.1.3. The chair of CAFFECOR shall be selected by CAFFECOR from the continuing members. This selection shall occur in the spring for a one-year term to begin the following academic year. The chair shall serve on the Executive Committee of the Senate.

VII.7.3.2. Responsibilities.

VII.7.3.2.1. The Senate affirms its commitment to the principle that the widest possible scope for freedom of expression is the foundation of an institution dedicated to

vigorous inquiry, robust debate, and the continuous search for a proper balance between freedom and community responsibility.

VII.7.3.2.2. CAFFECoR shall be responsible for establishing and interpreting policies and procedures concerning academic freedom and ethics which shall govern the conduct of the University community, and also for those matters for which it is given responsibility by negotiated employment conditions.

VII.7.3.2.3. CAFFECoR shall serve as a hearing body available to those members of the University Community who feel that their freedom of expression has been unfairly suppressed.

VII.7.3.2.4. CAFFECoR shall be responsible for establishing procedures for investigating and for oversight of investigation of charges brought against members of the Faculty as specified in the *Faculty Bylaws* Article I, Section 2.2.4, except as determined by CERS to be primarily matters of misconduct in scholarship and research, or as specified by other University regulations. Issues may be brought to the Chair of CAFFECoR, who shall then call a meeting as needed.

### **Proposed Revision:**

It is proposed that CAFFECoR be removed as a standing committee of the Senate Executive Committee and that Section VII.7.3 be removed from the Charter accordingly.

The following minor changes (in bold) are required to sections preceding Section VII.7.3.

VII.6 The Executive Committee **has one standing subcommittee and** may establish **other** subcommittees **as needed**.

VII.7 Standing Subcommittee of the Executive Committee

VII.7.1 **The Executive Committee's** standing **sub**committee, which shall report to the Senate through the Executive Committee, shall be appointed **to discharge its responsibilities as specified in VII.7.2**.

### **Rationale:**

The rationale for the dissolution of CAFFECoR is provided in the attached report from CAFFECoR. The Executive Summary and Conclusion from that report are included here.

### EXECUTIVE SUMMARY

After much deliberation, the Committee on Academic Freedom, Freedom of Expression and Community Responsibility (CAFFECoR) would like to suggest its dissolution. As a committee, we have spent much time exploring the history of CAFE/CAFFECoR in efforts to better understand its 'charge'. In doing so, we have come to realize that faculty, staff, and students' grievance concerns can already be addressed and resolved elsewhere. This has not always been the case; when CAFÉ was first established there was less in place on campus to deal with freedom of expression and community responsibility. However, over time our campus has

developed procedures in a number of areas to address these issues. For example, the Community Rights and Responsibilities document, which comes from the Office of Student Success, fully addresses conduct on campus.

Additionally, as a body, we do not have any authority and are not recognized by General Counsel as a fiduciary part of the University at Albany. This means that the process of obtaining evidence and rendering decisions cannot fall under our purview. , nor can we render any binding decisions. After reviewing the current campus procedures in place, we realized that the need for a standing committee seems to have disappeared. We would like to note that, should the need arise, an Ad-Hoc Committee could be created to deal with specific situations.

## CONCLUSION

CAFFECOR's role as a judicial body is problematic and untenable. The remaining role—that of sounding board on campus policies which deal with freedom of expression—could still be fulfilled, but it seems that maintaining a standing committee for such a purpose is not necessary. We would recommend that the SEC instead appoint an ad hoc committee should the need arise. For example, the Community Rights and Responsibilities document is occasionally revised by the University Council, and should the Council choose to consult with the faculty through the Senate, then an ad hoc committee would be appropriate. One recommendation that follows from this suggestion is that members of such an ad hoc committee be given some sort of training on the topic of freedom of expression and university regulations and policies, perhaps in the same vein as the training received by CERS members.