Prof. Sara Reiter (School of Management and Chair of the Faculty Senate) called the full faculty meeting to order at 11:45 a.m. in UU114/Old Union Hall. She welcomed President Lois B. DeFleur and turned the meeting over to her. President DeFleur said that as she had announced she would be retiring in the summer and therefore this would be her last full faculty meeting. She said it had been a privilege to work with the faculty as well as the Faculty Senate.

President DeFleur recalled when she had been interviewed and hired in 1990 and highlighted some key goals she thought the university could and should accomplish: expand breadth and depth of degree offerings; increase number and quality of undergraduate students; broaden research mission; focus on private fundraising. She reported in detail how these things had been accomplished during her time here at BU.

President DeFleur spoke about the current fiscal situation saying that for the first time in history New York State’s General Fund ended in the red. This was after emergency measures taken by Governor Paterson who implemented a $500 million mid-year budget reduction. Double-digit budget deficits are forecast for the state, with additional deficits extending several years. She said that in the last year and a half Binghamton has implemented a series of reductions in state support amounting to $10.4 million. There is a $90 million mid-year permanent budget reduction to SUNY and Binghamton expects another reduction of at least $6 million in state support.

The campus is operating under two main principles, to make the academic division a priority and to protect long-term faculty and staff. The university has had limited hiring and reduced equipment purchases, and judiciously used one-time monies and IFR funds to offset the decline in state funds. An innovative ‘voluntary separation program’ has been implemented to provide an opportunity for individuals with 15 or more years of service to leave the campus with an appropriate lump sum payment.

President DeFleur reported that ten to twelve new faculty are expected to be hired, four or five will be hired through state monies, the remainder on external funding such as grants, special SUNY programs, etc. She thanked departments and faculty who worked hard to seek these additional sources of funding.

Binghamton and SUNY have been aggressively advocating in Albany. Governor Paterson introduced the Public Higher Education Empowerment and Innovation Act in January which allows the university more spending and contracting flexibility, increased access to capital for construction, and leasing of university land and facilities. It also allows research universities to establish tuition levels that reflect the additional costs of the mission and ensures that individual campuses retain tuition revenue. Two weeks ago a large group including faculty met with legislators and political leaders for Binghamton’s Advocacy Day. They were receptive to making public higher education a priority but acknowledged that there are many competing priorities in the state’s current fiscal situation.

Turning to another issue, President DeFleur said she recognized that there is much concern about the men’s basketball program and current situation. She is aware of the resolution to leave Division I and return to Division III. She addressed several aspects of the situation, reviewed the process for the initial move to Division I, and reported recent actions taken regarding the athletics program.

The process to move from Division III to Division I began in 1995. At the time, the SUNY research universities were among only a handful of peer institutions that were not in Division I. For major public research universities, Division I athletics plays an important role in developing connections with
students, alumni, and communities. Binghamton’s community support has increased substantially since the move to Division I.

In 1995 the SUNY chancellor and Board of Trustees established a committee on intercollegiate athletics. Buffalo had already moved to Division I and Albany and Stony Brook had begun the process. At the time President DeFleur said she believed it was crucial for Binghamton to maintain its co-equal status with the other centers. The Intercollegiate Athletics Board strongly supported this move. In 1999 the Faculty Senate voted against the move (the vote was 16 yes, 11 no, 4 abstentions). She consulted with other campus groups and then approved the move into Division I.

She acknowledged concern about the costs of the program. Most of the cost is funded from the student athletic fee. Additional revenue for the program is from private fundraising, sponsorships, and television revenue. External support is up 400% since the move. She said that reductions to the athletics budget have been proportionately greater than those to the academic programs. President DeFleur stated that no monies have been diverted from state operating funds to the intercollegiate athletics program.

In September six players were dismissed from the basketball team for off-court behavior. She immediately informed the athletics personnel that stronger standards were needed and asked for a new operating plan for men’s basketball focusing on recruiting, operations, and academic support. This plan was adopted in January. There have been many legal processes ongoing and the university was not able to divulge information due to the criminal investigation. All but one of the students dismissed are currently enrolled and making progress toward their degrees. President DeFleur said that she believes the university police and the athletic and student judicial systems treated the athletes fairly and in a manner similar to what other Binghamton students could expect.

After the dismissals, President DeFleur said she took steps to provide an objective external review and intended to use a compliance firm such as Bond, Schoeneck, and King, which is normal procedure. Chancellor Nancy Zimpher then requested a meeting with her and other campus representatives including the Faculty Senate chair where she informed them that SUNY and the Board of Trustees would conduct the investigation. The former chief judge of the New York State Court of Appeals, Judith Kaye, and the law firm of Skadden, Arps, Slate, Meagher and Slom, LLP, were selected to conduct the investigation. President DeFleur stated that this type of inquiry is extremely unusual for issues dealing with athletics. She added that this action left Binghamton with no chance to review the final document for needed content or clarification. Binghamton was instructed to take no action before the March 23 Board of Trustees meeting. She said that some situations are being reviewed and there is close monitoring of all recruiting.

President DeFleur said that two weeks ago she issued a statement that the men’s basketball team would withdraw from the American East Conference tournament. This action was the result of conversations with SUNY and the Conference. She said that she realizes this action was unfair to the players and coaches and supporters but said it was a self-imposed sanction and a necessary part of the commitment to move forward.

Last week a group of reviewers met with the provost and Senate leaders and a compliance firm consultant to begin developing policies and procedures for oversight of athletics on a SUNY-wide basis. In the next few weeks Binghamton will be evaluating possible NCAA infractions and working with SUNY and the compliance firm.

President DeFleur recognized the faculty’s concern about issues raised in the Kaye report regarding academic standards. She said the university is committed to move forward and there will be changes in procedures. She commented that the standards under which the basketball players were admitted are according to NCAA standards. All basketball players were and are enrolled in regular academic programs and making progress toward their degrees. As mentioned in the Kaye report, incidents of
irregularities of contacts between coaches and admissions personnel have already been corrected. Regarding the allegation that a faculty member was pressured to change grading policies, it was determined that there were conflicting perceptions of campus requirements. Steps have been taken to clarify attendance and grading policies for students involved in co-curricular activities.

There has been much attention to the College of Community and Public Affairs and the Human Development program. The school originated in the 1980s in the School of Education and Human Development and served many non-traditional students from the local community. The programs in the college address students who want to work in social services, government, and not for profit organizations. The Human Development program has developed a new curriculum that creates a clear sequence of courses, and establishes standards consistent with those in other schools at Binghamton. The faculty have sent a letter to the Faculty Senate Executive Committee detailing these changes.

Binghamton’s application numbers continue to increase; there are more than 31,000 transfer and freshman applications for next year. The university continues to receive high marks for academic excellence. The School of Management moved from 18th to 12th in the BusinessWeek rankings of top public university business schools.

President DeFleur said the past few months have been difficult for her and the university. She regrets that she was not able to share some information. There has been no attempt by the administration to cover up or withhold information. She stated further that as president she takes full responsibility for what happens on campus including these recent events. She cares deeply for the university and is grateful for the many dedicated faculty. She is confident that the university will have a great future.

Prof. Dennis Lasser (School of Management) asked the status of the search for a new director of athletics. President DeFleur replied that the search has been put on hold. Prof. Ricardo Laremont (Political Science) asked for a vote of thanks to President DeFleur for her years of service. The body heartily applauded the president.

Mr. Adam Amit (president, Student Association) spoke against a possible return to Division III athletics. He reaffirmed and recommitted the student body to Division I athletics saying that it enhances Binghamton’s high academic standards and dedication to excellence.

A motion was made to adjourn the full faculty meeting and begin the Faculty Senate meeting. On voice vote, the motion was approved.

The third Faculty Senate meeting of the 2009-2010 academic year was called to order by Prof. Reiter at 12:15 p.m.

1. **Minutes.** A motion was made to approve the minutes of the December 8, 2009 meeting as submitted. On voice vote, the motion was approved.

2. **Announcements/Questions.** a) Obituary Notices. Prof. Reiter read a list of former faculty who had recently passed away: Prof. Miguel Arcones (Mathematical Sciences), Prof. Albert Dekin (Anthropology), Mr. Lance Graham (Physical Education), and Prof. Sol Raboy (Physics). As is established practice, a note of condolence has been sent to each family on behalf of the Senate. A moment of silence was observed.

3. **Reports.** a) Prof. Sandra Michael (Biological Sciences and University Faculty Senator) reported that the chancellor and her cabinet are preparing two resolutions about a comprehensive tuition policy and a comprehensive assessment management policy. In addition, she handed out information (attached) about the Public Higher Education Empowerment and Innovation Act (PHEEIA) from the University Faculty Senate noting a comparison of the SUNY and UUP positions.
b) Prof. Peter Knuepfer (Geological Sciences and Chair, Faculty Senate Budget Review Committee) reported that the governor has proposed a total $151 million reduction in the 2010-2011 budget which could mean Binghamton may have up to an $8.8 million shortfall. SUNY is in favor of the PHEEIA, which will allow tuition increases and other flexibility. There appears to be little support in the legislature for restoring any of the proposed reduction. Prof. Knuepfer also reported that the committee met last week to review the expenditure profile from last year.

c) Prof. Richard E. Lee (Sociology and Chair, Faculty Senate Executive Committee [FSEC]) reported (see attached) on several issues the committee has addressed this semester thus far: procedures for the election of faculty representatives to the presidential search committee; SOOT Task Force; Board of Trustees proposed changes to gen ed requirement; summer school grade reporting; problems with paperless graduate school application process.

Prof. Lee also reported that the committee had received a letter from Prof. Herbert Bix and others entitled ‘BU’s opportunity for a new model of governance’. The letter raised two issues of concern: possible withdrawal of BU from Division I sports and the issue of ‘democratic governance’. The FSEC has created an ad hoc committee on Division I to address these issues. The report of that committee will be forwarded to the Senate for the next meeting.

Prof. Lee referred to the next agenda item, resolution on excellence and standards, that reaffirms faculty commitment to those ideals in the context of the situation that has developed in the Binghamton basketball program.

Prof. Randall McGuire (Anthropology) asked Prof. Knuepfer the exact cost of Division I sports to the campus. Prof. Knuepfer replied that according to the figures given to the Budget Review Committee from the administration, the expenditures for the program last year were $11,054,000. Of that amount, $6,900,000 is from various IFR accounts with the bulk being from student athletics fees. Prof. McGuire asked that the complete breakdown and previous year figures be included in the ad hoc committee report.

Prof. McGuire thanked the FSEC for setting up the ad hoc committee and asked Prof. Lee if there would be a serious discussion with complete information at the next Senate meeting about the wisdom of continuing in Division I. Prof. Lee yielded the floor to Prof. Patrick Madden (Computer Science) who is chair of the ad hoc committee. Prof. Madden said that the ad hoc committee would look at all aspects of the matter in order for an informed discussion at the next meeting.

Prof. Rosmarie Morewedge (German and Russian Studies) asked Prof. Michael about the current state of the transfer issue that affects flexibility and mobility including gen ed courses. Prof. Michael replied that the situation is complicated. The chancellor is in favor of student mobility, i.e. the goal is that all courses will transfer and those students with associate degrees will come in as full juniors. There is a proposal that will go to the Board of Trustees that says completion of seven out of ten gen ed courses will satisfy the requirement. Individual schools may not be able to add on additional courses as they can now. Provost Mary Ann Swain agreed saying that the Board of Trustees may implement the seven out of ten policy without regard to individual school policy.

4. New Business. a) Faculty Senate resolution on excellence and standards (attached to agenda).

A motion was made to adjourn the meeting. The motion failed, 13 in favor, 18 against.

A motion was taken on the resolution and carried, 33 in favor, 1 opposed, 5 abstentions.

A motion was made to adjourn. By a show of hands, the motion carried.
The meeting adjourned at 1 p.m.


Excused: Andy Cavagnetto, Randy Friedman, Joseph Graney, Sharon Holmes, Srinivasa Venugopal

Absent: Karen Barzman, Katharine Bouman, Benjamin Brewster, George Catalano, David Davies, Heather DeHaan, Ariana Gerstein, Albrecht Inhoff, Jonathan Karp, Clifford Kern, Kenneth Kurtz, Michael Lewis, J. Koji Lum, Steven Lynn, Michael McDonald, Steven Scalet, Thomas Sinclair, Steven Tammariello, Kimberly Avery