Resolution 0203-1R

For discussion at the 9/30/2002 Senate meeting.
Introduced by Professors Sung Bok Kim, Sophie Lubensky, and R. Michael Range.

Whereas the administration of the University at Albany failed to properly consult with faculty governance concerning the establishment of the School of Nanosciences and Materials in Fall 2000, and

Whereas the administration failed to consult with faculty governance and to follow established procedures concerning the selection and appointment of the dean of said new school, and

Whereas the administration failed in spring 2001 to follow required procedures in the inquiry on the Louis Roberts plagiarism case, and

Whereas President Hitchcock, in her letter to the Faculty of March 5, 2002, nevertheless affirmed that said plagiarism case "was and is being handled in a manner wholly in keeping with the University at Albany's published procedures,"

the Senate of the University at Albany hereby resolves:

1. To reaffirm the administration's obligation to engage in serious and meaningful consultations with the Senate according to Article II, Section 1.7, of the Faculty By-Laws ("The Senate shall be consulted on major university administrative reorganizations and appointments."), and to adhere to all other by-laws and published procedures, regulations and policies concerning the operation of the University at Albany.

2. To reaffirm that adherence by administrators and faculty to Faculty By-Laws and other published procedures, regulations and policies concerning the operation of the University at Albany is essential for the governance of the university based upon mutual respect and trust, and for the mission of the university.

Background

As to 1:

On November 27, 2000, Provost Santiago, reporting for President Hitchcock, announced to the Executive Committee of the Senate that the University would establish a new school, Materials and Applied Sciences, with Dr. Alain Kaloyeros as founding dean. (Ex. Comm. minutes of 11/27/00)
On December 11, 2000, Provost Santiago, reporting for President Hitchcock, announced to the Educational Policy Council that a new school had been created. He announced that Dr. A. Kaloyeros was the founding dean of the school. (EPC minutes of 12/11/00)

At the February 12, 2001, EPC meeting the question was raised whether the minutes of the 12/11/00 meeting should be corrected to reflect that the new school was "proposed," since no consultation with governance had yet taken place. Provost Santiago said that the minutes should stand as distributed (i.e. that the school had been created and its founding dean selected). (EPC minutes of 2/12/01)

Discussion of the letter of intent regarding the programs of the new school was scheduled for the March 5, 2001, EPC meeting. The letter of intent was going to be mailed to EPC members on 2/26/01. (Reminder sent to EPC members on 2/22/01)

Shortly before the March 5, 2001, meeting, the president and provost changed direction and suddenly acknowledged that "consultation" with governance regarding the new school was needed before the letter of intent could be presented. President Hitchcock, Provost Santiago, Dr. Kaloyeros and other members of the new school appeared at the March 5 EPC meeting. The purpose of that meeting was now defined to be "the consultation of a new school." (EPC minutes of 3/5/01) EPC chair Bosco stated at the end that "EPC heard a proposal for a new school…," and that "EPC will vote when a letter of intent… is received."

On March 12, 2001, without any prior announcement of such an agenda item, the "consultation" was continued with the Executive Committee of the Senate. The president now spoke of a "proposal for a new school". (Ex. Comm. minutes of 3/12/01). In response to questions about the lack of prior consultation and the meaning of any consultation at this time, after the decisions had already been made as early as fall 2000, the provost stated that lack of time prevented consultation through the establishment of a task force. However, on March 5, 2001, the president had stated that the idea of a new school had arisen about a year ago (EPC minutes of 3/5/001).


As to 2:

In disregard of explicit "Inquiry Requirements" published in the Faculty Handbook, the inquiry in the L. Roberts plagiarism case was conducted in early 2001 by Provost Santiago, who made all the critical decisions, and not by the Vice President for Research; no efforts were made to avoid real or potential conflicts of interest during the inquiry; and there was no written report of the inquiry. There is widespread agreement that this mishandling of the inquiry substantially contributed to subsequent problems with this case. Details have been widely discussed at the April 24, 2002, Faculty Forum, at which time the administration admitted that errors had been made.
The inconsistencies between President Hitchcock's letter to the University at Albany faculty of March 5, 2002, and the admitted errors made in the inquiry, have not been addressed.

Other questions concerning the administration's statements and actions after the L. Roberts case became public in winter 2002 remain unanswered. (See, e.g., the letter of April 11, 2002, to President Hitchcock by concerned faculty, and the memorandum to the Albany University Community distributed at the Spring Faculty Meeting of May 8, 2002.)