

University at Albany, State University of New York

Governance Council

R. Michael Range, Chair

October 13, 2008

Minutes

Present: Erin Bell, Ray Bromley, Nan Carroll, Richard Collier, Edward Cupoli, Virginia Eubanks, Candace Merbler, John Monfasani, R. Michael Range, John Schmidt

The meeting convened at 3:33.

Agenda topics:

Minutes:

The minutes of the September 15, 2008 meeting were edited slightly for greater clarity and were unanimously accepted by all present.

Recommendation of Faculty Member for the Campus Security Committee

Senate Chair Delano had forwarded to the Council a request by Thomas Gebhardt, Chair of the Committee on University & Community Relations, for an additional faculty member to serve on the "Advisory Committee on Campus Security". After some discussion the Council agreed on three individuals. The chair will contact these faculty to ascertain their willingness to serve and will forward the names to Thomas Gebhardt.

Formation of Standing Committees

The chair had asked Council members to communicate their preference regarding serving on the Committee on Assessment of Governance and Consultation or on the Committee on Liaison and Elections. One member, who also serves on the Governance Subcommittee of the MSCHE Self-Study, was concerned about the possibility of a conflict of interest if she were to also serve on GOV's Assessment Committee. The same situation would apply to three other Council members. A lengthy discussion ensued. It was suggested that it would not be prudent to have this committee called into action while the MSCHE Self-Study and accreditation process were under way. John Monfasani moved that the Council serve as the Committee as a Whole for the next two years. The motion was seconded by Ray Bromley. After further discussion the motion was approved unanimously. Senate Secretary Collier explained the charge for the L&E committee. Bell, Carroll, Cupoli, Merbler, Monfasani, and Schmidt were approved as members, with Secretary Collier serving ex-officio as chair. Collier was charged to add additional members to the committee as needed.

Proposed Charter Amendment

At the September 15 meeting, the Council had agreed to consider drafting a charter amendment that would make ex-officio administrators ineligible to serve as chairs of councils and/or committees or subcommittees. Chair Range had presented this plan to the SEC at the October 6 meeting, and he reported back to the Council on the feedback he had received. SEC members generally supported

such a restriction. The suggestion was made to leave the door open for exceptional circumstances. Council members agreed that if such exceptional circumstances occur, they would be better addressed by the Senate chair appointing an ad-hoc committee, which could be chaired by the particular ex-officio senator, rather than by opening the door to setting any precedents which apply to existing governance councils and committees. There also was agreement that any such amendment would not apply to this year's chairs. Collier and Monfasani will work on drafting precise language to present to the Council, hopefully at the next meeting.

Constitution of MSCHE Self-Study Committees

The Council reviewed the time line and process regarding the MSCHE Self-Study, with the corrections and/or comments suggested by Sue Faerman, co-chair of the steering committee. It was stated that the process had begun under very unusual circumstances for UAlbany. Presumably, then Officer in Charge Susan Herbst needed someone in charge who had prior experience. While she did not consult with governance, she tried to do the best for the University at that time. Other members pointed out that she did not need to be exculpated. She easily could have consulted with governance. Other members stated that structure and membership of the steering committee was decided without significant input from the Governance Council, and thus the process does not seem to be consistent with Faculty Bylaws (in particular Article I.2.5). It is important not to let this stand as a precedent, and recommendations need to be formulated to avoid such failures in consultation in the future. It was agreed that a report should be drafted, focusing on recommendations, while making reference to the relevant context. Bromley, Carroll, and Cupoli agreed to work on a first draft to be submitted to GOV for further discussion.

Topic not on Agenda: Senate Bill 0708-23

The chair reported on the status of Senate Bill 0708-23 and on criticisms that had been voiced concerning the steps taken by Senate officers when new information was received after the Senate had voted on this bill. He also reported on charges of undue delay and on the appearance of a conflict of interest by the Dean of Graduate Studies. The chair had drafted a letter to Interim President Philip, and he wanted to hear perspectives of members of GOV before finalizing it. The letter is not intended to represent the position of the council. A discussion ensued. In concluding, the chair stated that he would share the letter with the Council.

The meeting adjourned at 5:35 pm.

Recorded and submitted by RMR