

2008-2009 University Senate Executive Committee
February 23, 2009
John Delano, Chair

MINUTES

Present: Henryk Baran, Richard Collier, John Delano, Nicholas Fahrenkopf, Reed Hoyt, Laurence Kranich, William Lanford, Eric Lifshin, Carolyn MacDonald, George Philip, Michael Range, Joan Savitt, Lawrence Schell, Malcolm Sherman, Daniel Smith, Daniel Truchan

The meeting convened at 3:32 pm.

MINUTES

The minutes of January 26, 2009 were approved pending changes submitted by Susan Phillips and Michael Range concerning the relevant sections.

PRESIDENT'S REPORT by GEORGE PHILIP

The UAlbany Advocacy Day event was significant and was better than anticipated. The event attracted a number of legislators and speeches were given by Senator Toby Stavisky and Assembly member Deborah Glick. It was an opportunity for the new SUNY Chancellor, Nancy Zimpher, to have her first public appearance since being named Chancellor earlier that day. Interim President Philip believes she will be a very good advocate for SUNY, and it is expected that she will assume her new role sometime in June.

Budget:

The federal stimulus bill will provide \$2.5 billion for New York State Education. Of that amount, \$2.375 billion will go to K-12 and higher education will receive \$125 million. Based on initial estimates, higher education will not do well with the recovery effort. The President was troubled that there was not greater advocacy for higher education to receive a greater amount of money.

Congress' version of the stimulus bill would provide \$6 billion for higher education infrastructure. There are no separate line items and there would be competition for allocation. New York State could use the money for modernization projects which can be obtained through the bid process.

The President had a brief question and answer period.

The first question was about the presidential search. Three of the candidates' names have been forwarded to SUNY Administration. President Philip informed the Committee that he has had follow-up conversations with two of the candidates. He believes a decision will come during the next SUNY Board of Trustees meeting.

PROVOST'S REPORT by JOHN DELANO:

Freshman Year Experience:

Chair Delano provided an update on the Freshman Year Experience (FYE). The FYE Task Force completed a draft report before the holidays and has received feedback on clarifications. The Task Force is in the process of reviewing those clarifications and expects to release a final report shortly.

Going Forward Plan (GFP):

Responses indicate strong interest in three areas: Enhancing critical thinking and analytical skills, developing student skills for success, and investing in and retaining high quality faculty and staff.

There was considerable discussion concerning the work done with GFP and the overlap of work done by the Middle States and the Budget Advisory Groups. Members felt there is a duplication of effort in some cases. There was a consensus that GFP needs to go through governance, and there is interest for SEC to discuss this further. Chair Delano will obtain an update from Provost Phillips.

SENATE CHAIR'S REPORT by JOHN DELANO

- **Ethics Survey for faculty and staff:** I received an e-mail on late Thursday evening, February 19, notifying me that the University Faculty Senate (Ad hoc Committee on Professional Behavior, Ethical Conduct and Institutional Integrity) was requesting that an Ethics Survey be distributed to all faculty and staff in academic and administrative roles. After contacting Bruce Szelest to verify that this survey was both legitimate and in compliance with University guidelines, I forwarded the original e-mail to Bill Lanford (Senator, UFS), Carolyn MacDonald (Chair, CERS), Henryk Baran (Chair, CAA), Malcolm Sherman (Chair, CAFFECOR), and Michael Range (Senator, UFS) for their perspectives (other SEC members were copied on that e-mail).
- **Meeting with Bill Roberson, Director of ITLAL:** On Thursday, February 12, an e-mail from Bill Roberson announced that a voluntary, midterm, course survey was available from ITLAL. Considerable e-mail traffic began promptly thereafter among several SEC members concerning the legitimacy of this survey, and whether governance should have been involved in its generation. One suggestion mentioned in those e-mails was that the SEC should consider notifying Provost Phillips that the ITLAL survey should be halted pending governance review. I referred to that as being the 'nuclear option', and suggested that more information should be gathered in advance of the SEC meeting on February 23 to see if better options existed. Over the President's Day weekend, I arranged for a meeting to occur the next week with Bill Roberson. As described in an accompanying document for this SEC meeting, a subset of 5 SEC members met with Bill Roberson on Tuesday, February 17, to discuss this matter. Following that meeting, an e-mail was sent promptly to SEC members with an update.
- **Budget Advisory Group:** Meetings have occurred weekly, but none were held during the week of February 16 (Winter Break).
- **Suggestion for a change of format at Senate meetings:** Context should be provided for all Senate legislation, including questions and arguments that have occurred (even if subsequently resolved) in Councils, Committees, and the SEC. This will allow the full Senate to learn more about what has occurred prior to legislation reaching the Senate floor, and to catalyze further discussion. This introduction should typically involve several minutes from the senator most familiar with the legislation. The purpose of this is to avoid instances where little-or-no discussion occurs, which gives the impression that the Senate is merely a rubber stamp. That erodes the sense of purpose in the Senate. In addition, it gives the full Senate a better idea of how intense and thorough the review process is prior to legislation reaching the Senate.
- **Communication of approved Senate legislation:** At the suggestion of Dean Wulfert, and in consultation with Dick Collier and John Delano, Gail Cameron made a list-serve for promptly notifying Deans of Schools, Library, and Colleges, and student leaders of Senate legislation approved by Interim President Philip. The first use of that list-serve occurred on February 13 announcing the President's signing of Senate Bills 0809-01 through 0809-07.
- **Generic Environmental Impact Statement (GEIS) process:** John Giarrusso, Associate Vice President for Finance and Business, notified me on February 10th that the campus community are invited to a meeting on Tuesday, March 3rd, in the Assembly Hall to hear and discuss up to 20 projects that are currently being considered for this campus. These projects range from those that are already funded (e.g., Business School; Campus Center addition) to those that are in various stages of planning (e.g., athletic stadium; student housing).

SUNY SENATORS' REPORT by BILL LANFORD AND MICHAEL RANGE

SUNY Senator Lanford reported on the Ethics Committee Report. Janet Nepkie from SUNY Oneonta is the chair of the Committee and is gathering information to find out what exists on SUNY campuses. There are existing policies to deal with student conduct but less for faculty and administrators.

There was lengthy discussion regarding a questionnaire that has been developed. The consensus is that it is not well designed. There were major concerns among Committee members about how to respond to some of the questions and how they will be reported. Chair Delano said he is being asked to distribute the survey to all faculty. Many Committee members felt it is not a good use of resources. A motion was made to not go forward with the survey at this time. The motion was seconded and passed. Chair Delano will gather additional information and indicated further communication will be needed with Janet Nepkie. Senator Lanford said he would take responsibility to communicate with SUNY Senator Nepkie.

STUDENT ASSOCIATION REPORT by DAN TRUCHAN

Nothing to report

GSO (GRADUATE STUDENT ORGANIZATION) – NICHOLAS FAHRENKOPF, LEAD SENATOR

Nothing to report. Questions, comments or suggestions can be sent to gso@albany.edu. More information on GSO: <http://www.albany.edu/~gso>

MSCHE STEERING COMMITTEE REPORT by REED HOYT, UNIVERSITY SENATE REPRESENTATIVE

Nothing to report.

COUNCIL/COMMITTEE CHAIRS' REPORTS

CAA (Council on Academic Assessment) – Henryk Baran, Chair

Nothing to report.

CAFFeCoR (Committee on Academic Freedom, Freedom of Expression, and Community Responsibility) – Malcolm Sherman, Chair

The council will meet February 25th to discuss further planning for the Faculty Forum on freedom of speech issues. *Chair Sherman stated that since the topic is freedom of expression, the Committee would like this to be a campus forum, opening it up to students and include them on the panel. He hoped there would be no objections and there were none.*

CERS (Committee on Ethics in Research and Scholarship) – Carolyn MacDonald, Chair

Nothing to report. *Chair MacDonald said she is meeting with University Counsel.*

COR (Council on Research) – Lawrence Schell, Chair

The Council on Research met on February 4th. The main business item was the review of the report and recommendations from the subcommittee on the FRAP A competition. Forty one proposals were reviewed. Together these requested \$378,000, but only \$120,000 was available. The subcommittee's recommendations were approved and the Vice President for Research will notify applicants by letter within 10 days of the meeting. Also, the Vice President's report stated that during the first half of this fiscal year, the university had increased the number of applications and awards over the same period last year. Furthermore, our federal research expenditures increased by 2.8% in FY 2007 compared to FY 2006. In addition, the guidelines for conference support are being revised slightly to increase the clarity of the requirements. The Council's Researcher Liaison subcommittee is being reconstituted to address concerns regarding post-award support for researchers.

CPCA (Council on Promotions and Continuing Appointments) – Eric Lifshin, Chair

CPCA continues to meet regularly and process cases. We tried evaluating one case that was distributed on a computer USB stick in an effort to minimize paper and avoid lugging around large notebooks. The council was divided about the benefits of this approach in part due to issues relating to the ease with which one can read the files. These issues are either due to computer compatibility or reader comfort. We will continue to look into this approach as it clearly has some real benefits.

GAC (Graduate Academic Council) – Laurence Kranich, Chair

Nothing to report. GAC's next meeting is on March 2nd.

GOV (Governance Council) – R. Michael Range, Chair

As already reported at the 2/9/09 Senate meeting, at its February 2, 2009 meeting – in response to SEC input - the Governance Council approved a revised version of the proposed Charter Amendment intended to ensure better consultation between the administration and the elected faculty governance bodies. This latest version is a business item for today's SEC meeting. The Governance Council also approved to include in this report the following background information regarding this amendment.

The last few years have seen successive turnovers in the senior management of the university. This situation has led, on occasion, to unsatisfactory implementation of the principles of consultation with the Faculty through its elected governance bodies as embodied in the Faculty Bylaws and the Senate Charter. Some examples:

- *In 2005, just a few months after his arrival, the President formed the Selective Investment Committee without involvement of the University at Albany elected governance bodies. While it certainly is the prerogative of the president to form advisory bodies as she or he chooses, such advisory groups cannot qualify as "consultation" with the University at Albany elected governance bodies under the Bylaws, unless certain principles have been*

followed in the formation of such groups. Furthermore, recommendations still needed to be reviewed and approved by UPC, thereby leading to redundancy and duplication of effort.

- The 2005 Periodic Review Report to MSCHE was drafted and sent to MSCHE without any University at Albany elected governance bodies' involvement whatsoever. In fact, the document was unavailable until this past spring, when repeated requests by Senate Officers finally forced its release.
- Since the URPAC committee (a budget advisory group created by former President Hitchcock) was effectively dissolved in 2005, there has been no University at Albany elected governance bodies input in any budgetary deliberations, contrary to what is stated in Bylaws 2.2.3. That same article also calls for the administration to provide "detailed annual reportson actual budget expenditures." No such reports have been provided. The Governance Council welcomes the Interim President's recent formation a Budget Advisory Group. This is a step in the right direction.
- Senate Charter X.2.8. calls for formal representation of UPC on budget advisory bodies established by the President and Provost. The nonexistence of such budget advisory groups since Spring 2005 is contrary to the intent of this article. This situation has been corrected with the recently created Budget Advisory Group.
- Over the past few years, a number of senior "Interim" administrators have been appointed to positions without the "Interim" qualification. For several of these positions, it has been traditional and an accepted "best practice" to form an appropriately representative search committee that makes recommendations to the president. If such search committees were formed in these situations, the University at Albany elected governance bodies were not involved at all.
- The selection and appointment of the current chair of the MSCHE Self-Study Steering Committee was done by the then Officer in Charge without any consultation with University at Albany elected governance bodies. The appointment was later confirmed by the Interim President. A co-chair was added only after Senate Officers had raised the issue, referring to the MSCHE guidelines.

Regarding the conflict of interest case discussed by GOV on December 8 and on February 2, it was decided that it would be best to seek the advice of the SEC to determine if any other Councils/Committees, such as CAFFECOR, should be charged to investigate the matter and make appropriate recommendations. For this purpose, a document containing relevant background information is included with this report so that SEC members may familiarize themselves with the case. [Please see "MP" attachment.] Chair Range asked to have the issue discussed in an executive session at the end of today's meeting.

GOV's next meeting will be on March 2, 2009.

LISC (Council on Libraries, Information Systems, and Computing) – Lawrence Raffalovich, Chair

LISC has invited Trudi Jacobson, from the Library User Education Programs, to discuss student use of on-line information, and how they are taught to evaluate the quality of information that they find.

UAC (Undergraduate Academic Council) – Joan Savitt, Chair

UAC met on February 11, 2009 and reviewed and approved (1) the Criminal Justice proposal for Honors in the Major [distributed to SEC on Friday] and (2) changes to the Women's Studies Major (moving courses to make the major tracks simpler to complete on schedule; same number of upper division courses etc.). The correct version of the Second Bachelor's Degree bill was distributed to SEC on Saturday; this bill awaits passage by GAC.

ULC (University Life Council) – Daniel R. Smith, Chair

Nothing to report.

UPPC (University Planning and Policy Council) – Reed Hoyt, Chair

Nothing to report. However, a draft of the "Senate Handbook" has been distributed to SEC.

NEW BUSINESS

Proposed amendment to Section X.6 of Senate Charter (CAA):

CAA Chair Henryk Baran introduced the proposed Charter amendment which would streamline some of the functions CAA is charged with. Chair Baran believes the changes are mostly self-explanatory.

Much of the discussion focused on the original language in the proposed amendment not matching the language currently in the Charter, specifically in Section X.6.2 referring to the Director of Program Review, as pointed out by GOV Chair Michael Range. In Section X.6.1.1, the Vice Provost for Undergraduate "Studies" should be "Education". There was also discussion about having specific job titles listed (Section X.6.2) if someone else could be designated, and whether it is necessary to list the titles.

Chair Range made a motion to table the amendment pending obtaining correct language and he would email the correct language to SEC members. Chair Baran agreed to return the amendment to CAA for review of language.

Proposal on 2nd bachelor's degree (UAC):

The bill was introduced by UAC Chair Joan Savitt. The intent of the bill is to make it difficult for students to apply for a 2nd bachelor's degree, but it would be up to a department to say if the student is qualified. The bill also addresses a workload issue which would shift the review of applications from Admissions to the academic departments. From the department perspective, the summer deadline would need to be changed due to lack of sufficient staff to do reviews over the summer. Another issue that was raised concerned the lack of clarity on basis for denying. Regarding admission to a combined second Bachelor's/master's degree, it was unclear how a student would appeal if their application was denied. Chair Savitt will have further discussion with UAC and report back via e-mail. If these issues are addressed to SEC satisfaction, the bill will go forward and be presented at the next Senate meeting.

Proposed Honors Program in Criminal Justice (UAC):

UAC Chair Joan Savitt introduced the proposal. The purpose of the program is to provide undergraduates the opportunity for additional training in research and writing not usually available in general undergraduate programs. UAC Chair Dan Smith questioned how it will be possible for juniors to take 600 level courses since this would require permission of the department chair. He does not believe it can be done. Chair Savitt will check the notes on this issue and discuss further with UAC.

GOV Chair Range inquired as to what defines honors credit course work under the Junior Year/Fall Semester section. He also inquired what would suddenly make the proposed courses honor courses under the Senior Year section. Chair Savitt will research the information to these questions. It was agreed that the bill is not ready to be forwarded to the Senate unless the above points are clarified and changed as necessary.

Update on Senate Handbook (UPPC):

UPC Chair Reed Hoyt presented the handbook discussion, noting that it is the responsibility of the Vice Chair to accomplish this task. The update is overdue by several years. He noted that it specifically talks about curricular proposals and invited suggestions. GOV will discuss at its next meeting.

OLD BUSINESS

Discussion of amendment to Senate Charter concerning Consultation (GOV)

GOV Chair Range discussed the revised language in section IV.1.3. He also referred to changes in the rationale, pointing out the section that SEC had previously supported stating "Such transience may result in failure". GOV members concluded that this had indeed occurred, resulting in the change of language presented today.

A motion was made to approve the amendment. The motion was seconded and the amendment will go to the Senate at its next meeting.

The meeting adjourned at 5:43 pm and was followed by an Executive Session.

Respectfully submitted by
Gail Cameron, Recorder