UNIVERSITY SENATE ATTENDANCE

Meeting of: October 1, 1990

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Cholin Fatshusa	Debour Brighton
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MICHAEL SATTINGER	Graveire Vewman
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Robert Milson	
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Ed Reilly	
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UNIVERSITY SENATE ATTENDANCE

Meeting of: October 1, 1990

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UNIVERSITY SENATE Monday, October 1, 1990 3:30 p.m. — Campus Center Assembly Hall

Administration 259 Albany, New York

12222

AGENDA

1. Approval of Minutes:

University Senate, April 30, 1990

University Senate, May 7, 1990 (1989–90 University Senate) University Senate, May 7, 1990 (1990–91 University Senate)

- 2. President's Report
- 3. SUNY-wide Senate Report
- 4. Chair's Report
- 5. Council Reports
 - a. Council on Academic Freedom and Ethics Paul Leonard
 - b. Council on Educational Policy Bruce Marsh
 - c. Graduate Academic Council
 - d. Council on Libraries, Information Systems and Computing Peter Blonariz
 - e. Council on Promotion and Continuing Appointment
 - f. Council on Research Frank Hauser
 - g. Student Affairs Council Michael Sattinger
 - h. Undergraduate Academic Council John Levato
 - i. University Community Council Shirley Jones
- 6. Old Business
 - a. Executive Committee Summer Action
- 7. New Business
 - a. Appointments to Councils
 - b. Committee on Student Conduct Activities, 1989–90
- 8. Adjournment



University Senate 518 442-5406

UNIVERSITY SENATE October 1, 1990

Administration 259 Albany, New York

12222

PRESENT: V. Aceto, M. Ali, L. Austin, P. Bloniarz, J. Boeheim, R. Bosco, D. Brighton, C. Capozzola, C. Carr, S. DeLong, G. DeSole, E. Fagan, M. Frinta, R. Frost, R. Gibson, C. Goldberg, J. Gullahorn, W. Hammond, F. Hauser, J. Johnson, J. Kiepper, S. Kim, M. Knee, T. Lance, W. Lanford, J. Levato, I. Lebenberg, P. Leonard, S. Lyman, B. McNamara, A. Macario, B. Marsh, H. Mendelsohn, S. Messner, G. Newman, K. Ratcliff, D. Reeb, E. Reilly, S. Rhoads, J. Risberg, R. Sanders, M. Sattinger, A. Saturno, M. Sherman, M. Schoolman, L. Slade, H. Swygert, E. Turner, G. Walker, P. Wallace

GUEST:

M. Butler

The meeting was called to order by Chair Lanford at 3:38 p.m.

Approval of Minutes 1.

The minutes of the 1989-90 Senate for the April 30 and May 7 meetings and the minutes of the 1990-91 Senate for the May 7 meeting stand as distributed.

2. President's Report

President Swygert reported the Budget Panel will again be established this year. The Panel's membership will be announced soon. The University at Albany can anticipate discussion of two additional budget matters developments after the November election: 1) a further reduction in our operating expenses and 2) a tuition increase.

If there is an adjustment to the budget this year, the University at Albany should be fine, reported President Swygert, but next year could be a difficult year. We will have to show the necessity of maintaining the level of our instruction, the President said.

President Swygert reported that he is serving on two committees:

1) Chancellor's Committee on Retirement and Retirement Issues. This committee is addressing benefits for faculty and academic professionals. The Chancellor would like the committee to examine the retirement issue anew.

II-3

2) SUNY 2000. The Chair of the University Board of Trustees has organized the committee which is composed of members of the Council of Presidents, four University Trustees, four Central Administrators and others. The committee will meet next week in New York City.

President Swygert will be reporting to the Executive Committee on the activities of these committees.

The establishment of a search committee for the Executive Vice President for Academic Affairs will begin soon, the President said. He will consult with William Lanford, Chair of the Executive Committee, and the University Senate to solicit names of faculty members to serve on the search committee.

President Swygert announced the selection of Dr. Richard Hughes as the new Dean of the School of Business. Dr. Hughes is a first-rate administrator and a fine scholar, he said. The President publicly acknowledged Dr. Jeanne Gullahorn for managing this search and leading it to a successful conclusion.

An article in the Monday, October 1, <u>Times Union</u> sought to compare the University at Albany with other local colleges concerning the graduation rate. The President is concerned about this article and feels that readers should have the opportunity to see the subject in the proper context. In the comparison, it appears that two other local colleges had a higher graduation rate than the University at Albany. In actuality, our graduation rate is 23 percentage points higher than the national average for public universities; in fact, our rate is just a few points before the University of California at Berkeley, said the President. Our degree continues to mean something — the students earn it through a rigorous course of study. It is our faculty who inspire the students to succeed. These points were not expressed in the article.

3. SUNY-wide Senate Report

Senator Aceto stated a written report was available at the information table. The committees of the SUNY-wide Senate and the local governance leaders met on September 14–15 in Saratoga Springs.

In his comments concerning the report, Senator Aceto stated Chancellor Johnstone made a point that the University is sometimes misunderstood. We may look big, but in terms of budget we are not. We need to let the public know this. Concerning the proposed tuition increase, the Chancellor hopes to establish a tuition policy, said Senator Aceto, in which tuition will increase as costs increase.

4. Chair's Report

Chair Lanford welcomed the members to the 1990–91 University Senate. He stated that this is the 75th year of university governance on this campus. Geoffrey Williams, the University archivist, wrote a history of campus governance which is available from the Senate Office.

Chair Lanford then read the powers and responsibilities of the Senate from the Faculty Handbook.

This year the Senate and its Councils have been reduced by one-third. This reduction, recognized by the Senate Officers, has caused problems in the staffing of the Councils, said Chair Lanford. The Executive Committee agreed at its September 17 meeting that a Chair of a Council, in consultation with the Chair of the Senate, can propose additions to a Council for an academic year. The additions will be approved by the Executive Committee and reported to the Senate. This is a transition matter.

II-4

UUP has filed an Improper Practice Charge against the statewide University Faculty Senate. Chair Lanford believes the request of UUP is relevant to this body because UUP requests that PERB or New York State discontinue any and all support to the Faculty Senate. This could be a serious issue and is brought before you as an information item, he said. This item was of considerable concern and was discussed at length at the governance meeting in Saratoga Springs in September.

EPC has been reporting to the Senate on Division I athletics, said Chair Lanford. As Chair of the Senate, it is my responsibility to see that there is a clear and impartial hearing on this issue. The Chair asked the Senators to challenge him on any decisions he makes concerning this issue.

5. <u>Council Reports</u>

- a. Council on Academic Freedom and Ethics: Senator Leonard stated a written report was available at the information table. He had nothing to add to the report.
- b. Council on Educational Policy: Senator Marsh stated a written report was available at the information table. The Council is proceeding with the Division I question. The Evaluation Policy Committee will continue its work on assessment.
- c. Graduate Academic Council: Chair Lanford stated this Council has not held its organizational meeting.
- d. Council on Libraries, Information Systems and Computing: Senator Blonariz stated the Council has not yet met.
- e. Council on Promotion and Continuing Appointment: Chair Lanford stated this Council has not held its organizational meeting.
- f. Council on Research: Senator Hauser said the Council will meet next week.
- g. Student Affairs Council: Senator Sattinger said the Council has met; there was nothing to report.
- h. Undergraduate Academic Council: Senator Levato said the Council met and an agenda has been set. The two main agenda items will be the human diversity requirement and the general education requirement.
- i. University Community Council: There was no report.

The Council reports were moved, seconded and accepted.

6. Old Business

a. Executive Committee Summer Action. Chair Lanford stated the Executive Committee met on June 29, in executive session, to receive a confidential report from CAFE.

7. New Business

- a. Appointments to Councils. The appointments come to the Senate floor moved and seconded from the Executive Committee, said Chair Lanford. The appointments were approved.
- b. Committee on Student Conduct Activities, 1989-90. The report was accepted.

11-5

c. Resolution. The resolution comes to the Senate floor moved and seconded from the Executive Committee.

Chair Lanford explained there has been a bill in the Legislature which would make faculty members voting members of the University Council. There is interest in making this change, but a legislative bill is required. Senator Aceto pointed out there is faculty membership in the CUNY system. Senator Turner said the guidelines he has read do not make any reference to a faculty representative.

Senator Bosco said individual Councils on campus list only voting members. An alumni representative meets with the University Council; the student representative is indicated as a voting member. The practice has been that faculty representation is utlimately to the discretion of the Council. The most recent chair, Mr. Alan Iselin, wanted consultation with the faculty. The ability of the faculty representative to speak to the faculty view on the Council is important, said Senator Bosco.

Did the Executive Committee take into consideration that the alumni representative also be a voting member, asked Senator Hammond. Chair Lanford said that was not discussed.

The resolution carried with five abstentions.

Senator Hammond asked that the Executive Committee consider the question of the alumni representative being a voting member of the University Council.

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully submitted,

Com Velle

Gloria DeSole Secretary

TO THE EDITOR:

Today's story in the <u>Times Union</u> ["More stay at private colleges"], which reported on the graduation rate of area colleges, paints an unfortunate and misleading picture of institutional success or failure by the manner in which it looked at one of many indicators of student achievement. The Capital Region is fortunate to have a wide variety of academic institutions within its boundaries. Each has a distinctive mission, and each offers very different academic programs. Simple comparisons on one dimension that fail to account for these differences do a great disservice to the educational community in general. The University at Albany is a mature public research university offering a broad spectrum of academic programs within its 10 schools and colleges and providing access to an excellent education to its nearly 17,000 students. These students are professional, graduate, and undergraduate matriculants who represent the full diversity of New York State. Any discussion of the University at Albany must be cognizant of this reality.

Numbers that are imprecisely reported can do a great deal of mischief. The article compares Albany to the private colleges in the region and pronounces the University as having the lowest graduation rate among local four-year schools. The more appropriate comparison for the University at Albany, which is a public research University with a diverse undergraduate population of nearly 12,000, is with other similar universities. In that comparison, the percentage of University at Albany undergraduates who graduate from this institution within six years of entering as freshmen is 23 percentage points <u>higher</u> than the national average for public universities.

Compared to the national average of 43 percent, Albany graduates more than two-thirds of the students who come here as freshmen. In fact, our graduation rate approaches that of one of the finest institutions of higher education in the country, the University of California at Berkeley, where the six-year graduation rate is 71 percent. Ours is a remarkable achievement and testifies to the quality of the education students receive here and to the excellent return on the investment in this University by the taxpayers of New York. This achievement is also reflective of a dedicated and outstanding faculty and a responsive student body.

UNIVERSITY AT ALBANY STATE UNIVERSITY OF NEW YORK University Senate

Report of Remarks by Chancellor Johnstone at Meeting of SUNY Governance Leaders and SUNY Senate Committee Members

Chancellor Johnstone addressed the groups above at the Gideon Putnam Hotel on September 14, 1990. Briefly stated, he made the following points:

The Chancellor's vision of where he would like SUNY to be in the next ten years:

Provision of quality undergraduate education that is both challenging and accessible

Provision of quality advanced professional and graduate education and research support

Significant player in achieving social goal of socioeconomic and racial equality

Significant player in shaping and improving K-12 and lifelong education Perception of SUNY as a major force in providing solutions to state problems

To achieve this vision, SUNY must enhance:

Productivity
Stewardship
Self-Generated revenues
System articulation
Understanding and image of SUNY
Supply of professors

Strengths of SUNY

Tradition of undergraduate education
Complete post-high school educational system
Good physical plant
Strong faculty
Good management
Strong, apolitical trustees
Manageable demographic pressures
Manageable portion of total state tax resources

The Chancellor's responses to questions:

TIAA/CREF Cashability: A national accounting firm is studying this issue under contract from SUNY/CUNY and will submit a report this month to the Board of Trustees. One problem is the impact on the rest of state government since this option is not available to others. The Chancellor personally supports the cashability option.

Budget deficit: Over the past few years SUNY has contributed one-time revenues to help balance the state budget. This next year, however, there is a need for general fund restoration because of a 400 million dollar shortfall. There will be additional fees imposed on students. The Chancellor expects some increase in tuition. However, more importantly, he would like to see a tuition policy established that would recognize that tuition will not be frozen but will increase as costs increase.

Vincent J. Aceto SUNY Senator 9/26/90



Becieved in Dixite Office on

State University of New York State University Plaza Albany, New York 12246 518/443-5326

University Faculty Senate

September 5, 1990

To:

University Faculty Senators

Local Governance Leaders

From:

Karen E. Markoe, President J. M.

University Faculty Senate

Subject: Impr

Improper Practice Charge

The attached notice was given to me late yesterday afternoon. It is a serious matter, one that you should share with members of your faculty and staff.

The charge is against both the University Faculty Senate and campus senates. (See Details of Charge, items e. and f.) The University will be represented in this matter by attorney Rebecca C. Cavale of the Governor's Office of Employee Relations. I understand that there will not be a conference on the matter on September 12 as stated. That will be rescheduled for a later date.

Of course, I shall keep you informed of any developments as they occur.

Details of Charge

Organia

- a. Pursuant to Article 14 of the Civil Service Law (Public Employees' Fair Employment Act) Section 204 as amended (the Act), United University Professions (UUP) has been certified by the Public Employment Relations Board (PERB) as the exclusive representative for collective negotiations with respect to salaries, wages, hours and other terms and conditions of employment of employees in positions in the State University of New York Professional Services Negotiating Unit (PSNU).
- b. The Executive Branch of the State of New York (the State) is the public employer as defined by the Act.
- agreement effective 1 July, 1988 and continuing through 30 June, 1991.
- d. The State University of New York (SUNY) is an agent of the State.
- e. The University Faculty Senate (University Senate) is an employee organization within the meaning of the Act, created, financed, supported and dominated by SUNY, comprised of employees in the PSNU and SUNY management employees. Its existance, responsibilities and membership are defined and mandated by SUNY in the Policies of the Board of Trustees of SUNY.
- f. The College Faculties (Codlege Senates) are organizations on each state operated campus of SUNY which are created, financed, supported and dominated by SUNY, comprised of employees in the PSNU and SUNY management employees. Their existance, responsibilities and membership are defined and mandated by SUNY in the Policies of the Board of Trustees of SUNY.
- g. Upon information and belief:
 - 1. SUNY intentionally interfered with UUP's ability to represent PSNU employees by portraying the University Senate as the employee organization which best represents PSNU employees in that:
 - a. on or about 14 May, 1990, a letter was sent, at SUNY expense, on SUNY supplied stationary, duplicating costs and postage paid by SUNY, from an employee of SUNY, one Karen Markoe, President of the University Senate; (Attachment A)
 - b. this SUNY financed letter was sent to "Seastors and Governance Leaders;" these addressees are participants in the University Senate and/or in College Senates and are members of the PSNU, represented by UDP;

- this SUNY financed letter criticized policies and actions taken by UUP, alleged that UUP did not represent the faculty while the University Senate had "unanimous support" on many campuses and stated that UUP had no right to take a position on the issue in question or to act on that position. The letter exhorted the Senators and governance leaders to act in opposition to the expressed position of UUP;
- d. this SUNY financed letter was intended to move employees represented by UUP to put pressure on UUP to change its policies, position and actions: Further,
- 2. SUNY intentionally attempted to undermine the authority of the elected leadership of UUP and its ability to represent members of the PSNU and sought to convince PSNU members that they are better represented by another, non-certified employee organization in that:
 - a. on or about 7 June, 1990, a letter was sent, at SUNY expense, on SUNY supplied stationary, duplicating costs and postage paid by SUNY, from an employee of SUNY, one Karen Markoe, President of the University Senate; (Attacment B)
 - b. this SUNY financed letter was sent to "SUNY Colleagues", all of whom are members of the PSNU, represented by UUP;
 - c. this SUNY financed letter published an internal union document from the President of CUP to UUP Chapter Presidents which had been sent on a union electronic mail system;
 - d. this SUNY financed letter criticized the policies and actions taken by UUP, alleged that UUP did not represent the members of the PSNU and their interests and characterized those interests as better represented by the governance structure (University and Campus Senates). The letter exhorted the addressed "SUNY Colleagues" to act in opposition to the expressed position of UUP;
 - e. this SUNY financed letter personalized the opposition to the University Senate position as originating with Dr. John M. Reilly, President of UUP, stated that he had no authority to act as the leader of UUP on the matters contained in the letter, and exhorted the membership of UUP to disregard the position taken by their union and its elected leader;

- h. Therefore, by reason of the foregoing facts and circumstances, UUP alleges that the State has, by its acts, willfully and deliberately:
 - interfered with, restrained and/or coerced the public employees of the PSNU in the exercise of their rights quaranteed in sections 202 and 203 of the Act for the purpose of depriving them of such rights in violation of section 209-a.1(a) of the Act and,
 - 2. dominated and/or interfered with the administration of the exclusive certified employee organization, UUP, for the purpose of depriving employees of their rights in violation of Section 209-a.1(b).
- i. UUP hereby respectfully requests that the PERB order the State to:
 - 1. send a letter to all those to whom the letters in question were sent, withdrawing the letters and stating that UUP, and not the University Senate, is the exclusive representative of Faculty and Professional Staff in SUNY and,
 - 2. discontinue any and all employer support for the University Faculty Senate including, but not limited to, stipends, travel advances and reimbursements, release time and use of campus and University facilities and,
 - 3. post conspicuously on all bulletin boards accessible to employees a copy of the order and mail a copy of the order to all members of the PSNU or,
 - 4. for the PERB to order any remedy that it deems sufficient.

Council on Academic Freedom and Ethics Report to University Senate October 1, 1990

The council met on September 25, 1990 to review its agenda for the semester. During June 1990 the council completed its review of a case involving charges by two University faculty members against three members of the University community alleging unethical behavior. The report was accepted by the University Senate Executive Committee meeting in executive session in late June 1990.

COUNCIL ON EDUCATIONAL POLICY

Report to the University Senate October 1, 1990

The Council on Educational Policy met on September 27 and agreed on the following as subjects for its attention in the coming year:

University Senate Resolution on Division I Athletics

The Council agreed on a procedure for fulfilling its obligation as defined by the University Senate in its resolution on Division I athletics passed in April:

The Long-Range Planning Committee will consider the first item in the resolution, policies providing for faculty oversight on admissions and academic progress

The Resource Advisory Committee will consider the second item in the resolution, a budget analysis of a move to Division I status

Action on the third item, a review of guidelines for the Institutional Athletics Board, will be determined once those guidelines are in hand.

Assessment

The Council's Committee on Evaluation Policies will continue its work on the Assessment Plan endorsed by the University Senate last spring. The Committee will be meeting with departments over the year to assist them in developing an appropriate plan for assessment in the major of the department.

Calendar Policy

The Council will also undertake a review of the 10-year old policies that shape the academic calendar.

STUDENT AFFAIRS COUNCIL Report to Senate Meeting of October 1, 1990

The Student Affairs Council met Wednesday, September 12. Vice President Mitchel Livingston reviewed current developments in student affairs. He discussed with the Council issues in the area, including health services, Division I athletics, alcohol and substance abuse, freedom of expression, recruitment and retention of minority students, fraternities and sororities, ethnic and race relations, and tuition and housing increases. The following were named temporary chairs of standing committees: Andi Lyons for health services, Donald Biggs for financial aids, Marie Mangini for residences, and Connie Capozzola for student government and associations. Future meetings will be scheduled when members indicate their time availability.

Michael Sattinger, Chair

エー12

COUNCIL ASSIGNMENTS

Remove from Council Assignment

Replace With

Helen Desfosses* (1988–91)

Assigned to GAC

Norma Riccucci* (1990-91)

Proposed for GAC

Paulette McCormick* (1990–92)

Assigned to UAC

Sandra Fischer** (1990–91)

Proposed for UAC

FACULTY MEMBERS AND PROFESSIONAL EMPLOYEES - ADDITIONS TO COUNCILS

George Broadwell** (1990–91) Proposed for LISC

Robert Gibson*** (1988–91) Proposed for CPCA

Jogindar Uppal** (1990–91) Proposed for CPCA

GRADUATE STUDENT – ADDITION TO COUNCIL

Louis Tobias (1990–91) Proposed for GAC

RESIGNATIONS FROM COUNCILS

Grace Pell Assigned to UCC

* Faculty Senator ** Faculty Member

*** Professional Employee



Office of the Vice President
Judicial Affairs
518 442-5501

June 4, 1990

Division of Student Affairs Administration 129 Albany, New York

12222

MEMORANDUM

TO:

Ronald A. Bosco

Chair, University Senate

FROM:

John M. Murphy

Director of Judicial Affairs

SUBJECT:

Committee on Student Conduct Activities, 1989-90

Attached is a summary of student conduct cases for which the Committee on Student Conduct has responsibility. Four of the eighteen cases from this past academic year required formal hearings before the Committee. The remaining fourteen cases, including the six cases resulting in suspension for cheating were resolved through the mutual consent process.

For ease of comparison, I have provided summaries of data from the 1988-89 academic year. You may wish to know, two of the three cases pending from the 1988-89 year have been resolved via mutual consent and those students have also been suspended.

Please don't hesitate to contact me if you have questions or require additional information.

Attachment

Mitchel D. Livingston
 Vice President for Student Affairs

UNIVERSITY SENATE

UNIVERSITY AT ALBANY STATE UNIVERSITY OF NEW YORK

INTRODUCTED BY: Executive Committee

DATE:

September 17, 1990

RESOLUTION

Resolved:

The Senate at the University at Albany reaffirms its desire that the Faculty representative to University Council be a full voting member

of such Council.

RATIONALE:

The Executive Committee wishes to reaffirm this action, as has been done in the past. This resolution also supports a bill that is currently being discussed in the Legislature.

NOTICE

State laws and University regulations prohibit smoking in public areas of all campus buildings except in designated smoking areas. Smoking is not allowed in classrooms, lecture halls, laboratories, conference and seminar rooms, rest rooms, libraries, theaters, gymnasiums, museums, lounges, elevators, dining halls, corridors, and buses.

Please do not smoke outside a designated area.

PLEASE NOTIFY YOUR EVENT PARTICIPANTS OF THE FOLLOWING FIRE SAFETY INFORMATION

CC ASSEMBLY HALL

"Fire exits are located in each of the four (4) corners of this room. In the event of a fire, you will be notified by the sounding of the Building's fire gongs. If notified, please move in a calm and orderly fashion to the nearest exit Thank you."

(Department of Campus Life)

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 Labor	
 Other	

STATE UNIVERSITY OF NEW YORK AT ALBANY Campus Center

del	ACTION
7/7	Confirmed (') Denied () Note
	(d 1/900 KSD)

RESERVATION REQUEST

	ribe Event Day Monday Date Oct. 1, Nov. 5, Dec.
Appro	0ximate Number to Attend 150 Time of Reservation: From 2:30p To 5:30p
EXAC'I	Title or Theme of Event University Senate Meeting
	Information Desk () Clipboard ()
Spons	soring Organization University Senate
lame	of Person Making Request Madeline Cicero Phone No. 5406
lame	of Person Responsible for Event Phone No.
itle	Address
Bill	to Ms. Cicero Address
Space	Requested Assembly Hall Time of Event: From 3:30pTo 5:00p
Room	Arrangement Requested: ($^{1\!\!\!/}$) Auditorium () Discussion () Banquet () Lounge
() (Other (specify) () See attached diagram
SPEC	CIAL REQUIREMENTS:
() Stage () Blackboard () Tape meeting () Movie projector (%) Speakers table(s)) Chairs on () Phonograph () Tape recorder () Overhead projector () Registration table stage () Coat racks () Audio tape () Slide projector () Demonstration area) Lighting () Plano () Portasound () Screen (Size) () Other () Lectern () Flags (%) P.A. () Monitor () Builetin board
Comr	ments: Speaker's table for four with mike at sound lectern.
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