

Draft: Subject to Senate Approval

MINUTES OF THE THREE HUNDRED AND THIRTY-SIXTH PLENARY SESSION
OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

May 6, 2008

The meeting was called to order by UFS Chair Philipp at 6:45 p.m. in Room 9206/07 at the Graduate School and University Center. 75 voting members of 118 incumbents were present.

Baruch: Present – Hill, Martell, Pollard, Vora, Wine, and Alternate Aubry. Absent – Dumas, Freedman, Myers, and Nemotollahy. **BMCC:** Present – Friedman, Genis, Kalogeropoulos, Soto, and Vozick. Absent – Martinez-Lopez, Niyazov, and Persaud. **Bronx CC:** Present – Alternate Ismail. Absent – Alozie, Durante, and Skinner. Vacancies – 1. **Brooklyn:** Present – Bell, Dubois, Jacobson, Magliozzo, Massood, Morrill, Shapiro, Shortell, and Tobey. Absent – Cherukupalli and Viscusi. **CCNY:** Present – Crain, Dalglish, Lascar, and Raj. Absent – Habib, Khalil, and Sank. Vacancies – 2. **CSI:** Present – Batson, Cooper, Levine, Petratos, Yousef, and Alternate Jones. Absent – Klibaner and Talarico. **CUNY Law School:** Absent – Farago and Lung. **Graduate School:** Present – Baumrin, Nolan, and Orenstein. Absent – Cross, Lennon, and Matthews-Salazar. **Hostos CC:** Present – August, Pimentel, and Alternate Sharma. Absent – Bernardini. Vacancies – 1. **Hunter:** Present – Palanda and Alternate DeMeo. Absent – Friedman, Guzzetta, Kaye, Krishnamachari, McCormick, Splitter, St. Hill, and Wimberly. Vacancies – 2. **John Jay:** Present – Chaffie, Crossman, Frazier, Kaplowitz, Kubic and Alternate Petraco. Absent – Dunham and King-Toler. **Kingsborough CC:** Present – Barnhart, Hume, Ruoff, Sarinsky, Wood, and Alternate Repetti. Absent: Stubin. **LaGuardia CC:** Present – Beaky, Davidson, Lerman, Mettler. Absent: Rushing and Shean. **Lehman:** Present – Marianetti, Mineka, and Philipp. Absent – Hellmann, Jervis, and Kolb. **Medgar Evers:** Present – Barker, Hope, and Alternate Daly. Absent – Stewart. **NYCCT:** Present – Cermele, Horelick, Hounion, Paynayotakis, and Richardson. Absent – Karthikeyan. **Queens:** Present – Bird, Moore, and Savage. Absent – Brody, Gonzalez, Habib, and Zevin. Vacancies – 2. **Queensborough CC:** Present – Barbanel, Pecorino, Tai, and Alternates Goldenberg and Volchok. Absent – Iconis, Sweetnam, and Wein. Vacancies – 1. **York:** Present – Lewis. Absent – Corkery, Mawyer, and Rosenthal.

For item IV.A were present Vice Chancellor for Facilities, Planning, Construction and Management Iris Weinshall, and Gwen Perlman, Director of Capital Budgeting.

Governance Leaders present: Baumrin (GS), Cooper (CSI), Hume (KCC), Kaplowitz (John Jay), Levine (CSI), Martell (Baruch), Mettler (LaGuardia), Pecorino (QCC), Philipp (Lehman), Raj (CCNY), Savage (Queens), Tobey (Brooklyn), Woytowich (NYCTC) and Young (Hunter) attended. Executive Director Phipps, Administrative Assistant Pasela, and Secretary Blanchard were also present. Guests were Professors Dina Dahbany-Miraglia and Chigurupati Rani.

- I. Approval of the Agenda: The agenda was adopted as proposed.
- II. Approval of the Minutes of April, 2008: Minutes were approved as distributed.
- III. Introduction of New Senators – See Reports & Deliberations.
- IV. Reports
 - A. Chair (oral & written) – See Reports & Deliberations.

- B. Vice Chancellor for Facilities, Planning, Construction and Management Iris Weinshall – See Reports & Deliberations.

At this point, a motion was made by Senator Pecorino, and duly seconded, as follows: Resolved, that it is the will of the body to have the Executive Committee send a letter to Mayor Michael Bloomberg urging funds for the restoration of Fiterman Hall. The resolution was unanimously passed by voice vote.

- C. Representatives to Board Committees (written)

V. New Business

- A. Nomination & Election of Officers and Members-at-Large of the Executive Committee - Ballots were tabulated with the following results: Elected were Professor Levine (63 votes), Professor Baumrin (61 votes), Professor Pecorino (59 votes), Professor Friedman (57 votes), and Professor Cooper (56 votes).

- B. Discussion & Approval of the UFS Draft Statement on Academic Freedom – After discussion, the document was unanimously approved in principle subject to textual revisions in the fall.

There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

William Phipps
Executive Director

REPORTS AND DELIBERATIONS
OF THE 336th PLENARY SESSION
OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

May 6, 2008

III. Introduction of New Senators & Vice Chancellor's Report

A. Chair, Manfred Philipp- I'd like to ask Professor Richardson to stand up. She has an announcement about the PSC/CUNY Award process; the awards are administered by the University Committee on Research Awards which is appointed by the Chancellor on the recommendation of the University Faculty Senate Research Committee. In effect, they are administered by the University Faculty Senate by a committee that we appoint. To make these committees work, we need liaisons from particular subjects, particularly biology and environmental sciences.

Professor Kathryn Richardson (Nursing Department, New York City College of Technology)- I'd just like to announce that we're still looking for people to coordinate all of the areas. I'll mention all of the areas and then I'll say in particular where we don't have any applications, or have few applications. The areas are Anthropology, Biology, Classics, Creative Writing & English, Earth and Environmental Science, Interdisciplinary Studies, Law & Criminal Justice, Political Science, Philosophy, Physics and Urban Studies. The areas where we're really needy are Anthropology, Biology, Earth and Environmental Science, Law & Criminal Justice, Political Science, and Urban Studies. We also need people in Classics, Philosophy and Physics. So if there are any faculty on your campus that you think might be interested in doing this, please have them send their vitae to the Research Foundation or email it to Stasia Pasela. In about another month or so we will be reviewing all of the vitae in order to see who will be nominated. The criteria for selection are continuing involvement in scholarship, experience in receiving and administering grants and then we do look at representation to try to make it fair within all of the colleges. There is a stipend of \$6000 over a 3 year term and that is because while you are part of these committees you are not allowed to apply for any PSC/CUNY grants, so the \$6000 is to help you do the job of the liaison. Any questions?

/Chair Philipp- This is important service to the university because many faculty members depend on these grants to do their research, particularly in areas where outside research and scholarly grants are not available. It also gives the people who are active liaisons a large overview of what's happening within their fields within the university. I did it myself for many years before I took over this position. I'm happy to say that Vice Chancellor Weinshall is here. I'd like to introduce Vice Chancellor for Facilities, Planning, Construction and Management, Iris Weinshall. We have a UFS Facilities Advisory Committee. Ned Benton and Bob Nolan are the co-chairs of that committee. They've been meeting fairly regularly and these meetings have been extraordinarily useful, extraordinarily important for the work of the UFS. As you recall at our last plenary we had a resolution about the inclusion of facilities maintenance as a criterion in the annual Presidential Evaluations. This resolution, it's only fair to say, came up to the members of the UFS as a result of this committee. We also have pre-meetings with Vice Chancellor Weinshall on items that come up to the Facilities Committee of the Board of Trustees. I have to say that the work with her has been extraordinarily useful, extraordinarily interesting and helpful. We're really pleased that she could come here today, even if the occasion in terms of the Mayor's budget is less than felicitous. Welcome to the University Faculty Senate.

B. Vice Chancellor Iris Weinshall - Thank you and good evening. I just want to thank the Faculty Senate for giving me an opportunity to go over the capital plan for the university. What I'd like to do first is go over our original requests that we made to both the State and the City and then to show where the university ended up. Hopefully we'll go through some very valid examples. Last year, the university requested an unprecedented \$8 billion over the five year plan from the State for our capital plan. I think, as everybody in this room knows, the senior colleges are funded 100% by the State and the community colleges are funded 50% by the State and 50% by the City of New York. The request that we had made really came at the behest of the then Governor Spitzer and his staff who really encouraged us to make a very robust request, vis-à-vis

our capital budget and all you have to do is tell people who build to put a robust request in and we'll come up with projects. To break down the request, basically, it was \$5.9 billion for the senior colleges and \$1 billion for the community colleges and Medgar Evers. By the way, I want to introduce Gwen Perlman, which I didn't do at the beginning of my presentation. Gwen is the new Director of Capital Budgeting for Facilities Management and Construction. We've never had this position before but we felt it was very important to have a real budget person and Gwen worked with me previously in City government and really knows the budgeting process. The next slide summarizes what our priorities were over the five-year plan. We were told by the Governor and his staff that this would be a five-year plan and that we shouldn't come back for anything more. It wasn't going to be the usual thing with a wink and a nod and then we come back next year and they give us more. It was "think of everything you're going to need because we're not going to have you come back this way." As you'll see, it didn't end up that way but we went through the exercise anyway. You'll see that our priorities pretty much fit with a lot of the conversations that the Chancellor has had at the campuses that he has visited. First and foremost, this is the decade of the sciences and we very much want to enhance our science facilities at CUNY and also to do upgrades of labs on the CUNY campuses. Not necessarily to do whole buildings but to target certain labs and to be able to upgrade them and do a fairly quick job if we could. The other priority is health and safety and as you'll see one of my priorities is that there are a lot of facilities at CUNY that are in desperate need, maybe not of a total overhaul but there are a lot of health and safety issues that we have to deal with. For example, I was at Bronx Community College this morning, and they had this enormous sinkhole. It has to do with the hot water and the cold water that goes to the buildings and now we're repairing it. Is it glamorous? Is it a gorgeous new building? No, but by doing this work we'll ensure that the buildings will have heat in the winter and air-conditioning in the summer. Another priority is CUNY First and I'm not going to go into a lot of detail. It's on all the campuses and you've all heard about it. Lastly, another priority has to do with critical maintenance. What we basically did when we came to CUNY was look at all the items that weren't being dealt with in terms of critical maintenance, again, stuff that's not very sexy, doesn't lead to a new building but stuff like HVAC systems, elevators, escalators, windows that are leaking, joints that are leaking, and we did a critical maintenance study for the university and came up with a figure that if we want to be at perfect maintenance at CUNY what would that dollar amount be. As you'll see as we go on, the State accepted that study, accepted the premise and started to fund our critical maintenance needs. So where we ended up on the State budget, as I said it was an \$8 billion ask, and we ended up with \$1.8 billion. You laugh, but I would take it in a heartbeat. Where we ended up with Governor Spitzer was \$960 million, so we ended up with \$1.8 billion. So that was \$1.6 billion for the Senior Colleges and \$209 million for the community colleges. As I go on with this procedure, you will see that unfortunately the inequity between the four-year colleges and the community colleges is beginning to grow even more and more. This is the first year that the State basically said that "We're not going to fund critical maintenance or what we call lump sums for health and safety. If the City's not going to make their share, why would we take an appropriation and just put it out there." This is going to be a bigger and bigger problem for us here at CUNY if we don't narrow the gap here. Where we ended up with the \$1.8 billion is that we had three categories. Strategic

Initiatives -- this is a fancy way of saying these are projects that are in construction or things that we would like to see in construction, up on the board. You'll see that what the State did was to say, "You know what, we're not going to give you all the money this year but we'll give you a portion of the money." What basically happens with the State is that once you get your toe in the water you're pretty much all the way there and eventually they'll fund the entire project. As I said, they acknowledge critical maintenance and they funded it this year for \$284 million. One of the things that they required is that we line out campus by campus where we were going to spend the money on critical maintenance, which we were happy to do. The last category was just minor repairs and this is a little freer money for us to work with. Every year they give us about \$20 million for minor repairs and this is a category that we like very much. On the community college side they basically funded two categories. One had to do with what they called Appropriations. These are projects that are already in construction or about to go into construction, so they gave us money for Fiterman Hall down at BMCC, they gave us money for the new academic building at Medgar Evers, and they gave us more money for the instructional building at Bronx Community College. Even though we haven't started construction yet, they acknowledged and we acknowledged that we're going to have to pay a little bit more for the building. The funding received for those projects that will be called Strategic Initiatives, projects that were going to be in construction or are already in construction, are projects like the new ASRC and the new CCNY building up at City College, the John Jay building right here on 58th Street, the Architecture Building at City College, and the new west quad building at Brooklyn College, and all of these projects were in need of additional funds to get completed. As I said, the State also provided their share of money for the North Instructional Building, for Fiterman Hall, as well as Medgar Evers. They acknowledged that there were projects that we wanted to start but they put place holders in so that we could begin design or do whatever we needed to do. Projects like 17 Lex for Baruch College, a new Science Building at Brooklyn College, a replacement of Roosevelt Hall, a new Law School for CUNY to relocate the Law School from where it is on Main Street to Long Island City so it will be more centrally located, a new Science Building for Hunter as well as a new mixed use building for New York City College of Technology. As I said, all of them didn't get fully funded but there's enough money in these projects that we can move forward on these projects. On the community college side -- on some of these items we were a little surprised -- somehow the Legislators got a little bit ahead of the City and they put more money into the budget than we can support on the City side. One had to do with Hostos Community College, the 550 Grand Building, where the Legislature put in \$9.6 million. I don't think there's any way we're going to get a City match to that but we took the money anyway. At Medgar Evers there is a plan to renovate the Carroll Street building and what we're beginning to think more and more is to not renovate Carroll Street but to find another site on the facility to build a new building. We find that sometimes renovating buildings becomes more costly than building a new building. As I mentioned before, they had us line out all the critical maintenance money and some campuses got more money than others because there's more of a need, some campuses are larger than other campuses. The one good thing about the critical maintenance piece is that if we need to move money around they would be agreeable to that. We will begin to work with those campuses to figure out how we're going to spend the critical maintenance money.

On the State side, they still gave us CUNY-wide allocations and it's to deal with stuff like health and safety, façade renovations, ADA, energy conservation and an important item here is science lab updates. We have begun a program at CUNY where on a number of campuses now we go in, we upgrade one or two labs. It doesn't mean we do a lot of work on the HVAC but we go in, we do new hoods, new furniture, we try to spruce up the labs so they can be used, both the instructional labs and the research labs. Also, we're doing a number of projects in terms of bathroom upgrades on a number of campuses. On the community college side, they did give us CUNY wide money but on the City side we didn't get any money so it will be very difficult for us to access these funds although the budget's still not done. It's not done until June 30 and that's when the City budget will be done so we continue to have conversations with OMB. Now switching to the New York City executive budget, the budget that the mayor released on May 1, we didn't get as much as we had hoped. As a matter of fact we are extremely disappointed with how we did on the City budget. We got \$5.4 million for Bronx Community College for the new instructional building, we got another \$20 million to finish the Medgar Evers academic building and they gave us \$4.9 million to work on the Hunter High School facility. The one item that's missing here is the money for Fiterman Hall; the City did not give us the \$78 million that they owe us for Fiterman Hall. The likelihood is that if we do not get that money we will not be able to bid out the project. We just do not have enough money to match. It would be a shame not to be able to rip that building down and to start anew. We are continuing to lobby the City and we look to the University Faculty Senate to help us out and to get some of that money for Fiterman Hall. As you see we have a very robust plan and we look forward to working with the faculty and getting all this done. I'm happy to answer any questions.

Professor Alfred Levine (Engineering Science and Physics, College of Staten Island) - When the budget request was \$8 billion it made sense to say, it's for five years and don't come back for more. When they have slashed it to \$1.8 billion, it no longer makes sense to talk about a five year time frame. We will obviously be back next year and asking for more. / Vice Chancellor Weinshall- As they acknowledged when they came out with the budget. / Professor Levine- In other words, it is simply a myth that this is a five year plan. / Vice Chancellor Weinshall- Yes. / Professor Levine- Thank you. / Vice Chancellor Weinshall- By the way, just to let you know, we are already planning for next year. We've already started to meet with the Vice Presidents for Finance and Administration. Gwen is already having meetings on the campuses and so we are starting that process now because we want to get in there fairly early to make our claims.

Professor Glenn Lewis (English Department, York College) - The largest undeveloped site in the University is at York College, site 9. We've been waiting 15 years for a building there. Is there a building in sight? Why aren't we part of this plan? / Vice Chancellor Weinshall- I'll be honest with you. I haven't heard about site 9. No one has brought it to my attention but I'll find out about it tomorrow. / Professor Lewis- Can someone check on that? / Vice Chancellor Weinshall- Absolutely. / Professor Lewis- Originally it was supposed to be a student union more than a decade ago. Then it was a combination building. / [Unnamed Speaker] - We didn't list out every project; there's \$5 million for York. / Professor Lewis- Is there a time table for the building? / Vice

Chancellor Weinshall- We need to start working with the campus to start doing a space planning exercise and then we will start to hire a consultant who will start to work on the building. / Professor Lewis- One more question, what do you think is a reasonable projection of when a building like that might get done? / Vice Chancellor Weinshall- My guess is probably five years, that's reasonable. / Professor Lewis- Thank you.

Professor Karen Kaplowitz (English Department, John Jay College of Criminal Justice)- As we know, the Chancellor has issued a press release about plans for a new community college and we all recognize the need for a new community college. What's his latest thinking about where it will be located in Manhattan? / Vice Chancellor Weinshall- One of the thoughts that we have is that if we are going to build a new community college we want to be able to do it on a site that we control currently and that hopefully we can get a public-private partnership for. We don't have a lot of sites in Manhattan; it's very hard to site a community college that would be 250,000 square feet, maybe even 300,000 square feet. One of the sites that we are looking at, quite honestly, is North Hall. The reason for that is that it's $\frac{3}{4}$ of a City block and working with private developers we can get a lot of money for the air rights over our buildings. That's one possibility; the other possibility is that we're relocating the School of Social Work up to Harlem. I've been up in Harlem for the last five months looking at sites. You go up there and you feel like you're in a bazaar, everybody says "come look at my site, come look at my site." Now with the rezoning up in Harlem, a number of developers are looking to get additional FAR, additional height on their buildings. Another possibility could be that we could team up with a developer as well. We really haven't identified a site. What we're doing at CUNY now is that we're really thinking about what this community college will be about. Then we'll deal with the siting of it and come up with a place to put it. / Professor Kaplowitz- If you did decide on North Hall, John Jay's North Hall, I hope you'll consider making part of the public-private partnership not only a community college but another space for John Jay. / Vice Chancellor Weinshall- We will take that into consideration.

Professor Kathleen Barker (Psychology Department, Medgar Evers College) - Could you be a little more explicit about the possibilities for the Carroll Street Building? / Vice Chancellor Weinshall- Sure, the college bought a building which is beyond where the new academic building is going up. It was a laundry. One of the things that we're just beginning to think about, and we haven't started to do anything about it yet, is we'd like to create a campus like setting at Medgar Evers. What we're exploring is the possibility of ripping down that laundry and siting a new building there and taking the functions that were in the Carroll Street Building and putting them there. As I said, we're just in the beginning stages. One of the things that we talked to the college president about -- he's very eager to get more space -- is putting up a prefab building on the site. We haven't really explored it to the extent that I could say, "we're definitely doing that." These are some of the concepts we're throwing around. / Professor Barker- Last question, is the spice factory for sale? Has that come up in discussion? / Vice Chancellor Weinshall- That has not come up in discussion.

Professor Kathryn Richardson (Nursing Department, New York City College of Technology) – We did have a public-private partnership to build on the Cliffwood site and that kind of just fell apart. Could you tell me a little bit about what the plan is now for that building? / Vice Chancellor Weinshall- Sure, we did have a public-private partnership and it was with Forest City Ratner to build a new academic/science building at New York City College of Technology and when the deal was entered into in 2004 everyone perceived that it would be a good deal for CUNY. It sounded great. The economy didn't work out the way Forest City Ratner had hoped and they were just going to take too long to build the building. Over time, the amount that they were paying us was not going to offset the increase in the construction costs. What we have decided to do is we're going it alone. We are hiring Perkins Eastman who are the original architects for the project. As a matter of fact their contract is going to the board in June. We are going to build the science building on the Cliffwood site, and the gym and the auditorium will also be part of the program. We know because we're building as of right that we won't have to go through any type of oversight procedure that we were going to have to go through with Forest City. Our hope is that we can probably get this building open and operating in 3 years. / Professor Richardson - My question is once you go into the public private and somebody buys those air rights, what happens when the deal falls apart? / Vice Chancellor Weinshall- We never got to that point with them. We just got to a letter of intent. We never got to a development agreement where we actually agreed to sell them the air rights, so we never got to that point. My view was that if after three years we couldn't get to that point I didn't think they were going to build the building that quickly and the Chancellor agreed with me. So we are going it alone. /

Professor Maya Sharma (English Department, Hostos Community College) - My office is in that 500 Grand Concourse building and I want to know when I'm supposed to pack. / Vice Chancellor Weinshall- I wouldn't pack yet but we are starting some work. Basically what we're doing in that building is as we get State money and we get some City money we're going floor by floor, as you know. We do have a contract in place; we're going to do the fifth floor and the roof soon.

Professor Philip Pecorino (Social Sciences Department, Queensborough Community College)- You invited our support with a Fiterman Hall petition. / Vice Chancellor Weinshall- Just a letter would be fine./ Professor Pecorino- We generally don't have entrée to the Mayor's Office of Finance and Budget for a petition, but through the City council, is that what you're asking? / Vice Chancellor Weinshall- I think that the faculty needs to write the Mayor a letter. There was a commitment on the City's part to rebuild Fiterman Hall and I think both the University Faculty Senate and the PSC really need to go on record that this is not acceptable. / Professor Pecorino- Has the Board of Trustees done it? / Vice Chancellor Weinshall- The Chancellor has written, with the concurrence of the Board, two letters to the Mayor already. / Professor Pecorino- So a similar resolution from this body would be helpful. / Vice Chancellor Weinshall- Absolutely with a copy and a letter to the Mayor.

Professor Robert Cermele (Mathematics Department, New York City College of Technology)- A couple of years ago when the building at Tech was being considered I

asked the president about LEED certification for the building and its sustainability effort, and his response was that it was too expensive and you couldn't do it. Now, with oil at \$120 a barrel and, at the rate it's going, it might be a really smart thing to build buildings at CUNY that are LEED certified. / Vice Chancellor Weinshall- This building will be Silver LEED certified. / Professor Cermele- That's terrific, thank you. / Vice Chancellor Weinshall- By the way, all new buildings that we're planning now will be at a minimum Silver LEED certified.

Professor Mike Vozick (Science Department, Borough of Manhattan Community College) – I represent the adjuncts and CLTs at BMCC and I'm concerned about them across the system. One of the main concerns -- very much pedestrian at the levels you're dealing with – of adjuncts is to have a place to work, a desk or at least the use of a desk. Some places this exists and others it doesn't. Is it a part of the planning of the university and of your office to have it at least as a goal that every faculty member will have a suitable professional workspace? / Vice Chancellor Weinshall- Absolutely and I think that one of the issues that we're going to start to deal with is we're looking at the standards in terms of space planning. This university hasn't redone its standards in probably over 30 years. One of the things I want to work on next year is coming up with new standards. / Professor Vozick- It would be appreciated.

Professor William Crain (Psychology Department, City College) – Columbia is expanding into Harlem with a lot of community resistance and there's a lot of community resistance to the new rezoning and expanding, and does City University want to be involved in 25 years in what includes the destruction of Harlem? Are these issues getting discussed in terms of what the community of Harlem wants or needs? / Vice Chancellor Weinshall- Let me just say that the School of Social Work site that we found is an empty lot on part of it, and the other part of it is automotive chop shops. We went and spoke with the planning board as well as all of the elected officials. They are delighted that CUNY is coming to this particular site. There's nothing on there now and we feel that we're going to add to the economic base of this part of Harlem. / Professor Crain- The elected officials are considered by many in the community as sell-outs, so I hope you can keep that in mind. / Chair Philipp- OK, if there are no other questions. / Vice Chancellor Weinshall- Thank you very much. / **Professor Pecorino**- Point of order. Is it in order to make a resolution now from the request of the Vice Chancellor? / Chair Philipp- That is unusual but under the circumstances the Chair will allow it. Usually things have to go through Committee. **Professor Pecorino**- Resolved, that it is the will of the body to have the Executive Committee phrase a message urging funds for the restoration of Fiterman Hall from the Mayor of New York City. / Chair Philipp- Is there a second to this motion? Any comment on this motion? Could I have an expression of favor? Opposition? Are there any abstentions? I declare this motion has been passed unanimously.

- C. **Chair Philipp**- At this point I'd like to continue with the agenda, the introduction of the Senators and Alternates. As I indicated before, some of the campuses have held their elections quite early, some have not completed the electoral process, but as they are elected we will be introducing them. We already said good-bye to departing senators

from campuses that have had their elections. At this point I'd like to arrange for the introduction of new Senators. Before I do that I'd like to draw the attention of new Senators to the work of our committees. We have Senate committees that do real substantive work. All of them meet once a month. Some are appointed by the chair of the Senate who will be determined by election today, usually by an expression of people's interest. Some have particular requirements. For instance, we have a legal affairs committee where everyone has to be a lawyer -- that's just a requirement of it and we search out members of the Senate who have a valid law degree. People on the Budget Advisory Committee should be people who are familiar with the budgeting process. The advisory committees are off the record but things that go on there generally go on the record in a short period of time, but that allows the Vice Chancellors associated with them to be quite frank in their comments to us because they know they'll never be quoted and that's a very useful interchange. The Budget Advisory Committee in particular is of long duration, long before I ever heard of the University Faculty Senate, and is quite valuable. At this point I'd like to suggest to you that you become involved in the work of the Senate. One in particular that I should mention is Faculty Advisory Council to the Research Foundation. Some of them become active members of the Foundation. They all have to have Research Foundation grants. That's a requirement for that particular committee and then they have a voice in the operations of the Research Foundation itself, which is an important thing. Members of the Executive Committee are appointed to the Board of Trustees Committees with a vote on the Board of Trustees Committees. They are members of the committees and we have alternate members of the committees. I myself have chosen not to be on any of the Board of Trustees committees because I can sit on those committees anyway by my virtue of my *ex officio* status as a trustee. That is to say, the Chair of the UFS is a Trustee of the University with all the rights and privileges, except the right to vote. That's actually not so important because the Trustees all vote in lockstep. I've rarely seen a split vote -- just a matter of fact. The Trustees, as we know, are appointed by the Mayor and the Governor except for the Student Trustee and the Faculty Trustee. The Student Trustee, by the way, has a vote. I should mention that the Faculty Trustee also has to leave the room when the PSC/CUNY contract is discussed in Executive Session because of the fact that the Trustee is, of course, covered by that contract and there is a conflict of interest. Now having run over all of those things, I say those in order to encourage you, really encourage you, to participate in the work of the committees. To do that the best way is to contact me by email. At this point I will ask Glenn Lewis of York to stand up and come forward and introduce your delegation? Judith Barbanel and Michael Barnhardt can get ready to do the same. / Professor Glenn Lewis- The regular delegate is Farley Mawyer, faculty caucus leader at York and Professor of Mathematics. I don't know if Farley is here today -- he's supposed to be on a business trip. Dora Wolosin is the Alternate from Health Sciences and as you can see they've been chomping at the bit to get started here; Lindamichelle Baron from Education, who is obviously at the same meeting with all of them. /

Professor Judith Barbanel (Basic Educational Skills, Queensborough Community College) – We have two new Senators and two new Alternates. Professor Tai, would you please stand up? Professor Tai is in our History Department. Her specialty is the History of the Medieval Mediterranean, and she is currently vice chair of the QCC Academic

Steering committee and has served on the Senate Course and Standing Committee and the Curriculum Committee. She's also served on the PSC/CUNY history panel for seven years and is currently on the UFS Budget Advisory Committee. She also serves on the teaching division of the American Historical Association and the College Committee Humanities Association. Joseph Goldenberg is one of our new Alternate Senators. He's an Associate Professor in the Mechanical Engineering Department, and he is also a member of our Academic Senate, serves on the By-laws Committee and the Committee on the Environment. Professor Volchok is an Assistant Professor in our Business Department. He serves on his departments P&B, and he's also on the Middle States self-study committee. He's currently on the Senate Committee on Distance Education. He's also received a grant from our Center for Excellence in Teaching and Learning to study quantitative literacy among students majoring in business. He's currently working on an article based on his research. He is also researching the growing effort of corporations to nurture lifelong learners as a way of developing sustainable advantages in the marketplace. Thank you. / Chair Philipp- Thank you, and welcome to all of you. The next person is Michael Barnhart from Kingsborough Community College. Michael is also the UFS representative on the CUNY Enrollment Management Council and what he does is attend the meetings and deliver reports on the work of the council. In one of the most recent reports, the second to last line of the report had incredible resonance with the doctoral faculty, and I won't go any further but this kind of work is really important to the work of the UFS and I thank Michael right here for doing that.

Professor Michael Barnhart (History, Philosophy and Political Science Department, Kingsborough Community College) - We have one returning member and four new members and I think all of them are here save one. I'll start with an Alternate who is from my department, which is the Department of History, Philosophy and Political Science at Kingsborough, Rick Repetti. Rick is an Assistant Professor; he's been at Kingsborough since Spring of 1996 when he started as an adjunct. He finished his Ph.D. at the CUNY Grad Center, with a Ph.D. thesis on Metacognition..... [tape flip]among them are he facilitates the Contemplative Practices Faculty Interest Group at Kingsborough and he is a founding member of the recently created Cross Campus CUNY Contemplative Group. He is also leading a group of community college students in the Vassar summer program, which he also did last year. Moving on to our full Senators, starting with our returning Senator Donald Hume, an Associate Professor in the Department of Health, Physical Education and Recreation. He's co-director of the program in Physical Education and Recreation Therapy, he's been teaching at Kingsborough since 2000, and we recently elected him our Faculty Governance Leader. He's also a member of our PSC Executive Committee and he's beginning his second term as UFS Senator. His research interests are best practices for Physical Education, specifically in promoting play and physical activity among children within school as well as outside of the school environment. The last new member who is here is Gary Sarinsky, an Assistant Professor of Biological Sciences. He's been at the college longer than he probably wants me to mention. He's a member of the College Council and Chair of the Committee on Instruction and Program Director for C-Step. Lastly, I'll mention Gordon Bassen who I don't think is here today, a Full Professor in the Mathematics and Computer Science Department. He also is a long time Kingsborough faculty member and hopefully he'll be here next time. /

Professor Tom Kubic (Science Department, John Jay College of Criminal Justice) – We have one new Senator and two Alternates. With us tonight is Dr. Beverly Frazier of John Jay College, in her second semester at John Jay. She received her Ph.D. from the University of Pennsylvania and her research topics are in prisoner re-entry, particularly the efficiency of faith based prisoner re-entry programs. She has a grant from the Philadelphia Office of the Mayor to assess the City's community capacity for prisoner re-entry. Welcome. Not with us tonight are our two alternates, one is Ned Benton, newly elected but certainly not new to the University Faculty Senate. He has served as Chair on the Faculty Senate Facilities Committee and is a long standing member of the UFS's Budget Advisory Committee. In addition, Jane Katz is a newly elected alternate Senator to the Faculty Senate. She received her Ed.D. from Columbia University's Teachers College and she is an expert in swimming for health. She is a nationally recognized expert and has received John Jay's Outstanding Teacher Award for the Academic Year 1999-2000. /

Professor Vasilios Petratos (Political Science, Economics & Philosophy Department, College of Staten Island) - Alfred Levine does not need any continuing introductions; he simply has continuous service, and an outstanding one so Al was re-elected. He is a Professor in the Department of Engineering Science & Physics at the College of Staten Island and his several years in the University Faculty Senate are acknowledged and very much appreciated. Also, I'd like to recognize Michael Batson in the Department of History, our representative for the adjuncts, and Alternate Tracey Jones of Performing and Creative Arts. The people who are not here but also continue to serve in Alternate positions are Stephen Stearns, and the newly elected Alternate Senator is Samira Haj. Finally, Kathryn Talarico is a new member of the Faculty Senate, from the Department of Romance Languages and I'd like to have the opportunity to introduce her when we come back in September. /

Professor Leslie Jacobson (Health and Nutrition Services, Brooklyn College) - We have some outstanding new additions to the Senate this year. I'm very pleased to welcome Richard Magliozzo from the Department of Chemistry and at the Graduate Center both the Department of Chemistry and Bio-Chemistry. Richard, thank you for joining us. I would like us all to welcome Paula Massood in the Department of Film, where she's an Associate Professor. I thank her as well. We have re-elected Robert Viscusi who unfortunately is not here this evening but we do have our part-time faculty representative and that is Mr. Edward Morrill of the Theater Department. We have two Alternates who hopefully will be here in September, Dr. Douglas Cohen of the Conservatory of Music and Stephanie Jensen-Moulton of the Conservatory of Music. /

Professor Terrence Martell (Weissman Center for International Business, Baruch College) - We re-elected Tim Aubry as an Alternate from the English Department, my good friend Ashok Vora, Professor of Finance, and of course they re-elected me -- no applause, please. We elected three new Senators, none of whom I believe are here tonight. It was a late notification. Robert Myers who's a Professor of Communication and former Chair of the Baruch Faculty Senate -- he's an excellent addition. Ali Nematollahy

who is in our Modern Language Department, and Dahlia Remler from the School of Public Affairs who spoke at our last UFS Conference about Higher Education Policy. /

Professor Nikolaos Kalogeropoulos (Science Department, BMCC) - I have the pleasure of introducing the new Senators of the Borough of Manhattan Community College. First of all an Alternate Alyse Hachey, and for the regular Senators, Professor June Soto from the Nursing Department, an Assistant Professor in the Nursing Department. The other regular member is Professor Yakov Genis; Professor Genis is Associate Professor in the Computer Information Department at BMCC. He has been teaching at CUNY since 1998, he has received a Ph.D. from Moscow's Institute of Aeronautics, has a Doctor of Aeronautics in Computer Science from Moscow. Professor Genis has been author or co-author of just about 100 papers and various books, eight during the last four years. He has participated in several activities at the Distance Learning Center at BMCC, and was also actively involved with Professional Staff Caucus. / Chair Philipp- Thank you very much and welcome to all of you.

IV. Reports

Chair Philipp- Now on the Agenda the next item is the Chair's Report. I usually give it to you in written form and it's a two-sided item and you can certainly read it when you'd like. Instead of amplifying on particular points in this report I'd like to mention, for new members in particular, what we do at these plenaries is provide you with a lot of information and one of your functions as Senators is to provide that information to your colleagues on your campuses, both at Faculty Council Meetings and in your College Senate meetings. Generally speaking, a member of the delegation serves to coordinate that function so that at every meeting of your Faculty Council and every meeting of your College Senate there is a UFS report provided by your delegation. That's one of the standard functions. I happen to do it on my own campus; it's easier for me to do because I have access to my own reports, my own Chair's Report. It's do-able in any case and you can certainly have access to all of the materials in your packet, and you can get more from me if you need it. In particular, we have summaries of the recent Board of Trustees committee meetings in your packet. We have committee reports, when they're available, and you can get other information as needed from your campus.

Professor Frances Ruoff (English Department, Kingsborough Community College) - Could you please mention the confidentiality issue about the emails that are sent out. / Chair Philipp- Of course. For much of the internal work of the UFS, in particular the Executive Committee, our emails are confidential. Sometimes we send out draft minutes of meetings, and those draft minutes should not be circulated. This is an open body but at the same time some things are not open and we'd like to emphasize that. I think that's what you had in mind. There were recent incidents of draft minutes being made public but they weren't clearly marked as draft when they ought to have been. / Professor Crain- When we go over these committees and boards, I'm just sitting here thinking that we let this go but maybe we shouldn't stand for this anymore, the fact that our Trustee on the Board has no vote. I think it's time for us to think of our own dignity and the importance of the Senate. The Faculty should have a vote. / Chair Philipp- I personally agree. /

Professor Crain- Hopefully we'll take that up in the future. / Chair Philipp- I agree, we'll put that on the agenda. OK, now at this point on the agenda we have nominations and elections.

V. New Business

A. Nomination and Election of Officers and Members-at-Large of the Executive Committee – See written candidate statements.

B. Discussion and Approval of the UFS Draft Statement on Academic Freedom

Chair Philipp- Let's go to one of our most important agenda items. Academic freedom, that's what we stand for. What we're looking to do is to generate a booklet on academic freedom that faculty members, particularly new faculty members, can have on their desks. What is academic freedom is under dispute. What I would define as academic freedom is not the same as what a particular Vice Chancellor might define as academic freedom. Some people think that if a professor is removed from a classroom and still paid, they are academically free; some people may differ. We need a document that expresses what this is about and that people can refer to. Professor Beaky has led the generating of a document that she's going to describe, and this evening I'm going to ask for a vote on the document in principle, subject to minor revisions. The reason for that is that we have circulated this document widely before this meeting and we've gotten comments back, and some of these comments will likely necessitate minor changes and quotations of individuals and others. These comments came back yesterday, in particular on Friday, so there hasn't been time to make requisite changes or even get agreement among the Executive Committee members on what those changes might be. It's also appropriate that it be done by the post-election Executive Committee, not the pre-election Executive Committee. This will be a vote on the document in principle, subject to minor revision, if we have a vote. I'd like to ask Professor Beaky to stand up and describe the document and then we can proceed to a vote if you wish. Thank you.

Professor Lenore Beaky (English Department, LaGuardia Community College) - This document has been about a year, maybe a little bit more, in process. I want to thank the UFS Executive Committee, the UFS Committee on Academic Freedom, and my chief collaborator, Steve Leberstein, who is a former member of the AAUP Committee A and an authority on the subject of academic freedom. We all worked closely together and produced this, and I'll just summarize the first page. What will be the first page lists some actual cases that have occurred at CUNY. We go through a general consideration of what academic freedom is and how it is a professional right of the faculty as a collective. It is not an individual right of a particular person to speak as he or she pleases, but it is derived out of our professional responsibilities as members of a discipline and as having the responsibility to teach and do research, to work in the classroom and in libraries, produce new knowledge, to speak as citizens beyond the classroom, and to write as professors and members of our discipline. The document also covers the AAUP 1915 statement, the AAUP 1940 statement, the reliance of academic freedom on due process--very important and historically have been very important at CUNY. Also covered are

some of the political pressures on academic freedom and the CUNY classroom, a topic that is very current with us. As I go around and talk to groups, I find the faculty are very concerned about particular issues that occur in the classroom. Finally, there are policies that have been adopted by CUNY which make us concerned such as the student complaint policy and how you can respond if you feel that your academic freedom has been infringed or violated. The two routes are, one, to the UFS Academic Freedom Committee, or to the Academic Freedom Committees on your campuses. Once again we advise that all campuses have your own Academic Freedom Committee. Only a minority of campuses have one and this is an important thing. If you don't have one you should, and if you do have one you should find out what it's doing and support it. Also, of course, there is the PSC's own Academic Freedom Committee -- issues of grievance, and issues of publicity, those are important. We also have a free standing list of bullets for summary or particular points on academic freedom, the history of academic freedom and its violations here at CUNY, and a list of resources at the end of the document, and again an urging that if you feel like your academic freedom has been violated there are places that you can consult, find out what to do, get opinions of others on what has happened to you, what remedies are open to you, and whether it actually is academic freedom. So please, I'll throw this open to a discussion but, as the Chair said, we are looking for a vote to affirm the document in principle. / Professor Pecorino – Motion to affirm the document in principle as the Chair has described. / Chair Philipp- Is there a second? At this point we open the item for discussion[tape change].....

Professor Cooper -Yousry was yanked out of the classroom and nobody knew why. We cross-examined the Vice Chancellor and he said that something was coming down the pike. The President of the College didn't know what was going on. It was a bizarre moment. I happened to find out about it before everyone else because he was yanked out of the classroom he was co-teaching with a friend of mine who came in less than an hour after it happened. It was terrifying until something publicly surfaced. As far as the faculty knew and the administration of his campus, that was done by a central administrative decision with no consultation with anybody, no faculty governance leaders, the chair of the department; it was bizarre. / Chair Philipp- This is not a debate about the Yousry case, although we've made assertions about it. My own personal opinion, which I rarely express here, is that this document should not refer to individual cases that are at all controversial. If we start to debate the merits or demerits of the Yousry case, we will no longer be debating a generalized academic freedom document, and I would caution you not to go into that area. If this document seems to refer too strongly to a particular case then that should be noted. We have serious work to do that has nothing to do with an individual past case. I'd ask you to limit your comments to the virtues or lack of virtues of the document itself. We may not be able to come to a vote today but there is a lot of very involved history here that could derail an important project, and I would not like to see that.

Professor Martha Bell (SEEK Program, Brooklyn College) - I think this is a very important document that has been in the works for a long time. The Chair is not asking us to endorse the document verbatim but the document in principle and the principle of academic freedom. I think in order to keep working on this this summer and before we

lose a quorum, I would like to call the question on endorsing it in principle, not line by line and not example by example. Those can be commented on to the Chair and to Lenore and the Executive Committee, and Lenore I'm sure will continue to work on the document through the summer and we can bring it back in the fall. I think it's very important to endorse this issue and signal to the administration that this is on the top of the agenda as a very important issue of the Faculty Senate. I would like to call the question on endorsing it. / Chair Philipp- That's been seconded. All in favor? All opposed? It's not clear to me that there's a clear majority for calling the question so it hasn't been called.

Professor Stefan Baumrin (Philosophy Department, Graduate Center) - I think you would capture the sense of the body if you passed the proposal in principle and continued the discussion until everyone was heard so the question of losing a quorum would not be there. Since I didn't participate in the former vote, I will call the question again. / Chair Philipp- You can't call the question again, Professor Baumrin, and you have to be at the microphone and I don't know if my colleagues will allow Professor Kaplowitz to jump the line over there. / Professor Kaplowitz- I'd like to propose that we adopt today a motion that we consider issuing a document on academic freedom to be our top priority that would charge the UFS Executive Committee and Committee on Academic Freedom and anyone else who would work on it further over the summer, and that this body charges the Executive Committee to bring this back at the September Plenary meeting for our vote. / Chair Philipp- That's a motion that has been made and seconded. / Professor Petratos- I think we still have a quorum. Number two, it's only 8:20, and number three, we never called for a quorum in the past as long as I can remember. Therefore I think it is only fair that we allow the people who stand before the microphone to speak. / Chair Philipp- I am obliged by Roberts Rules to follow the procedure of the motions. That's a substitute motion I believe, that's been seconded. Please repeat the motion. Just to answer you, Professor Petratos, I cannot ignore a motion on the floor. That is understood, it's withdrawn. / Professor Barnhart- I don't want to get into an argument over cases. I really wouldn't want the document to get into an argument over cases. I think if you parallel things too closely, especially recent history, you're going to run that great risk. The spirit of the motions that have been made I generally support, that is, moving ahead with the document and then bringing it back with people sending in their comments. I don't think that we're going to resolve much more through discussion tonight. I'm perfectly happy to listen to people talk but why don't we send in our comments, and come back with another document. I think certainly we can address the kinds of issues people are raising and we should be sensitive to the issue of the quorum. / Chair Philipp –Just for the new members, *Perez* is a decision of the State Court of Appeals that directs how we function as a deliberative and authoritative body, and that requires that our decisions are passed by a majority of all members, not a majority of those who happen to be present. That makes it much more difficult to pass any motion but those are the rules under which we operate.

Professor Timothy Aubry (English Department, Baruch College) - I just wanted to make sure we understood the distinction as we look at the first page. Is the question whether all of these examples all related to the theme of academic freedom or are they all explicitly intended to be examples of violations of academic freedom? The document

explicitly is not stating that these are all categorically violations of academic freedom. It says on the very next page, “The concept of academic freedom, as these examples show, has been a much contested matter in the first decade of the 21st Century.” These are not being put forward as all clear-cut examples of violations of academic freedom. I think the purpose of these was first of all just to grab people’s attention to get people to read the rest of the document, and also to demonstrate how broad a terrain we’re dealing with and how there may be a lot of ambiguity at the borders. We’re living in a climate in which academic freedom is implicitly being curtailed and these examples speak to that without making any sort of very strong argument. I think the argument comes later; these are simply to get people thinking about what academic freedom is and what it is not. I don’t think that they necessarily make a case of the kind that you... / Chair Philipp- Professor Beaky, do you want to respond to that? / Professor Beaky- First of all, I’m not sure that we all understand that academic freedom is not just a substantive matter where you are condemned because of what you said. The fact is that the University was placed under censure in 1976, by Committee A, not for any political reasons but because when we experienced a budget collapse and the City nearly went bankrupt, and people were fired left and right without any system of justification, without any rationale. The way that we got off censure in 1983, thanks to Chancellor Joe Murphy, was that procedures were established by which departments would have to explain why they were firing some people and not others if financial exigency and retrenchment in fact occurred, and that there would in fact have to be a declaration of financial exigency. It wasn’t that people said the wrong things politically. That’s one of the things that this document tries to set forth -- that due process or the lack of it is also a case in academic freedom. While I have the mic, I’ll just also point out that on the second page of the resources, there is a reference to “Recommended Institutional Regulations,” AAUP’s document in 2006 on part-time faculty appointments. That’s where they deal with their principles on how part-time faculty should be treated. Whether this happens in real life yet is another matter but it is something that the profession is trying to address. I’m not certain that there will be very many unambiguous cases of academic freedom. That’s why you always have investigations, that’s why the process is long and, some say, too labored. It’s a very tricky issue. / Professor Crain- In contrast to Michael, I like the beginning, because it gives the document immediacy and urgency. These issues are contemporary issues, they’ve come up in the last few years, and they show that academic freedom is something that is extremely important right now. It makes the document very contemporary and lively. I think the first sentence maybe could be worded a little more clearly under “What is academic freedom?” to say that “As you can see, academic freedom issues are contested” -- something about how these are not clear violations but they raise the issues or something to that effect. I like the whole document very much, but I would add under “Contingent Faculty” when we quote the statement, at the end of page five, that academic freedom is for all faculty and instructional staff. The non-tenured and particularly part-time faculty have been the most vulnerable in the cases of Yousry, Rosenberg, and Finkelstein who was removed when he was an adjunct faculty at Hunter. They are the ones whose academic freedoms are being abused. So we should add a firm sentence at the end of that section. Overall, I congratulate you for an excellent document.

Professor Richard Woytowich (Computer/Electromechanical Engineering Technology Department, New York City College of Technology)- I haven't heard any objections to the substance of the document, only to the lists or examples and since the main motion that was brought before the second motion was brought was to only approve the document in principle rather than as final approval, would it serve the purposes of that motion to move to approve the document in principle without the lists of examples? If the answer is no, I withdraw. But if the answer is yes, it might be a solution, to let us both get out of here. / Professor Beaky- I don't want to make that decision on my own. I would like to hear what other people say, not of course as long as we lose the quorum. I thought the examples were designed as Bill said, to get attention. It's not a short document. We've done things including bullets at the end of the document to encourage people to actually read it. The examples are there also to encourage people to read it, and they are all actual CUNY examples by the way -- they're not made up. They may not be unambiguous but they are actual examples. However, if this continues to be such a difficult issue, I would be willing to do whatever the body says. / Chair Philipp- I think at this point it is important to hear a full expression of people's opinions and that's what we're doing and that's what we have to do. / Professor Vozick- First of all, I do think we should make some statement of approval, as Professor Kaplowitz suggested, before we leave this evening. I think that's very important. I'm concerned not only about the high profile firing of people but also of the everyday violations of academic freedom which we experience in nearly every department of the university if you see it from the adjunct perspective, the intimidation and chilling effect that it has on people's teaching styles and people's professional work in the university. I think this is an important area to take up. I also think that there are protections that could be thought up and could be proposed that are short of tenure. Tenure is an important protection but not the only protection. After 30 years of adjunct life, we do have to be thinking of other steps in between total tenure and other forms of protection. The last point Bill Crain picked up part of, but in general I think the UFS should assert the academic freedom rights of contingents in some more detail. I think we should affirm the AFC document but I think we should think through what academic freedoms of adjuncts we are prepared to assert. I don't think that's the job of tonight but I would like to see a process that does that. / Professor Barker- As I look at the examples here I recognize various colleges because I'm a grievance counselor. These examples are really just scraping the very, very top of the barrel of the atrocities that I learn about every single day and that actually make me quite miserable. These examples, with respect to my colleague at City Tech, I think are very important to educate our members about as to the scope of the various incursions on academic freedom that are taking place across various campuses. We have an enormous diversity, as expressed in the Faculty Experience Survey, in our satisfaction with the leadership and the conditions of our work. Therefore, I want to speak very clearly in favor of including these examples. In fact, I would love to see a web page devoted to examples of incursions on academic freedom at CUNY.

Professor Sandi Cooper (History Department, College of Staten Island) - The nature of the assault on academic freedom changes generationally. We agree it was definitely an assault on academic freedom in the 50's when McCarthy's folks arrested faculty at City University, handcuffed my English Professor right outside the classroom and made my

math teacher in high school disappear because they had mixed him up with somebody else with the same Czechoslovakian name -- but what did the FBI know about Czechoslovakian names? This is a different universe, it's more sophisticated, it's more subtle, it's more insidious, and we're not going to get a case like *Sweezy*. As somebody who finds herself named by David Horowitz every time I get up in the morning and inhale and exhale because some student didn't do well on a final exam and turns me in as a raving I-don't-know-what. I'm either a feminist-pacifist-communist or a communist-feminist-pacifist; it depends on who's doing the talking. I laugh at this now because I'm a full professor with tenure but it wasn't funny at all if I weren't those things. We have to pay attention to the fact that we're dealing with a different climate. We have a massive cultural war. Right up here north of this building at Columbia University, there was a near lynching of a Palestinian anthropologist, and it took an article in *The New Yorker* to clear her name. This is a different universe than the fifties so it seems to me we have to adjust the statement to fit the times. If this body finds itself so divided and unable to at least endorse this in principle, I am afraid the message we're sending is an invitation to more incursions. I really strongly propose that this be supported. It took years to get to this point, and if it gets deep-sixed and gets tabled, it's not going to look too good. / Professor Sharma- I'd like to bear witness for a second. In 1976 I lost my job because there was no such document in place and I was let go in a very arbitrary way. I can tell that story at another time, but I just want to point out that it is an extremely necessary and extremely urgent document to have, and we need to finish the work on this and have it ready in the fall. We shouldn't have a lack of understanding or rhetorical devices get in the way. It's a very powerful way to begin by giving examples. It's a very well recognized strategy in writing. That shouldn't get in the way of this. In fact we should retain it because it begins with a very strong statement and I'm here as an example. / Professor Pecorino- I speak in favor of the motion. I support the comments of Dr. Cooper and I want to point out something. The Supreme Court ruled on this thing called academic freedom, saying that we get to exercise our best academic judgment in terms of the decisions who teaches, what it taught, how it's taught, and to whom it's taught. In this university over the last couple of years, we have seen direct assault on that position that we're supposed to occupy. There are documents that indicate that people have considered very seriously removing the faculty, the elected faculty of department P&B's, from appointing the people who teach more than half of all the courses we offer, the adjuncts. So to "who teaches" that's one example, which could be another bullet, an attack on that. As to "taught," we have examples of documents that went to the Board of Trustees where we have no evidence that both the governance and the faculty review process saw those documents. As to "whom we teach," we saw at first an effort by the administration to unilaterally change the admissions criteria at some of our Senior Colleges. That was fought rather vigorously. Finally, "how we teach." There are motions afoot and I listed a couple of things on the list of things I was going to keep my eye on, where the modalities of instruction are being "reevaluated" by the administration without our having initiated that activity of reviewing modalities and coming up with those alternatives, which are being proposed for the sake of economy and efficiency, not really the effectiveness of instruction. It is a timely matter because on the four areas where we are invested with this freedom, there are direct measures in all four areas to say, 'No, it is not your freedom, it is not your prerogative.' In principle, I think we must support it and allow the refinement

to take place as the EC in further conversations sees fit. / Chair Philipp- I think this discussion illustrates why this in principle is necessary.

Professor Angela Crossman (Psychology Department, John Jay College of Criminal Justice) - In principle I think this is great, but having read through it I wasn't entirely sure what the point or the goal of the document was. Who is it for? Is it just a definition? Is it meant to do something? I wasn't sure about that so I suggest an organization that makes that abundantly clear. Maybe include historical definitions, what we think the definition in the UFS is, here are examples of what would be a violation, here is what you do about it if you are a full-time faculty member, a contingent faculty member and so forth, just to make it very clear what the motivation is. I might be alone in that but that was just my perception. In that regard, some of the discussion of academic freedom hinges on a question of what are the parameters. Initially, my expectation was academic freedom in the classroom, to do your academic work. There is a statement on page 4, the second to last paragraph, that specifies that college and university teachers are citizens, and it talks about when you write and speak as a citizen. Clearly in some of the debate about which cases apply, it seems to me there are ones where it said, 'Individual citizen's actions are separate from their academic, in-class actions'. Making that distinction, however we define it, very clear and highlighting the due process ramifications as being very important seems vital. It's clear that the document talks about what it means in a classroom to protect your academic freedom and how important that is for our students. It's a little less clear that we may be also talking about what you say with your own free speech rights as a citizen and how that should be protected in terms of your job as well. Finally, in that same paragraph it says, toward the end, 'But their special position in the community imposes special obligations. In particular, faculty should specify that they are not speaking for their institutions.' That suggests there are more obligations, and in reading that I was worried that, 'Am I going to accidentally do something other than speaking for my institution that I'm not supposed to do?' So if there are other special obligations that are pertinent, I want to know what those are. / Chair Philipp- Lenore, would you like to respond? / Professor Beaky- I think I'll just allow people to speak. / Professor Woytowich- I wasn't going to come back up to the mic but since my name was mentioned, I just want to make it clear that as a member of the Academic Freedom Committee I helped shape, very, very slightly that list of examples. I support them 100%. I just happen to be a pragmatist and I'm willing to give up something in order to get out of here with something. Since the majority of the discussion since my last appearance at the mic has been that the examples are a very important part of the document, I certainly want to keep them there. I would just urge that we adopt whatever we have to do in order to come out of here with a meaningful resolution and not, as Bill and a couple of other colleagues have said, let this slide. /

Professor Michael Batson (History Department, College of Staten Island)- I'd like to speak in favor of the motion to pass this in principle. As a representative of adjuncts on my campus, I think it's extremely important that we move on these kind of protections. Also, in terms of the examples, I'd just like to say that my only immediate evolution on this was that as I read them before tonight's meeting, it wasn't clear to me that they spoke directly to academic freedom, but in this discussion, taking Lenore's explanation, it's a

much more encompassing term than I originally defined it. I would like that more encompassing definition of academic freedom. I speak for the motion to pass this in principle and also maybe the tweaking of the examples. / Professor Levine- I would like to speak in favor of the motion to accept this in principle. I think this discussion here has illustrated the difficulty of attempting to engrave in stone exactly what is an example of academic freedom and what is not, because we will not be able to predict the attacks on academic freedom that will occur next week. I think what we are attempting to do is to state that academic freedom is a collective right and we can maintain that right only by establishing procedures where we can protest violations that occur that we've never thought of, where faculty who do not know if something is a violation can go to a knowledgeable group and discuss with that group whether a particular action is a violation of academic freedom. I'd like to get away from an emphasis on the definitions of the document to more of an emphasis on the process that we are attempting to establish in passing this document in principle. / Professor Petratos- While I also urge that the document is passed in principle, I also urge the committee to make it as strong as possible with more examples and cases and so on and so forth. I wanted to remind everybody that academic freedom and the lack of it is exercised and found on the campuses every day. Non-tenured faculty cannot speak at all, at any time. People who have different views are not even allowed to think of speaking at any time. So let's not run away and say that we have established all of the principles and met all of our obligations concerning our academic freedom. If you go to the campuses whether it's the supervisor, the chair, the vice president, the appointments committee, or whether it's the senior faculty, they exercise absolute power and a great deal of power over people who have very little of it and so on and so forth. Please take this into consideration as well when you think about it. I want it to go in the record that these things very much exist, here, and in the campuses there is a great deal of widespread silence. The silence of the campuses is deafening because of the lack of academic freedom about anything, about tuition, minority rights, women's rights, gender rights, anything you can think of, freedom of speech, political rights -- people don't want to criticize anyone on the political scene.

Professor Gail August (Language and Cognition Department, Hostos Community College) - I also agree that we should pass this document, but I'd like to draw attention to something that seems smaller but could be a larger problem later on. In this era of productivity and test taking, there is strong influence to modernize instruction and to make sure instruction meets goals of the administration. I've had my syllabus turned back to me and asked to be rewritten slightly to show that I'm actually doing more test preparation than I am. I manage a course, and there's a great influence that all of the syllabi look the same and are standardized. Eventually, that creeps out into peoples' teaching and styles and eventually will impact the kind of education we're giving our students. I don't know how to integrate that into the document, but perhaps some specific things on something like that which appears very small compared to things like freedom of expression but in the long run can have a bad impact on what we want to do in our education system.

Professor Beverly Frazier (Law & Police Science Department, John Jay College of Criminal Justice) - I am very concerned that we're losing our quorum. People are leaving.

I think that if we are going to vote in principle, we have to do it now. If not, then we'll just table it until September. / Chair Philipp- So, there are no more speakers on the subject. I'm calling the question. All in favor of voting to approve this in principle. All opposed. Any abstentions? It passes. Thank you very much.