

MINUTES OF THE THREE HUNDRED AND FORTY-FOURTH
PLENARY SESSION
OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

May 5, 2009

The meeting was called to order by UFS Chair Philipp at 6:30 p.m. in Room 9204/5/6 at the Graduate Center. 75 of 124 voting members were present.

Baruch: Present – Bazzoni, Ellis, Hill, Martell, Myers, Remler, Wine, and Wymbs. Absent – Nematollahy. **BMCC:** Present – Conway, Friedman, Genis, Martinez-Lopez, Soto and Vozick. Absent – Kalogeropoulos, and Persaud. **Bronx CC:** Present – Ismail. Absent – Bandar, Prabhu, and Skinner. **Brooklyn:** Present – Bell, Massood, and Shapiro. Alternates Jacobson and Tobey. Absent – Bank-Munoz, Cirasella, Dexter, Dubois, Magliozzo, Morrill, Shortell, Viscusi. **CCNY:** Present – Crain, Raj, Sank, and Watkins. Absent – Khalil, Khanbilvardi, Kiely, Lascar, and Rinard. **CSI:** Present – Cooper, and Yousef. Alternate Petratos. Absent – Batson, Klibaner, Talarico, and Zimmerman. **CUNY Law School:** Present – Yanez. Absent – Bach. **Graduate School:** Present – Baumrin, Lennon, Mathews-Salazar, and Nolan. Absent – Orenstein, and Weinstein. **Hostos CC:** Present – August, and Pimentel. Absent – Bernardini. **Hunter:** Present – Grossman, Guzzetta, Kaye, Spark, and Strayer. Absent – Ancona, DeMeo, Kuhn-Osius, Palanda, and Simon. **John Jay:** Present – Browne-Marshall, Chaffie, Crossman, Kaplowitz, Katz, Kubic, Tovar, and Alternate Cheloukhine. Absent – Dunham, and King-Toler. **Kingsborough CC:** Present – Arliss, Barnhart, Hume. and Wood. Absent – Ruoff and Sarinsky. **LaGuardia CC:** Present – Beaky and Lerman. Absent – Davidson, Kurzyna, Mettler, and Shean. **Lehman:** Present – Hellmann, Jervis, Marianetti, Maybee, Mineka, Philipp, and Alternate Carey. **Medgar Evers:** Present – Barker. Absent – Cuffee, Stewart and Withers. **NYCCT:** Present – Cermele, Horelick, Hounion, Richardson, and Woytowich. Absent – Panayotakis. **Queens:** Present – Brody, Moore, and Zevin. Vacancies – 3. Absent – Bird, Gonzalez, and Savage. **Queensborough CC:** Present – Barbanel, Pecorino, Tai, Volchok, and Alternate Borrachero. Vacancies – 1. Absent – Sweetnam. **York:** Present – Lewis. Vacancies – 1. Alternate Wolosin. Absent – Baron, Cockery, and Mawyer.

Professors Moran (NYCTC) and Weiser (Baruch) from the UFS Legal Affairs Committee attended. Professor Daghish (CCNY) Chair of the UFS Status of the Faculty Committee and Professor Stearns (CSI) Chair of the UFS Academic Freedom Committee also attended.

Vice Chancellor Jay Hershenson attended.

Governance Leaders present: Baumrin (GS), Carey (Lehman), Cooper (CSI), Hume (KCC), Kaplowitz (John Jay), Raj (CCNY), Tai (QCC), Tobey (Brooklyn), Woytowich (NYCTC) and Young (Hunter) attended. Parliamentarian Moran (NYCCT), Executive Director Phipps, Administrative Assistant Pasela, and Secretary Blanchard were also present.

- I. Approval of the Agenda: The agenda was adopted as proposed.
- II. Approval of the Minutes of March 31, 2009: Minutes were approved as distributed.
- III. Reports (Recorded in Reports & Deliberations)
 - A. Chair
 - B. Vice Chancellor Jay Hershenson.
 - C. Representatives to Board of Trustee Committees.
 - D. The NY State AAUP conference, Professor Lenore Beaky – Postponed.

IV. Nominations and Election of At-large Members of the Executive Committee:

The following Senators were elected: Stefan Baumrin (GS), Sandi Cooper (CSI), Anne Friedman (BMCC), Terrence Martell (Baruch), and Philip Pecorino (QCC).

V. New Business:

A. Resolution on Filtering and Blocking of Websites – The resolution was moved, seconded, and passed unanimously by voice vote. (below)

B. Resolution in Support of Part-Time Study Opportunities – The resolution was moved, seconded, and passed unanimously by voice vote. (below)

C. Resolution Opposing Term Limits for Department Chairs – The resolution was moved, seconded, and passed unanimously by voice vote after discussion. (below)

D. A presentation on “CUNY and Institutional Renewal – a proposal for departmental strategy planning” was given by Professor Campbell Dalglish, chair of the Status of the faculty committee. A panel included Professors Anne Friedman, Stefan Baumrin, and University Dean for Institutional Advancement Carlos Flynn. (The presentation on *FIRE*, Fund for Inter-departmental Renewal and Education, will soon be linked to www.cunyUFS.org.)

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

Respectfully submitted,

Bill Phipps
Executive Director

REPORTS AND DELIBERATIONS
OF THE 344th PLENARY SESSION
OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

May 5, 2009

Chair Philipp—Do I hear a motion to approve the agenda? That is carried. A motion to approve the minutes? That is also carried. My report you have in written form. Given the extensive agenda we have this evening, I’m not going to deliver it orally. The first thing on our agenda is a report by Vice Chancellor Jay Hershenson. He’s got lots of electronic media. He hasn’t been at a plenary in a while, and it’s a pleasure to have him. This is an interesting University, given the somewhat tumultuous events of the current semester and yet we remain high in public esteem and that’s an important thing because it translates into public money. We like to have a lot of that. It’s a pleasure to have you here.

Vice Chancellor Hershenson—Thank you, Manfred, for all the work you do on behalf of the University Faculty Senate, not only with the University but with the Board, and I'm very grateful for that. We've worked very closely together, and I have enjoyed it very much. I'd like to begin tonight in a slightly unusual way, with a few words that I'd call my tribute to Senator John Marchi, who passed away several days ago but was so instrumental in the development of the College of Staten Island and the whole development of CUNY, our community colleges, and legislation. I first met him back in the early 1970s when he introduced legislation to kill all student fees that were used for the support of student newspapers at CUNY. Karen and Sandi will remember when the *Observation Post* printed those cartoon, and Senator Marchi put in a bill to kill all student activity fees for student newspapers, and I was chair of the University Student Senate, and I convened student newspaper editors from around the University, looked at the whole subject of ethics in journalism, and created a lengthy letter that I sent to the Senator about the issues of offensiveness and taste and freedom of the press, and the importance of personal responsibility as opposed to legislation that would take away all of the funding. Senate Marchi read my letter on the floor of the State Senate and withdrew the bill. We became very good friends. I mention that because many years later in the time of Mayor Giuliani, his people, Richard Schwartz in particular, refused to allow students at CUNY who were receiving public assistance to do their Workfare on campus and wanted them instead to rake leaves in the parks. CUNY couldn't get the policy changed, and the Board of Trustees at the time asked me to get involved in perhaps introducing a piece of legislation. So I went to Assemblyman Robert Ramirez and he agreed to come on as a co-sponsor, but he was very blunt and said I need a conservative sponsor on the Senate side. Together with Marlene Springer, we went to see Senator Marchi. He had actually had an experience with Richard Schwartz the day before, so within 24 hours Senator Marchi was on the bill, and indeed legislation was adopted as part of the 1996 Welfare Reform Act that permitted CUNY students to do their Workfare in libraries, offices, and other revolutionary places! So I learned a valuable lesson by meeting someone who was accessible, who cared deeply, had principles, and who taught me that you really have to reach out for allies at all levels. Once you get to know them and work with them, then you can focus on doing the right thing. Senator Marchi, in his life, I believe, always focused on doing the right thing for CUNY and for Staten Island. So I pay tribute to him.

Yes, the State budget has been adopted, but as is invariably the case we still have a lot to do. The Chancellor has made it clear that our priorities have to remain very strong until the City budget is adopted, and until we are able to complete that process. Some of you may know already that when the Mayor's budget was released several days ago that about a \$7 million PEG that had been levied against CUNY was taken out of the City budget. A lot of behind the scenes work on that. We still have a problem because there is about a \$25 million issue for the community colleges, but we have maintenance of effort! That will kick in during the negotiating process, and with a lot of behind the scenes work, including work by Peter Vallone, Sr., the Mayor restored the Vallone Scholarships to last year's level in advance of the City Council process. That is also a great victory, and as I have said to several of my colleagues in the room, I love election

years. If I had it my way, I would amend the City Charter to require the election of city officials annually. This University would soar if that were to become a reality. But as we move through the process, we have a number of other items including the Black Male Initiative and other issues of students aid, and, yes, additional support for the community colleges that we need to focus on, so our work is never done. Of course, the Legislature is still in session. We were able to make some gains, but in other areas we still have work to do, including the fact that the capital situation is still very much up in the air. If you were to ask me what is the single most important issues that I am focusing on between now and the end of the academic year, the answer would be that there is \$160 million that we receive from the State of New York for their capital needs. That \$160 million needs to be matched by the City, and we need those matching funds. So the Chancellor and everyone working at the Central Office with a lot of help from the colleges were focused on going after those funds and getting the match so that the money is not left on the table. Perhaps in the long run, there may be some legislative remedies that we will be focusing on because this is not an issue that is only the case in New York City. The budget I'm sure you talked about at your last meeting, but I do want to pay tribute to the fact that we were able to received support from the Governor and legislative leaders for restoration of full senior college status for Medgar Evers College, a great victory. Many of you know that the Chancellor is deeply involved in going after Federal dollars for the economic stimulus package, which in itself could be a full presentation, and perhaps there are others like Vice Chancellor Small whom you might like to invite to speak to that.

I want to show you a quick video. Last year, we initiated our Summer in the City program, which is an effort to try to help our current students gain more access to courses and programs at the University, and also to make the public more aware of the wonderful opportunities that are available during the summer, from early childhood all the way to graduate work. I'd like to show you a public service announcement that CUNY TV recently prepared. [The spot is played.] The reason for the last is because the original version, which some of you have seen, was "Once there was a place called Shea Stadium," but because we have a relationship with the Yankees and we get them to show our public service announcements for free at home games, the one thing we can't do is talk about Shea Stadium, but Yogi Berra they will never say No to. This is being shown at home games throughout the year, and if you can afford to go to Yankee Stadium, you might be able to see it there. We have had 130,000 page views of the Summer in the City website, and that's compared to 75,000 this time last year. People are really looking closely at coming to CUNY in the summer, and many of you know we are doing the same for Intersession as well. You are all aware of the various campaigns that I talked about last time I was here, such as Look Who's Teaching at CUNY, Look Who's Learning at CUNY, and of course the Study with the Best motif that we pioneered several years ago, all of which we do in-house calling on the talents in the University system. I just want to say that in the fall due to popular demand, we're going to bring back one campaign that we started which was called the Success Express, which focuses on community college graduates who continue in the CUNY system and go on to senior colleges and take their graduate work at the University and are very much in a position to get wonderful employment and fulfillment, and in general to pay more attention to

graduate education opportunities that are available here. I'd like to just show you two examples of how we're trying to project to the various publics that we serve what I call the trend line in student honors and awards, which of course is replicated in many of the faculty honors and awards that are being achieved. This was an early ad that we did toward the end of last year when David Bauer won yet another in his series of wonderful awards. What we've tried to do is create the CUNY honor roll so we can take the success of David Bauer and also wrap that around other successful students at other campuses who are doing the same. The reason this is so significant is because what has happened at CUNY, and it's part of the story that we're telling the public, but listen to this trend line: we've had 5 Truman Scholarship winners in the past 5 years; 3 Goldwater Scholarship winners this year – we've now had 10 Goldwaters over the last 6 years; 3 Rhodes Scholarship winners in 5 years; of 15 Jeannette K. Watson Fellows, 10 are CUNY students with 6 from the Honors College; 5 Urban Fellows this year; this year 5 National Science Foundation Fellowships, the highest since 1999 when record keeping began; and we continue to get Marshalls, and Fulbrights, and Javits winners. I see this as a tribute not only to the students, but to the faculty, many of whom are mentors and advisors and really take the time to groom our students. So, look, part of getting the message out is taking the examples of the students and putting it forward in a way that resonates with the public. CUNY Rates 5 Stars -- Don Gomez is the most recent winner, who comes from City College, an Iraqi war veteran who started at Queensborough Community College at night. He left for a while, then returned to City College, and is sending a wonderful message to the thousands of veterans that will be returning to the New York City area over the next several years. It really tells the CUNY story. Three out of 19 finals in the New York City Science Fair will attend CUNY in the fall, and six of those conducted their research with CUNY faculty. I think we all read about the Guggenheim Fellowships, and the wonderful story of the six CUNY faculty that won the 2009 Fellowships. CUNY tied with Princeton and Johns Hopkins University with the highest number of winners in the nation. This is a tremendous message of quality at this University. Yes, it is a message we are getting out all year around. We cannot rest or simply sit back and let others tell our story. We have to tell our story, and that's why we do it on a year-round basis. Last week, the University held number 7 in the call-ins of Citizenship Now. I don't know how many of you read the *Daily News*, but it still has the largest circulation in New York City, and our students read the *News*. 15,000 immigrants were helped by phone last week by almost 300 volunteers that Prof. Allan Wernick of Baruch College organized, under the Banner of the Citizen Now call-in that we worked out five years ago. That brings to 70,000 the number of immigrants that have been helped since this effort was begun. When you add outreaches on campuses, we are talking about 100,000. We have helped 100,000 families with their citizenship, their naturalization, or immigration issues. It is just a tremendous joy. When I was at the Mexican Day Parade this past Sunday, I was serving as the grand marshal, and I will tell you that the message we are sending to new immigrant groups in this city is one that is welcoming, stronger, and more resonant than any university. So on the one hand we are emphasizing quality in our students and our faculty, and on the other hand we are sending a message of welcome and access to many of the groups who don't receive the kind of attention that other universities pay. It's been a wonderful time for CUNY TV, which won two New York Emmys from the National Academy of Television and Science. One

was for *Nuevo York*, which is a fabulous Spanish language magazine show that now we can market around the world, not just here, and the other was for the cuny.edu webgroup which produced *Preserving the Past, Building for the Future, the Newman Vertical Campus at Baruch College*. We have our calendar project with *The New York Times*. Dr. Richard Lieberman, professor at LaGuardia Community College, and his colleagues are the leaders in that. They are the ones that produced the voting rights/citizenship curricula and calendar, women's leadership, city life, nation of immigrants, and now for the fall we are going to produce *Investing in the Future, Public Higher Education in America*. With his help and others, we will create for this country not only a calendar but a curriculum about public higher education in America. So the University continues to play a wonderful role. It will be printed by *The Times* and receive support from J.P Morgan Chase and TIAA-CREF. Another very exciting development is one that Manfred has urged, that we spend more time and effort working with the suburbs. We have started to do so, and many of you are aware that we did a CUNY-SUNY legislators event in Albany, which was very successful. I have talked with the Nassau County executive Tom Suozzi, and he has agreed to co-host with us an event that would bring together alumni of CUNY in Nassau County and create a paradigm way of reaching out in a much more organized way to successful alums who are in the suburbs who can be called upon to give back more to the University. All of you saw that the Chancellor announced the new University Campaign for additional resources for this University. *The Times* certainly gave that very positive coverage, and that message is being received far and wide. I will close and then take any questions, but I just want to end with the follow note. Our success thus far in working with the media and government officials is because we take nothing for granted. We have a work in progress here. The University still needs the kind of resources that were talked about in the Commission on Higher Education report, which has not been fully implemented in the State, and which must be returned to, where the Compact can be brought back for discussion as a viable instrument. The same holds true with our public perceptions and with how we related to the communities that we serve. We're not going to take anything for granted and will continue to work as hard as we always have. Those of us who have been in the foxholes know what it's like. It's not a great place to be, but we all learn from those experiences. One of the ways you stay out of the foxhole is by not taking anything for granted. Thank you for your support and cooperation. At the back of the room, we have two publications and we urge you to take them. This is our *Salute to Scholars*, for which I want to credit Mike Arena for pulling this together, and then *CUNY At A Glance*, which has basic facts about the University.

Professor Jane Katz (John Jay) – We've heard about a new community college that is on its way. Is there any more information about that? **Vice Chancellor Hershenson** – From my perspective what is going on at the University is the planning phase for a new community college. There's no question that that planning phase has received support from the Gates Foundation. That's an ongoing process, and that's what you do in a very difficult economic situation. You find the appropriate ways to plan, but my understanding is it's still in that phase and I hope that will continue.

Professor Mike Vozick (BMCC) – I do have an area I'd like you briefly to address, and it's not the one I always bring up! It's got to do with the part-time students. Later on this evening we're going to have a resolution reminding CUNY that the part-time students are an important part of the University. I notice that Gomez went to Queensborough at night, and I assume that meant he was part-time part of his career. We know that many of our full-time students spend part of their career at CUNY as part-time students. We know part-time students are treated poorly in a number of ways by the State and grants, and so on. And yet they are a critical part of our strength and CUNY's functional adaptability in the New York City environment. It seems that there is political pressure to go the other way and pull the curtain down on part-time students. What can you do to lift the curtain and let light in on how important they are to CUNY? **Vice Chancellor Hershenson** – I certainly agree with your premise that part-time students are important. I'm not so sure that I agree with your premise about political pressure. I started as a part-time student at Queensborough at night, and then I was successful in transferring to Queens College. So I know what it's like to be a part-time student, and I was a part-time graduate student at Queens College in the Urban Studies Department. So from personal experience, I more than appreciate that, and I also am a strong believer in the Aid to Part-time Students program, and would love to see that expanded. I think what you are simply hearing is an interest on the part of some administrators and educators in CUNY to try to find ways to help more part-time students go full-time. That's what I hear. That's not possible in every situation, and that particular issue has come up at the community colleges as something to consider when one looks at ways to try to improve graduation rates at the community colleges. That to me has been the context where I've heard that discussion take place. It's not an easy topic – a very famous legislator who is a friend of many people in this room actually said to me at one point, "I don't want students to go part-time. I want them to have time to ruminate." I remember that exact word, and of course my answer was that if they were born wealthy there is no question that they would have time to ruminate. The reason people go part-time is that they can't attend full-time because they have other responsibilities. In fact there are administrators who are juggling families, and jobs, and academics. So I certainly agree with you and will continue to be a voice for the importance of the part-time student.

Professor John Mineka (Lehman College) – You referred casually to the communities that we serve, and I've been hearing stories from school teachers in the Bronx who find that students who would normally get into CUNY are now being rejected, turned away because of the change in the admissions scores that the University is requiring. So, what communities are we serving now? **Vice Chancellor Hershenson** – First of all, let me say that I look forward to speaking at the Lehman College graduation coming up very soon. You know, we all look at the universe from our own vantage point, right? From where I sit, I see a University system that will be at 250,000 degree credit students this fall, and about another 260,000 adult and continuing education students. As someone who has worked for six chancellors, I see an enrollment this fall that will far exceed in terms of reach the communities that you are talking about. From where I sit, I saw and participated in CUNY in the Heights, opened in Washington Heights, which has served thousands more immigrants through Hostos Community College and Borough of Manhattan Community College. I saw the opening of CUNY on the Concourse during

the last 10 years in the Bronx with 1199, serving thousands and thousands of students. This afternoon I had lunch with Arthur Cheliotos, who is president of CWA, which is very closely connected now with the Murphy Institute that is serving thousands of new students through the Worker Education Program. I've seen College Now go from a few hundred students to 40,000 students in over 300 high schools, including thousands of students who are taking advanced placement courses at the City University of New York. That's what I have seen, and I see it every year. So it's not only that I see a new School of Journalism, or the Honors College, or the planned School of Public Health, or those that I would call premium institutions opening and receiving attention. No, I am seeing these dramatic increases in exactly the students who are in the communities that are bursting at the seams. That's what I see from my vantage point, probably because I'm out there working with those communities just about every day. So I just want to assure you that yes, we are working with all these communities, and the fact that you may not see it from your vantage point at Lehman College – and God bless you for doing great work at Lehman College – doesn't mean it's not happening throughout the City, and as I said this fall we will have the highest enrollments in the history of CUNY.

Professor Stefan Baumrin (Graduate School) – I love your persistent optimism! But Prof. Mineke said something, and I want to know if it's true. Are we actually rejecting students for some reason or the other, their test scores or GPA are inadequate for admission? **Vice Chancellor Hershenson** – No.

Professor Mark Chaffee (John Jay) – When we talk about students and expansion, I think it looks very good. However, when we talk about building maintenance, it's not a subject people are serious about. Some colleges aren't being maintained. Let the buildings fall down because we can name a new building after someone who is a president of a college! **Vice Chancellor Hershenson** – That is exactly the case that we are making on the \$160 million, which is really for plant maintenance, safety, and health money before the City Council. On May 15 at 10 a.m. we'll be hearing from the City Finance Committee. If you can come, please do, or if not call me and I'll make sure that your views are communicated.

Professor Michael Barnhart (Kingsborough Community College) – This may just betray my ignorance in terms of your many campaigns. I don't live in the City but obviously have seen on the buses and trains Look Who's Teaching and all that sort of thing. I was wondering if there might be other messages we could send out. I don't know if you've considered Look Who's Performing Public Service, as a result of programs, and things of that nature. Maybe we could highlight that aspect of CUNY's contribution? **Vice Chancellor Hershenson** – One of the great things about these outreach programs, and the great opportunity to come here tonight, is that new ideas are welcome, and I will take a very strong look at that. I think that's a terrific idea. Much of the encouragement we received for projecting our faculty talents came from Manfred. So this is another great idea, and we will work on it.

Professor Rishi Raj (City College) – Many professional schools do not have evening programs. In fact, many college presidents are discouraging these. For example, the

School of Engineering. How can CUNY accommodate those who work in the daytime but who wish to pursue professional education? **Vice Chancellor Hershenson** – When Michael was asking the question earlier about part-time students, there was a time when the definition of part-time was an evening student. Remember the old SGS? My answer really should be very specific, and please take it in the spirit intended. If you know of such a specific situation, let me know about it. Rather than try to respond generically to an overall problem, if you hear a particular issue come up, talk to me about it and I'll be sure it gets attention. I will meet with you about that, and see what we can do.

Professor Lenore Beaky (LaGuardia Community College) – To follow up on Stefan's question about whether students are being turned away, under the press of all the increased applications and what we expect to be a record-setting enrollment, colleges are responding to this good news/bad news in various ways. In CAPP, we were told that at the senior colleges the admissions indexes were being revised upward. Obviously the purpose of that is to be able to admit fewer students. If it's not true that CUNY is rejecting students because of their scores or other aspects of their index, is that because they are coming to the community colleges. If so, how will the community colleges respond to the increased pressure of enrollment next year and beyond? **Vice Chancellor Hershenson** – You certainly appreciate, sitting on CAPP, as well as from your own experience, that CUNY is a University so the whole point of the integrated University model is to look for ways to provide for those students who are qualified to enter CUNY with some opportunity, somewhere in the University. Just as in the case of the community colleges, you need a high school degree or its equivalent, obviously that differs from standards at most of the senior colleges within the University system. From where I sit, again, this is my perspective, I see a lot of different programmatic opportunities at CUNY. I see the Language Immersion Programs, I see the GED programs, the Summer Immersion Programs, and some of the ones I mentioned earlier. I certainly have every sense that in this enrollment period where CUNY obviously is on the receiving end of very, very strong demand, I hear people looking for ways to best manage that situation. Imagine if we were sitting having a conversation about some of the private institutions that are going through a whole different situation. You will without question continue to see outreach on the part of the University encouraging people to take a look at CUNY during this period, and there will be variances from institution to institution. That's the nature of a large system, so I would urge you, when you are working with Dr. Logue and the Office of Academic Affairs, to try to focus on ways in which the full, integrated University is trying to respond to the very real enrollment demands.

Professor Sandi Cooper (Staten Island) – I want to return to the part-time issue briefly. I've been thinking about it a lot because I have classes that are packed with people who are trying to retrain to become teachers. They're either leaving Wall Street, or they've been exiled from Wall Street, and in order to survive they are carrying four or five classes at night, and working long days and weekends. Their grades in these classes, despite their native talents and willingness to work, well, nobody can do that especially in classes with a lot of reading. They seem to be totally discouraged by advisors from ever taking a part-time approach to their education. This is totally different from when I was in college; we were encouraged to do what we could do if we're working full-time, and

we weren't penalized. Somebody at 80th Street must have a magic hat they can pull a rabbit out of, to come up with a more reasonable policy. It has something to do with financing. **Vice Chancellor Hershenson** – We are a part of this larger system where most, not all, of the financial aid programs are geared to full-time students that are external to the University. There's a long history here of concern about the TAP program, and I mentioned we have an unfinished agenda. We know that the TAP program was built originally with the private colleges in mind, but put that aside because the TAP program does impact on our students. The TAP program should be prorated. It should not be a program where you are required to take a minimum of 12 credits, which is an arbitrary number, in order to be defined as a human being who deserves financial aid. The TAP program should be prorated. Now, in the world we live in, we did have to fight the proposal to raise the credits from 12 to 15, which we defeated. Sometimes, whatever your goals are, those things happen. So we were successful in doing that, and we should work together next year, which is a State election year. I would love to work with the Senate and other groups to promote prorated TAP. I think that would make a difference on the advisors and financial aid people on the campuses who worry about how TAP affects these things.

Professor Bill Crain (City College) – What Prof. Raj says about part-time and evening students is true at City College. To be very specific, the Provost says we want to emphasize full-time students. We don't have any opportunities for evening classes. That's a concrete issue. The crunch that Lenore Beaky is talking about – some of the senior colleges are considering stopping admissions even though it's the faculty's domain to make that decision. In any case, the senior colleges are lifting their students to cope with the enrollments, and the crunch is going to be felt by the community colleges, so my question is could you please make the recommendation that I think represents a lot of the faculty, which is the new community college, at least, should open its doors and try to be a college that deals with this enrollment crisis and does admit part-time students. It should not be a selective community college. It would better serve all of the students who may not be able to get into college under the old open admissions policy, which I know you supported for the community colleges. So we're in a crunch, and we don't need a selective community college but one that helps with this access problem. **Vice Chancellor Hershenson** – Understood. If there is a piece of good news, it's that the Board of Regents recently approved the CUNY Master Plan, and planning for a new community college, and I hope you will continue to work with my colleagues in Academic Affairs to make the right fit happen.

Professor Leslie Jacobson (Brooklyn College) – I want to first thank you for getting that work/study thing passed so the students would work on the campuses to which they were going. I was royally chastised by the Mayor's people for talking about it and telling them what a silly thing it was. But I want to pick up on what Bill and Rishi have said: you recall sitting in my office when I was running an evening college of 10,000 students at Brooklyn College, and I want to point out that has virtually disappeared. They are right that part-time evening programs are really going by the wayside. There are some majors now that cannot be completed in the evening. So I would invite all of us, not just the administration, to please take a look at your colleges to see what is happening with the

evening part-time student. **Vice Chancellor Hershenson** – I will talk directly to the Chancellor about that.

Professor Jack Levin (Queens College) – I’m an education professor from Queens. I remember you as student president. What Sandi brought up is becoming a severe problem in education because we have an undergraduate teacher training program, and a graduate. Over the years, the graduate program has grown much faster than the undergraduate. But there is almost no support or fellowships or anything I can find for a certain percentage of the grad students who are in rather desperate shape. Especially career changers are supporting their families, they have a job, and I have one right now who I absolutely don’t know how she’ll make it. She works from 11 till 6 in the morning, then goes to her student teaching at 8. By the time I see her in class, she doesn’t act so good, but I wouldn’t either. It would be nice to have some fellowships to give those people a chance at becoming a teacher instead of looking like chopped liver by the end of the day. Is there anything in the works on this? **Vice Chancellor Hershenson** – In terms of my office’s emphasis, we are looking to mount a major outreach program on graduate education, and on our students and faculty, and at a recent meeting, believe me, the teacher education programs were highly represented. We’ll be sure to do that. Then of course the University just announced the new private fund raising campaign, which has to be a part of our efforts, and President Muyskens has been very successful at Queens and will continue to do so. I heard you loud and clear, and I’ll do what I can to help.

Chair Philipp – Thank you for coming.

We should move forward on our agenda. Professor Beaky has asked me not to leave her on the agenda for the AAUP conference report – you will hear that at another time. The next items is the nomination and election of at-large members of the Executive Committee. I would like to call on the Chair of our Legal Affairs Committee, Prof. Jay Weiser of Baruch College, to conduct this process.

[The result was as follows:

Elected were Stefan Baumrin (Philosophy, Graduate School & University Center), Sandi E. Cooper (History, College of Staten Island), Anne Friedman (Developmental Skills, Borough of Manhattan Community College), Terrence Martell (Weissman Center for International Business, Baruch College), and Philip Pecorino (Social Sciences, Queensborough Community College).]

Chair Philipp: I would like to thank Professor Weiser for taking time to do this, and I would like to thank Professor Marissa Moran, our parliamentarian, who is there for us when we have issues of procedure.

I would like to also welcome the new members of the UFS. We look forward to new ideas, and we look forward to hearing them.

V A. Resoluton on Filtering and Blocking of Websites

At his point I would like to ask Professor Morris Hounion, the Chair of our Libraries and Technology Committee, to present the resolution on the agenda on the filtering of websites. Morris' committee has dealt extensively with this topic. Do I hear a motion to get this on the floor? A second? OK. **Professor Hounion** (NYCCT) – Yes, we have discussed this at our Committee. As a matter of fact we had the University's head librarian, Curtis McKendrick, and when we asked him what our Committee could do in the way of motions or resolutions, he mentioned the filtering issue. I just want to mention that the Council of Chief Librarians a few months ago did approve a strong resolution, pretty much with this wording. That was unanimously approved by the Chief Librarians. **Chair Philipp** – If there is no discussion, given the press of time, I'd like to call the vote immediately. [The resolution was then passed unanimously by voice vote.] The next motion is presented by Professor Sandi Cooper.

V B. Resolution in support of Part-Time Study Opportunities

Professor Cooper – This is a resolution in support of part-time study opportunities. You have the text. [The motion was then moved and seconded, and passed unanimously by voice vote.]

Professor Angela Crossman (John Jay) – It is late to bring this up since it's about this resolution. It has to do with doctoral education. I know in some programs there is an ability to fund students for doctoral study, and the concern they will not finish ever if they become part-time. So given that there's a funding mechanism, and that there's the opportunity to study full-time with the funding, I'm wondering if this necessarily implies that you can't even do that for doctoral students? **Chair Philipp** – You mean that doctoral students would not be allowed to go part-time, in your view? **Professor Crossman** -- Is there any room for that – maybe a word for that would be a “strong preference” in a doctoral program for full-time students if you're providing support for them. **Chair Philipp** – I can't answer that. **Professor Baumrin** – There is a strong preference in some programs for full-time study, and it appears to be the case that there is a drift on the part of the management of the Graduate Center to support increasingly full-time study. This is partly facilitated by the Chancellor's Fellowships, and a perception that they are on the cusp of greatness. It would be probably useful if the Senate were to look into collectively this possibility of supporting part-time graduate study at the Ph.D. level, otherwise I think it will indeed fade away at this University.

V C. Resolution Opposing Term Limits for Department Chairs

Chair Philipp – Professor Beaky will introduce the next motion on the floor. I'd like first to mention that this evening a letter from PSC President Barbara Bowen and First Vice President Steve London was hand delivered to me. I'll just read a couple of sentences. “We are writing on behalf of the Professional Staff Congress to express our opposition to the proposal to amend Section 9.1 of the CUNY Bylaws and impose term

limits on department chair.” That is the gist of the letter, and it will be made public a little later on.

Professor Beaky – This concerns a proposal from the Chancellery to impose term limits on chairs of departments. There are two separate pieces of paper. If you didn’t pick them up, they are in the back. The first one is the proposal from the Chancellor, a proposed amendment to Article 9.1, Department Organization. The second one is our resolution for tonight. So first the proposed amendment, which has been drawn up by the Vice Chancellor for Legal Affairs Rick Schaffer. Section B concerns department organization, and the issue here, what is being changed, is what is underlined in the middle of the paragraph. This is new: “Department chairpersons may serve for no more than two consecutive terms, unless a waiver of this limitation is granted by the president because of unusual circumstances, and in the best interests of the department and the college. Service as a department chairperson for more than one-half of a three year term will be considered service for a full term for purposes of determining eligibility for additional service.” The rest of the paragraph continues as before. In the Explanation, interesting sections are the first few sentences: “The proposed amendment revises the article to limit the service of departments chairpersons to two consecutive terms. Limiting the department chairperson’s service to two three-year terms will give more faculty the opportunity to serve as chairpersons, performing an important service to the department and to the college. As different faculty members have diverse viewpoints and leadership styles, the department will benefit by having new department chairpersons who will bring fresh ideas and approaches to managing their department.” And then at the end, the last sentence: “In order to avoid disturbing the elections that have just taken place, or having special elections for department chairpersons who have served longer than this term limit allows, this amendment will take effect at the end of their terms starting in the 2009-10 academic year.” So as you can imagine, this has excited a great deal of interest and of course opposition among faculty. We are familiar with other actions concerning departments chairs, and I’ll just mention that today in *Inside Higher Ed*, there is a proposal – not quite presented – at Kean College in New Jersey to eliminate chairpersons altogether, consolidate departments, and the person who would lead these large departments would be called a manager, would be administrative, would not be a faculty member, would not be able to get tenure. I realize that’s not what is being proposed here, however it’s a context. So, this is our resolution [it is read]. **Chair Philipp** – I hear the resolution is moved and seconded. **Professor Anne Friedman** (BMCC) – I support this resolution. This is an issue for the bargaining team of the Professional Staff Congress. The Chancellery has made this so by bringing to the bargaining table in the last three rounds of bargaining at least a demand to make our department chairs appointed rather than elected. There has been a nearly unanimous opposition to that at all levels of the faculty. This is clearly another maneuver to try to circumvent what needs to be decided at the bargaining table. If the Chancellery wants to make this change, let them bring it to the bargaining table. **Professor Richard Woytowich** (NYCCT) – I’d like to second what Professor Friedman just said. I’m not going to ask to amend the motion because that make take some time, but I would say that when the contract was negotiated, it was negotiated in the context of chairs as we understand them. I don’t know what legal ground I am on, but I would regard a unilateral

move to change the ground rules of how chairs are elected as a breach of contract and call on the Union to take them to court if necessary. **Professor Terrence Martell** (Baruch) – I'm obviously in support of the motion to the extent it precludes the Trustees from doing something with regard to the chairs. However, I want to make sure something is not implied in that motion. At Baruch, certain departments in their bylaws have voted to have term limits. I want it clear that there's nothing in this resolution that would preclude a department from having this governance arrangement if it chooses to do so. **Chair Philipp** – That is correct. This is aimed at the Chancellery and Board of Trustees, not departments. **Professor Barnhart** – I wanted to offer a slight correction. What comes up perennially in the collective bargaining sessions is removing chairs from the bargaining unit, so they no longer have the protections of the grievance process. That would be the first move then to remove them at will, or make them serve at the will of college presidents. I very much support this. I think it's a critical issue for us. I'm very doubtful there is a legal basis on which the Union could probably successfully wage a campaign this. However, I do think that it would be one thing that might actually prompt civil disobedience on the part of departments themselves. People could simply refuse to serve, actually. It could make an interesting form of civic action. **Professor Vasilios Petratos** (CSI) – This is my tenth year as chair of an academic department. I've been reelected four times. If the Executive Committee would accept a friendly amendment, then I would recommend that this amendment be taken up between collective bargaining and the University. I also want to comment that the University Bylaws are subject to the collective bargaining agreement. Article 2 of the contract states specifically that this contract supersedes all bylaws, all governance procedures, all department decision, and so on. We're back where we started from, where we should begin from, and that is the Professional Staff Congress. **Chair Philipp** – I think that amendment would take some consideration by the Executive Committee. I don't think we can do that right now, but maybe in the future we'll have to discuss that. **Professor Martha Bell** (Brooklyn) – I want to say how important I think this is. It is clear that the presidents have the right to remove a chair if they don't support their election. Certainly it has been done at Brooklyn several times. If someone is unsatisfactory the department can get rid of them, or the president can. So taking this out and putting it in a bylaw is really a troublesome thing. I also want to say how important I think it is that chairmen have the expertise to guide the junior faculty, and now that we have the seven year limit no one will be hired under the same chair and come to tenure under that chair. The main reason people don't get tenure, as I've always seen it, is they get conflicting guidance from chairs. And the expertise that chairs gain – it's really something that requires more and more expertise, not less and less, and unless we have ways of building successors and training people, we're really going to be in trouble. I ask that you support this, and if you do, please go back to your campuses if there are still meetings of your faculty senates and see that it passes there. And also if you have remaining department meetings, see that it passes there because the more people who lend their voices to this, as we saw with the PSC grants, the better off we are. **Professor Pecorino** – This amendment to the Bylaws of the University is completely unnecessary. It seems to be going out of its way to insult faculty in their prerogatives of exercising best academic judgment as to who should look over the affairs of their departments. We have mechanisms in place as previously mentioned, and if there are difficult or troublesome chairs then the presidents can

exercise independent judgment and take action and so can departments. So I think we need to forcefully represent our opposition to this as being insulting to us, and mainly it's infringing on what our prerogatives have been for decades at this University. I could summarize it by saying if it's not broke, don't fix it. If you've got the instruments, use them and don't go taking away people's prerogatives. **Professor Karen Kaplowitz** (John Jay) – Not only do the presidents have the right to remove a chair, the presidents have the right to refuse to forward the name of a newly elected chair to the Board or refer it with a negative recommendation which the Board has always accepted. It is true that there are faculty in many departments who could be chairs of departments, but you don't have term limits for chancellor even though there are people out there who potentially could be chancellor. We don't have term limits for vice chancellors, and one of our best vice chancellors is Jay Hershenson, who has been vice chancellor under six different chancellors, at least 30 years. I don't think anyone would say he should be replaced just because he has been in the position for 30 years. Another point: on Friday at the Council of Faculty Governance Leaders when we passed this motion and I sent it around to John Jay chairs, a new chair wrote that he would never have taken on being chair if he didn't think he could be chair in the long run so he could really lead the departments and make a difference. He knows that six years is not enough to do that. I think this would discourage the very best people because they want to have a really meaningful legacy. Mainly I oppose this because it is an insult to the faculty. **Professor Baumrin** – One of the things that is very special about the City University of New York has been the fact it has elected chairs. The Chancellor has no right to interrupt that tradition. This is a place where faculty solidarity and is absolutely essential. This had to be passed. **Professor Jacobson** – Having served as chair, I've seen departments where no one will serve, or where there were problems, and guess what? The president can then bring somebody in from the outside. So civil disobedience really doesn't work in that regard. We need to make sure we oppose this amendment and keep the chairs as elected representatives of our departments and of the college. **Professor Cooper** – This conversation has reminded me of a motion I made some years ago to go to the Trustees to set term limits on presidents. I cannot tell you what the uproar was like that that created! They did decide however to do a five-year review, which they had never done before. I'm wondering whether the Executive Committee should move for setting term limits on presidents, and bring it to the next meeting of the University Faculty Senate. It would be interesting. **Professor Kaplowitz** – The University now requires an annual evaluation of chairs by the presidents. So there is an evaluation, and if there is a problem the president can act with information, including information brought to the president by the faculty of the department. Also, I don't want anyone here to get the impression from previous speakers that the union contract speaks to this issue. It doesn't. There is nothing in the contract about terms of service of chairs. This can't be grieved, and it can't be the basis of a lawsuit. This is entirely in the realm of the Trustees to do because it's in the Bylaws. The page on the back of the resolution has the language of the Bylaws and as Herman Badillo, the former Chair of the Board, would always say to us, "We can change the bylaws any time we want," and they can. So I don't want people to think that there's another option. It's up to us, the faculty senates of the colleges, the council of chairs if you have them, and the departments. **Chair Philipp** – The question has been called. All

in favor? That is carried. All in favor of this motion? I'm recording this as an unanimous vote of this body in favor of this motion. Thank you.

Let me note that there are vacancies on the UCRA. Please see the flyer in your packet, and who it to appropriate people. If no one is found for a panel, that panel will not exist, and applications for the discipline will be handled by an inter-disciplinary panel.

A Powerpoint presentation on "CUNY and Institutional Renewal – a proposal for departmental strategy planning" was given by Professor Campbell Dalglish, chair of the Status of the Faculty Committee. A copy is available upon request.



University Faculty Senate

Proposed: May 5, 2009

Adopted: unanimously

Resolution on Filtering and Blocking of Websites

Whereas, the BOT has a Computer Use Policy that prohibits the filtering and blocking of website access due to content, and

Whereas, there are violations of that provision of the policy now occurring at several units,

Therefore Be it Resolved, that the UFS insists that Officers of the University enforce that provision of the policy and insure that faculty and students have access to the information networks of the world.

University Faculty Senate

Proposed: May 5, 2009

Adopted: unanimously

Resolution in Support of Part-Time Study Opportunities

Whereas, prohibitions against part-time study deprive many students of the possibility of acquiring the benefits of higher education and hence the opportunity to compete fully in the marketplace or to realize their potential,

Therefore, Be it Resolved, that the UFS affirms the value of a higher education even for those who only attend part time, and

Be it Further Resolved, that the UFS holds that CUNY prohibiting the enrollment of part time students in CUNY Degree programs stands against the historic mission of The City University of New York and against the specific provisions of its charter,

Be it Finally Resolved, that the UFS is opposed to any CUNY prohibition preventing part-time students from enrolling and matriculating into any degree program of The City University.

Proponent: Executive Committee

University Faculty Senate

Proposed: May 5, 2009
Adopted: unanimously

Resolution Opposing Term Limits for Department Chairs

Whereas, the CUNY Board of Trustees will be asked to vote in June on a Bylaws change that would impose a two-term limit on elected department chairs (text from OGC on obverse, undated), and

Whereas, the Council of Faculty Governance Leaders voted unanimously on May 1 to reject the proposal for the reasons cited below:

- 1) Faculty members' right to elect a chair of their departments to represent them is an important power. Any Board action to limit or truncate this power can only be viewed as an attack on faculty governance and faculty voice.
- 2) Mechanisms already exist to remove chairs at any time who are not performing adequately, especially presidential action.
- 3) The Bylaws already require that elections take place by secret ballot every 3 years, which ensures that all eligible faculty have an opportunity to be elected if the faculty of the department deems it in the best interest of the department and the college.
- 4) The job of chair is complex: acquiring the expertise to do it well takes time, making continuity valuable.
- 5) The proposed maximum 6-year term for chairs is not consistent with the current 7-year tenure clock. An important function of chairs is to mentor younger faculty from their hiring to their getting tenure. Shortening the term of chairs would significantly disrupt this process.
- 6) Lack of proper consultation: the proposal surfaced two weeks ago, just before the end of the semester and after the point at which many college senates have already had their final meeting of the year.

Therefore, Be It Resolved, that the University Faculty Senate joins the Council of Faculty Governance Leaders in urging the Board of Trustees to reject this proposal.

THE CITY UNIVERSITY OF NEW YORK - PROPOSED AMENDMENT TO ARTICLE IX OF THE BYLAWS:

RESOLVED, That the Bylaws of the Board of Trustees be amended as follows (additions indicated by underscoring):

Section 9.1 Department Organization

[No revisions to subsection a]

b. The executive officer of the department shall be the department chairperson who shall be a professor, associate professor or assistant professor elected by secret ballot for a term of three years, except as provided below, by a majority vote of all the members of the instructional staff of the department who have faculty rank. Proxy or mail voting shall not be permitted. The department chairperson must be tenured or have been approved by the board for tenure at the time of his/her election, except in departments less than seven years old. Such elections shall be subject to the subsequent approval of the president and the board. Department chairpersons may serve for no more than two consecutive terms, unless a waiver of this limitation is Granted by the president because of unusual circumstances and in the best interests of the department and the college. Service as a department chairperson for more than one-half of a three-year term will be considered service for a full term for purposes of determining eligibility for additional service. The present system of staggered departmental elections shall be continued. The successors of department chairpersons shall be elected during the first full week in May at the expiration of the respective terms of office to take office as of July first of the year in which they are elected and at the three year intervals thereafter. Vacancies shall be filled by election for the unexpired term. Notwithstanding anything in the foregoing to the contrary, in the library department, the president of the college shall from time to time recommend a member of the department to the board for designation as chairperson. Department chairpersons who are not tenured professors, associate professors or assistant professors on January 1, 1976 may fill out their unexpired terms as chairpersons, subject to the provisions of sections 9.1.(c) and 9.6.(a) of these bylaws.

[No revisions to subsections c, d, e, f, g]

RESOLVED, That the above-mentioned amendment take effect at the end of the term of department chairpersons starting in the 2009-10 academic year.

EXPLANATION: The proposed amendment revises Article IX of the Bylaws to limit the service of department chairpersons to two consecutive terms. Limiting a department chairperson's service to two (three-year) terms will give more faculty the opportunity to serve as chairpersons, performing an important service to the department and to the college. As different faculty members have diverse viewpoints and leadership styles, the department will benefit by having new department chairpersons who will bring fresh ideas and approaches to managing their departments. The college president may waive this term limit because of unusual circumstances and in the best interests of the department and the college (e.g., a very small department where there is literally no one else who could serve as chairperson). In order to avoid disturbing the elections that have just taken place or having special elections for department chairpersons who have served longer than this term limit allows, this amendment will take effect at the end of their terms starting in the 2009-10 academic year.