

MINUTES OF THE THREE HUNDRED AND TWENTY-NINTH PLENARY SESSION
OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

October 23, 2007

The meeting was called to order by UFS Chair Philipp at 6:35 p.m. in Room c201/c202/c203 at the Graduate School and University Center. 68 voting members of 118 were present.

Baruch: Present – Brandwein, Dumas, Hill, Martell, Pollard, Vora, Wine and Alternate Aubry. Absent – Albright and Freedman. Vacancies – 1. **BMCC:** Present – Friedman, Kalogeropoulos, Martinez-Lopez, Niyazov, Persaud, Rani, Roy, and Vozick. **Bronx CC:** Present – Skinner, and Alternate Ismail. Absent – Alozie, and Durante. Vacancies – 1. **Brooklyn:** Present – Jacobson, Rodman, and Tobey. Absent – Antoniello, Bell, Cherukupalli, Duboys, Shapiro, Shortell and Viscusi. Vacancies – 1. **CCNY:** Present – Crain, Daglish, Khalil and Raj. Absent – Habib, Lascar and Sank. Vacancies – 2. **CSI:** Present – Cooper, Klibaner, Levine, Petratos and Alternates Foleno and Stearns. Absent – Batson, Jayatilleke and Yousef. **CUNY Law School:** Absent – Farago and Lung. **Graduate Center:** Present – Baumrin and Lennon. Absent – Cross, Lerner, Matthews-Salazar, Nolan, and Orenstein. **Hostos CC:** Present – August, Bernardini, Pimentel and Alternate Sharma. Vacancies – 1. **Hunter:** Absent – Friedman, Kaye, Krishnamachari, McCormick, Palanda, Splitter, St. Hill and Wimberly. Vacancies – 3. **John Jay:** Present – Kaplowitz. Absent – Chaffie, Crossman, Dunham, King-Toler, Kubic and Romero. **Kingsborough CC:** Present – O’Malley, Ruoff, Stubin and Alternate Nash. Absent – Barnhart, Hume, and Wood. **LaGuardia CC:** Present – Beaky, Davidson, Lerman, Mettler and Shean. Absent – Rushing. **Lehman:** Present – Marianetti, Mineka and Philipp. Absent – Jervis and Kolb. **Medgar Evers:** Present – Barker, Hastick, Hope, and Stewart. **NYCCT:** Present – Cermele, Hounion, Richardson, Paynayotakis and Alternate Bakewicz. Absent – Horelick and Karthikeyan. **Queens:** Present – Moore and Savage. Absent – Bird, Brody, Gonzalez, Habib and Zevin. Vacancies – 2. **Queensborough CC:** Present – Barbanel, Iconis, Pecorino, and Alternate Sweetnam. Absent – Jacobowitz and Wein. Vacancies – 1. **York:** Present – Divale, Lewis, and Alternate Tewfik. Absent – Cockery and Rosenthal.

Chancellor Goldstein, Executive Vice Chancellor Botman, and Vice Chancellor Schaffer attended.

Governance Leaders present: Anderson (BMCC), Baumrin (GC), Cooper (CSI), Kaplowitz (John Jay), Levine (CSI), Martell (Baruch), Mettler (LaGuardia), Pecorino (QCC), Philipp (Lehman), Raj (CCNY), Savage (Queens), Tobey (Brooklyn), Woytowich (NYCTC), and Young (Hunter). Executive Director Phipps, Administrative Assistant Pasela, and Secretary Blanchard were also present.

Also in attendance were Prof. Aronowitz (Lehman), Prof. Dahbany-Miraglia (Queensborough), Prof. DeMeo (Hunter), Prof. Guzzetta (Hunter), and Prof. Martin (BMCC).

I. Approval of the Agenda: The agenda was adopted as proposed.

II. Approval of the Minutes of 330th Plenary Session: Minutes were approved as distributed.

III. Reports (Recorded in Reports & Deliberations)

A. Chair.

B. Chancellor Matthew Goldstein.

C. UFS Budget Advisory Committee - Professor Michael Edelstein.

D. UFS Faculty Advisory Committee - Professor Leslie Jacobson.

IV. New Business: None.

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

October 23, 2007

III. Reports:

B. Chancellor Matthew Goldstein - It's always good to be here. Manfred, thank you. I'll try to be brief because I know that what you enjoy most is the banter and the question and answer. Actually I enjoy it as well. Let me thank Manfred for the very good work that he's been doing lately and it's wonderful to have this partnership as we move collectively to make this the best University we can. A couple of very quick announcements. Marc Shaw and Hugo Morales were unanimously approved last night for a second iteration on the Board. We're waiting for another candidate who will be new to the Board to be confirmed. Carl Hayden and Carl McCall were approved as well last night by the Senate. Carl Hayden is going to be the Chairman of the SUNY Board. He's a very dear friend and worked with me for many years. Actually, I first came to the University when he was Chair of the Regents and he was deeply supportive of what we were trying to do, and I think Carl is going to do an absolutely first-rate job as Chairman of the SUNY Board. SUNY, as you know, is in rapid transition and hopefully moving in the right direction. I must say, and say this very publicly, I am delighted how the two systems have really come together on common cause on a number of things that we have not necessarily seen eye to eye on in the past. And I think this portends well for both systems as we migrate into some choppy waters, which I'll talk about in just a minute. I have made a commitment to visit every campus this year. I've been to three campuses so far, an opportunity for faculty -- mainly faculty -- to hear about ideas that I have and to share with them views about the direction of the University and certainly take questions, and it's been wonderful. I'm making a commitment to get them all done this year. So I hope to see some of you when I make the visit to your campus. Obviously,

this has been a very, very active time for those of us who are participating in the Higher Education Commission. We are taking a very active role, really helping to chart a set of recommendations that I'm hoping will be fully embraced by the full Commission. We have another meeting coming up on November 15 that will be preceded by a public hearing, which is the second public hearing that the Commission has had already. I encourage all of you to participate in the upcoming public hearings. Did I send you the schedule? I'm sure we will share with you what that schedule is. But my recollection is that on November 15 it will take place at Nassau Community College. It will be followed by another meeting in early December. That will be in New York City, and I'm not sure what campus. We already hosted one at City College, we had another meeting up at Buffalo, and there will be others in Syracuse and Rochester and Binghamton. I think that's the schedule thus far. We expect the Commission in part will continue after our interim report, which hopefully will have the major thrust of the recommendations. Something that I very strongly advocated was to get a lot of the work done so that it might influence what the Governor proposes in his executive budget, which will be made public around the third week of January. I can't really talk about all of the recommendations, but where I have been very, very active in leading an important committee is on the whole financing of the University, largely around the Compact, a lot of the work on capital and on financial aid, and tuition assistance. And that's where the locus of so much of the discussion is, because at the end of the day this University needs substantial investment, and everybody in this room knows that an investment in this University has really not occurred since, I would say, in any significant way, since the Rockefeller administration, where there was a huge infusion of both operating and capital dollars. And I'm hopeful that this Governor, taking the lead in putting together a Commission that has real teeth and is going to come out with some very bold recommendations that will have a significant amount of investment required to have implemented, will indeed rise to the occasion. The Commission is working tirelessly. It really has coalesced. There are members from the independent sector; there are members of SUNY, CUNY, business people, political people, all coming together with common cause. The common cause is to make both of these public universities the best that they can become, understanding that at the end of the day, even though we have very well-meaning people working very hard on our campuses, it just

requires money. And there has not been that kind of an investment. So that is swirling around. The metaphor that I used the other day when I was with the Executive Committee was thinking about an accelerator that has been fired up and particles zooming around near the speed of light, and particles going in the other direction at the speed of light, and they collide. And the metaphor is about a Commission that is being taken very seriously by the highest levels of government. There are, obviously, this is the Governor's initiative, but Senator LaValle, who chairs the Senate Higher Education Committee, is on the Commission and an active participant, and Deborah Glick on the equivalent role in the Assembly is taking a very activist position as well. So there are people moving together, coming forward with bold recommendations. But there's also this thing called the economy. I'm looking at Terry Martell, he's probably the most educated -- well, I don't want to say this unnecessarily -- but probably near or top the most educated person in this room, given a very distinguished professorship in finance at Baruch. But Terry will tell you that over the summertime a lot of very, very smart people in the financial services industry were somewhat taken by surprise when this whole fixed income market, credit crunch, just exploded and has had a very chilling effect in the financial services industry. I don't need to go into all of the gory details, since all of you read the financial pages, but we've seen the effect in the mortgage market, the fixed income market, and it's not clear how all of that is going to. Part of what we're seeing with a lot of the volatility in the financial markets is a result of people having a lot of uncertainty. There's just not a lot of clarity about how deep these problems are. So when you listen to the Governor, when you listen to the Director of the Budget, Paul Francis, they talk about a deficit next year of about \$3.6 billion, and some disquiet about how deep and profound this particular problem is, how long it's going to last, and what the ramification is. So when I use this metaphor about these accelerating particles, at some time very soon the Commission and the real understanding of what's going on in the economy are going to collide, and then there's going to be residue from that collision and we have to look at what that residue is. What I'm hoping is that residue is going to balance in the favor of this University and that we will see in the Governor's Executive Budget some very strong recommendations for investing in the University. That is what my hope is. I can tell you with clarity, because the Governor has said this very publicly, that higher education is a priority. I'm just hoping that the uncertainties in the

financial markets are not going to compromise the ability of this Governor to feel comfortable about making the kind of investment that I hope we will see in January. This budget process is also unfolding in a very accelerated way from anything we've ever seen before in state government. This Governor and this Budget Director are on the street now talking with lots of folks. There's going to be lots of public hearings prior to the Governor actually coming out with his budget. In fact, today is the 23rd and they're actually starting the process today. There are going to be public meetings, where legislators, business people, you know, the public in general, are going to have an opportunity to express views to help shape the Governor's recommendations. So I'm hopeful, but again, I don't know after these two forces collide what that residue is going to be. We will see. While all of this is happening, the University is putting together its budget message. The Board Meeting that will take place at the end of November will be largely devoted to my recommendation to the Board about a budget that we will eventually send up to the Governor. That will be on the operating side and it will be on the capital side. I will tell you that it's going to be a very aggressive budget message. The Capital Budget is going to be very large because our needs are very large. And even if we get the budget that we are proposing, which is a very big question mark, we still will have very significant capital needs at this University. This is not a young infrastructure that we have at CUNY, and some of you know this, because you live and work in these buildings. You see that we have not repaired, and have not had scheduled maintenance at the level that we want. Part of what we are doing in this budget, in coordination with SUNY, is to have a very different approach to our Capital Budget, and it's going to emphasize continuing investment in the infrastructure that we have maintaining these large facilities, which certainly need a lot of care. It's sad when you visit some of the campuses and see some of the aging infrastructure, and we've not been able to have the kind of investment to keep them afloat. I have about a half hour that I could devote to taking questions. Can I just ask one plea to our questioners? Please be brief. End the sentence with a question mark. That's always helpful so that others can have the opportunity to ask a question, given I have about a half an hour.

Professor Lenore Beaky (English Department, LaGuardia Community College) - And if I could take a moment -- our format is one question and one follow-up, if necessary.

Professor William Crain (Psychology Department, City College) - In 1999 the Board of Trustees ruled that students had to pass a series of standardized tests to get admitted to the Senior Colleges. The University Faculty Senate asked for flexibility with respect to these tests. We pointed out that the predictive validity of these tests is very poor, that they don't predict success in college and they have a discriminatory impact. Recently data has shown that since the tests were imposed, three so-called top-tier colleges have suffered sharp declines in black enrolment. A few months ago, Anne Friedman and others of us asked again, in light of these data, would you recommend some flexibility with respect to these tests? You said, no, that was not a good idea. And now, more recently, your plan is to greatly increase the power, the make or break power of these dubious standardized tests. I am afraid that what's going to happen is that we are going to drive out black students from the so-called top tier senior colleges. To me it's just an awful prediction and so would you please hear my plea to abandon this plan? / Chancellor Goldstein - Let me set the record straight. Since '99, the black enrollment and Hispanic enrolment at our senior colleges has increased. Bill, you remember, when you testified, I was not here at the time, but I did read the transcript, there were people that said if these policies were put in place, half the black population and half the Hispanic population would disappear from the University. It's just the reverse. I have a very strong view on this. That is, we have an obligation to give our students an opportunity to succeed. I don't think you give students an opportunity to succeed if you know that their academic background is just not what it needs to be to migrate through the very rigorous programs that we have at this university. Standardized tests are not perfect instruments, I agree. We all agree. But they are the best of what we have as shedding some light on what students' abilities appear to be and hopefully we do have flexibility. For those of you who were not here at the time, let me just refresh the record to indicate that we agreed that we would allow faculty councils to be created on each of our campuses for those students who did not meet the index and who did not necessarily migrate through the three skills assessment test. If you found special qualities that these students had, we would be willing to consider admitting

them and giving them an opportunity. If you look at the data, that system is working. In just about every one of our senior colleges we do have these committees, and there is some flexibility. I think we have to have a valued degree. If we don't have a valued degree we are not giving our students a fair share at a very, very difficult and competitive job environment. Unless people believe in the degree that we confer, our students are going to be compromised. And that is something I am not going to be flexible about. I am sorry. We have to do the best that we can to assess readiness at our programs and be able to stay with it, give our students all of the support that we can and hopefully, over time, we're going to see more and more students graduate. When I look at our community colleges, and it's not only our community colleges, we have about 23% of the students graduating in three, four, and five years. That's an appalling statistic. At a number of our senior colleges the graduation rate is about 35% after six years. These are real data. These are real people whose lives are being affected I think in very negative ways because of the unenlightened way in which we've made assessments in the past. / *Professor Crain - I get one follow-up?* / Chair Philipp - Very quickly and briefly because there are many people behind you. / Chancellor Goldstein - Why don't we wait for a follow-up? If I'm still here, Bill, I'll take it when we finish the queue.

Professor Susan O'Malley (*English Department, Kingsborough Community College*) - *Last Tuesday at the Executive Committee I pointed to changes in TAP that are affecting students. These are students with foreign diplomas who are here legally who suddenly cannot get TAP unless they have passed three tests, the Ability to Benefit tests. I know this does not come from the Central Office at all, but I'm asking how can we get this changed? My numbers so far are 300 at Hostos who are being denied TAP. At LaGuardia it's 330 that are taking the test and we don't know how many will pass the Ability to Benefit. But do you have any suggestions how we might get this changed, particularly in your position on TAP Financial Aid, of the Higher Ed Commission.* / Chancellor Goldstein - Susan, look, I agree with you. I think it's something that we ought to try to remedy. Here's the thing -- we are sitting at a university year in and year out that has been compromised, I would say, budgetary because there has been more money put into TAP at the expense of operating aid. I understand that as chair of one of those committees, that

for political reasons and for doing the right thing, that we have to make some recommendations in enhancing TAP. There's a bandwidth of family income between 25 and -- I'm trying to remember the number -- 55 or 60 thousand dollars where the amount of money that is given to students in that family profile is a minimal amount of money. I think that needs to be fixed. We have not provided graduate students with an opportunity for TAP and we all know, in this room, that the economy that we are living in today requires more than an associate or baccalaureate education, so we really have to encourage students that are in our graduate programs to stay and finish their work, and TAP is helpful. There are wards of the state that don't get any TAP at all. We have a small program for part-time students. If you start parsing the profiles of so many students the numbers start adding up to a very, very large amount of money. And if we were, a public system, to propose really trying to fix so many of the very legitimate needs in TAP, at the end of the day, I think it would compromise the ability for us to have operating aid. And what would that result in? It would result in students, helping them come to the University, but we wouldn't be able to provide teachers or courses. So there is this balance. / *Professor O'Malley - I understand that, but this just happened in the last couple of months. So it seems to me there might be a way we could turn it around if we all fought together. That's all. I know all the other things you're saying.* / Chancellor Goldstein - But all of them have legitimate needs as well, and once you start opening up some of these doors, the doors are going to be widening open and I have to be concerned about that. I'm not minimizing the impact on that group of students, but I can argue just as persuasively that there are many other classes of students that are similarly compromised, and one has to make choices.

Professor Mike Vozick (Science Department, BMCC) - *I've been in this university 30 years. I've been an administrator, low level, but I've been an administrator, and I've been an adjunct for a long time. I have a deep love for this university and I've tried to understand the adjuncts' role in this university in a fairly deep way. I intend this to be quite friendly, but it's difficult, it's challenging. The first point is that CUNY itself is adjunct to the State. And in a certain way, it's an adjunct auxiliary organization. Maybe you have a billion dollars, you may have tremendous responsibilities, but still, it's fundamentally in the adjunct role. And so I look at you as the*

number one adjunct. I'm asking you to perhaps think of yourself that way in order to struggle to answer this question, alright? And the question has got to do with how you're fulfilling your public responsibilities towards adjuncts. For example, when do you report out about what's happening with the adjuncts? For example, who they are, what they do? How the university is working with them to maximize their effectiveness at making the University what you and I -- and there are large areas of similarity of what we both want it to be -- maybe different ideas at the roots, but we're trying to go towards the same place. Who reports to you on adjuncts? How much information do you receive on adjuncts? Have you ever met with adjuncts? This is all one question, right? It really is all one question. You have long answers, so I don't object to putting my question with many parts. You're a complex man and I think you can deal with this. And in general, could you give us a thoughtful idea, not just now, but coming on, about how the university's role with adjuncts is going to grow in a positive direction? Thank you. / Chancellor Goldstein - Well, look, we obviously have to value our adjunct professors because we don't have the money to provide the necessary coverage with full-time people. That's one thing. Secondly, there are large numbers of adjuncts that should be here at the University even if you had the capacity to have full-time people because they have certain kinds of skills that perhaps full-time people may not have, for example, lots of experience in business or in the political world. I cannot conceive of this University being without our part-time faculty because it's just the practical realities of how we're going to have to manage putting people in front of students. We just can't do it with full-time faculty. So do I care about the adjuncts? Yes. Do I value the adjuncts? Absolutely. Should we spend more time thinking about their life? I would say probably yes, but I could think about a lot of other things also. Look, we do the best that we can under the circumstances that we live with. The adjuncts, I understand, have difficult lives. Many of them are full-time; this is what their full-time occupation is. Many of them are traveling from campus to campus. It's almost a nomadic kind of existence, and it's very, very difficult, and I'm sympathetic. I just don't have a solution for it. / Professor Vozick - Will you report to us? Will you look into it and give us a more careful, organized report? / Chancellor Goldstein - I'll do the best I can.

Professor John Mineka (*Department of Mathematics and Computer Science, Lehman College*)

Last year you proposed a tuition increase of 2.5%, I think, which was quashed by the legislature. This year you're proposing 5%. I believe there's a National Commission that's reported on the increasing difficulties undergraduates have financially in meeting their college costs. I just would like to know where we're going with this. Is it going to be 5% a year? I mean, that would mean tuition would double in 14 years. What is your view of and what will you do with this? /

Chancellor Goldstein - It's a serious and important question and I don't want to make light of it because it deserves the kind of consideration that is behind the question. I have proposed several years ago a rational policy for tuition. You've heard me talk about this, and I don't want to spend a lot of time indicating why I've proposed this and how it would work, but at the end of the day the CUNY Compact, which is the vehicle that goes into our master plan and plucks out the needs that are in that master plan, puts a price on it and then distributes that cost among a number of stake-holders. One of the stake-holders is the students. It is a major stake-holder in the University. What I have proposed is that every time we levy tuition all of those dollars are to be returned for the instructional purposes of the campus. So if tuition is going to be absorbed into the general treasury and we don't see the result of it, then I am not supportive at all of a rational tuition policy at all. I would just back away from it. But the Commission is going to recommend that if we do levy tuition in a rational process as I have shared with you, then that money is expected to return. If you look at the life of the Master Plan and you use a basket of economic indicators -- and you could use the CPI, you could use the HEPI, you could use a linear combination of those two, whatever it is -- it gives you sort of a target, and if we use that over the life of the Master Plan for the CUNY tuition that exists today, we would be under the cap of \$5 thousand. That being the case, any student that is in harm's way, and by harm's way I mean that their matriculation is compromised because of the action of levying the tuition, will be supported. So this idea is a way to get away from the unpredictability of how tuition has been levied. And by unpredictability, it's about what your birth date is when you enter the world. It's possible, and we've done these calculations, that you could enter the University and have a flat tuition and then a spike of a very large amount, and that is a very regressive way because it really just taxes you on the basis of how old you are, not about how you can plan and manage your

affairs. So that is what I have proposed and that's what this budget request is going to propose. The reason that we are using 5% is that we have not had a tuition increase on a going-forward basis now for three years. I think in order for the Compact to generate the kind of investment that we need, we're going to need that level of tuition. Once that is set and if the Compact continues to exist in the rest of the Master Plan, which would be the next Master Plan for four years, our pledge is to keep this under the ceiling of some economic indicator, which will probably be the HEPI. / *Professor Mineka - Thank you. There is one other factor in your Compact and that is the efficiencies in administration. And I'd just like to comment that at my college, the understaffing of the personnel office has led to a lot of people not having their papers processed coming to CUNY and finding that their medical insurance hasn't been certified, and so on.* / Chancellor Goldstein - That's not efficiency. Efficiency for me is extracting dollars out of how we spend money without affecting the operations of the college, if by inefficiency you're saying pull money out of an area and then compromises that area, that to me is not inefficiency, which to me is just poor money management. / Professor Mineka - I agree with you.

Professor Vasilios Petratos (Political Science, Economics, and Philosophy Department, College of Staten Island) - *We discussed at the college today in the budget committee that that Compact that came from your office, and in that Compact, as an example, I'm asking for the allocation of those moneys, about \$3.5 million that we're supposed to receive in this fiscal year, about 17 or 18% of it is allocated to faculty lines. About \$600 thousand out of a total of \$3.5 million, and I'm asking and I'm urging at the same time, is there any discretion that local people, presidents, senates, councils, have, and my urging is that they should have. A lot of things we may need badly, salad dressing, in a lot of areas. But there's no salad. So how does one try to deal with one without the other? I would say, serious misallocations, and I brought that to the attention of the new president as well as the Committee, very serious misallocations.* / Chancellor Goldstein - Look, you have a campus that had a change in leadership, so there may be some miscommunication on what the faculty, students, and administrators recommended. If you recall when we came up with the idea of the Compact and we said as a result of that there will be moneys returned to the campuses, we insisted, and I wrote memos, a couple, at least two memos,

to the presidents insisting that there be a process of engagement with faculty and students and others to make recommendations with respect to that if there is a million dollars or \$2 million that would be returned to the campus, how would those dollars be spent, and they were advisory to the president. I must say to you in candor, I am unfamiliar with the plan of CSI. I just honestly don't know it. I saw it originally and the plan made sense, obviously, or else we would have had something to say about it. / *Professor Petratos - I've been told all along for years now that the allocation comes from the Central Office, and therefore I'm reporting that to you and I wish that you raise the issue. Also, in the 70/30% allocation of full-time, part-time faculty, you realize that no one in this room is going to be here by the time that happens. I don't mean at the university, I mean on this planet. If we're looking for 3 or 4 thousand positions, we're talking about a couple of hundred million dollars. Where I am, at the college where I am, the percentage is exactly reversed, 30 to 70%. Simultaneously, you referred to the Capital Budget and Operating Budget and Rockefeller. I think he was around here before I was born. Has anything ever happened ever since that both the Capital Budget and Operating Budget may have been held?* / Chancellor Goldstein - With all due respect, you look good, but not that good. You were around when -- / Professor Petratos - Thank you, we would look the same but you look more prosperous!

Professor Philip Pecorino (Social Sciences Department, Queensborough Community College) - *The Compact proposal is of historic significance in reversing the decades-long trend in under funding of public higher education. One of the elements is the rational tuition policy. It would be easier for us to know that your pledge has been prosecuted successfully thus far, so what I am going to do is ask this: From my observation, either the opportunity to apply for the, I'll call it, "in harm's way" coverage, is targeted to specific people very well, or else it's of such a low profile that to me it's invisible. So what I'd like to know is, are we actually helping folks? How many have needed to apply, if any? How many folks have we kept out of harm's way? /*

Chancellor Goldstein - Phil, let me just interrupt you, let me correct the record. We have not had a tuition increase in two years. So this is a moot question. On a going forward basis, the pledge has been any student that is compromised by virtue of putting down another \$200 or \$300, that compromise leads to them not being able to attend, we will make good on that, and we've made

that public. If there is a tuition increase, we will have to put in a mechanism to identify and make sure that that pledge is -- but on the record for me, over and over I've testified about it, and I will live up to it. / *Professor Pecorino - The mechanism is in the planning?* / Chancellor Goldstein - It's absolutely in the works.

Professor Bill Divale (*Social Sciences Department, York College*) - *York finally has good leadership after a dozen years of revolving presidents -- good, stable leadership, and York is almost entirely non-white, in terms of our student body. Probably 70% of the people are of African origin. Two years ago, we raised the entry standards a little bit and, lo and behold, we've had an increase in enrollment. Our enrollment has gone up about 600 this year from last year, and we just raised the entrance rate, I think, 1% and we're still below the CUNY average of 80%. But we've had higher retention. In other words, by raising the standards a bit, not only have we had increased -- it hasn't hurt our enrollment -- and our enrollment's mostly black, but we stopped the pattern of the campus bringing in 100 freshmen and then next year only 25 of them remain. So our retention rate for the freshman class was gigantic. So as long as you keep the junior colleges open so that anybody can get in, and eventually work their way up, I think that's good. But the problem I have is your analysis of -- and I know this is not politically correct for this group -- but your analysis of the graduating in three to six years in the community college or six years for the senior colleges is unrealistic. Over half of our students are non-traditional. I teach them. They have children, they have jobs and the thing is, eight or nine years is more realistic. So if you had the statisticians break the graduation rate by traditional age students as opposed to the non-traditional, I think the traditional age students would probably be closer to that six year average, but the non-traditional, maybe nine or ten years. As long as they graduate, that's not so unrealistic. Almost all of them are part-time as well.* / Chancellor Goldstein - Let me just say that we all understand this. The fact is they asymptote out after about six or seven years. There isn't a major difference between six, eight, and nine years. We have a problem not only here but throughout higher education. It is just unacceptable to have a community college graduation rate. I believe there are some students that come with no intention of getting a degree. We understand that and I can't tell you what that number is, but I don't think

it's huge. But having a graduation rate of 23% -- and I used to make the excuses also -- you know, they live very complex lives, they're working, they're this or that -- all of that is very true but we have to operate in a market -- and I mean that in the very broadest sense of the political world that we live in. They understand metrics, and we have to understand metrics as well. How far we can push this, I just don't know. We have the new ASAP program that Mayor Bloomberg supported for about \$20 million over the course of three years and we're hoping that we can show a graduation rate of close to 50%. If we can do that, that might be an opening for a cascading of funds, because I think people will start to say, "Well, here is a different way of engagement and perhaps it's worth the kind of investment." We cannot live in isolation from the rest of the world and we have been playing this game for too long. We just have to start playing it in a way that relates to how people understand how we compare to other higher education institutions in the United States. We have to continue to work at it.

Professor Anne Friedman (Developmental Skills, BMCC) - Just very quickly, I was really glad to hear that you're going to be visiting the campuses and I wanted to know that, especially when you come to the community college campuses, because you were just talking about the community colleges, whether you will be spending some time with the students, maybe sitting in on a couple of classes, talking to our students? I understand statistics and public image and so forth as much as anybody, but the difference that some of us feel is we teach these students every day, many of us for 20 and 30 years. They have human faces and voices, and I think it would be helpful if you and some of your cabinet really did spend some time, not just with the faculty, but with our students. And I hope that you will do that at BMCC and I'm sure that we can facilitate that for you. / Chancellor Goldstein - I have visited two community colleges so far, BCC and QCC and I did meet with a lot of students in addition to faculty, and they were wonderful. I don't know when I'm going to BMCC, but it will be some time between now and the end of May. / Professor Friedman - Thank you. / Chancellor Goldstein - Thank you.

Professor William Crain (Psychology Department, City College) - Thank you for the opportunity to ask a follow-up question. I ask you to, first of all, please read Attewell and Lavin's

recent book on graduation rates. The rates don't drop off if you go long enough and it takes a long time, but the students do graduate at much higher rates than you've mentioned, if you take the long haul. Second, I urge you and everyone to please realistically assess the tremendously destructive power of standardized tests which are highly correlated with income, highly correlated with ethnicity, but they cannot tell you how well you're going to do in college. And we're increasing the power of these tests and we already are suffering a crisis with the loss of black students, and it's going to get worse as long as we do this. It's going on all over the world, all over the country. These tests, to me, it's an evil process. / Chancellor Goldstein - Bill, we've had the largest black enrollment in a very, very long time at this university. / Professor Crain - It flattened out and increased a little bit this year. At three senior colleges it's gone way down and it's -- percentage wise it's way down. / Chancellor Goldstein - The fact is that the black population and the Hispanic population is increased in our senior colleges and it's way up. / Professor Crain - At my college it's down. Way down. / Chancellor Goldstein - As long as the University, look, the whole point of the -- I'm not saying I'm happy with it. The integrated university is about giving students an opportunity to enter the door and then to work hard and get to the place that they want to -- / Professor Crain - I'm telling you, these spurious tests are keeping them out of the doors. / Chancellor Goldstein - Not the data that I see.

Chair Philipp - I should mention that Attewell and Lavin are going to be presenting at our conference, at our fall conference that is on December 7. Once again, thank you for coming.

Chancellor Goldstein - My pleasure, thank you.

A. Chair: Chair Philipp - And thank you, Vice Chancellors Botman and Schaffer, for coming. Now, the next item is the chair's report. I noticed that the report was way in the background and some of you may not have gotten it. If you have not gotten it, I have some copies here so that you could -- I'll just pass them out. The Chancellor has discussed some of these already. Senior college admissions criteria -- we discussed these at the Council of Faculty Governance Leaders and it did not appear that there would be senior colleges that would challenge the base level of

admissions criteria that the Chancellor was proposing. But of course, those are only appearances. If a college does choose to do so, a College Senate, then we will encourage the right to do so. But that's entirely up to the College Senates. The Governor's Commission -- notice that we've been speaking to Assemblywoman Glick. I already reported to you that we had spoken to Lloyd Constantine, the Governor's special assistant. Professor Beaky will be meeting with New York State Senator Serphin Maltese, who is a member of the Higher Education Committee of the State Senate. The doctoral science program restructuring continues but it is not in place. Hunter College has passed a letter of intent for their joint degree. City College has not yet formulated that letter of intent according to the sources that I'm speaking to, and the process of governance change is still very much in the air. Nothing new on the Advanced Science Research Facility at City College. It's still being blocked by the dispute with the Structural Biology Center. Our fall conference with Lavin and Attewell, I've already mentioned that, December 7. It will be an interesting one. Professor O'Malley hosted a seminar by the two of them, and it was extraordinarily interesting. There was an extraordinarily interesting presentation, and it was a major part of our decision to move forward on a conference featuring Lavin and Attewell and their new book. There are electoral positions available at the CUNY Academy. The CUNY Academy is affiliated but separate from the UFS. You have to pay dues to be a member, \$25 per year. There are two candidates for president of the Academy, and one of them is in this room. There are certainly positions available for Vice President, etc. The board members are up for election. You see the ambiguity about the number of full-time faculty. That ambiguity remains, and we haven't gotten exact numbers from the administration yet. We have a report coming up by Professor Edelstein who is the chair of the UFS Budget Advisory Committee. He'll discuss that kind of issue. The intellectual property committee was tangentially mentioned. I think Phil was going to ask that question. Phil Pecorino is a member of that committee. The entire committee is appointed by the UFS. However, the chair of the committee is Vice-Chancellor Botman. It hasn't met since April 2006, and its lack of meeting is not because we didn't have members. We've recently replenished the membership but their membership was in place before that. They simply haven't met. We've had discussions about this with Jake Maslow who is the Intellectual Property Officer of the University. We've discussed it with University Dean Gillian

Small, who supervises, apparently supervises, Mr. Maslow. And nothing's really happened. I've written about it to the Chancellor. Right now they're making decisions on an ad-hoc basis, so if your colleagues are doing inventions, it goes to Mr. Maslow and he disposes of them. That is to say, decides on whether to support them or reject them. Recently I've been aware of a rejection, that means the faculty member has the right to pursue the invention on their own. And the University has the right to reject it. In fact, it is obliged to reject it after a 30 day waiting period. So, but you should be informed of that. The new Master Plan -- the college senates should be involved in the generation of campus Master Plan that will be submitted to the University. Vice-Chancellor Botman has been very eager and forthcoming in having the University Faculty Senate prepare its submission to the Master Plan and the Executive Committee has decided that the plan that was submitted two years ago will be modified somewhat but we won't go through the full rigor of getting an entirely new suggestion for it. And that will be presented to the plenary when it's ready. The CUNY Institutional Review Boards are somewhat in flux. There is an unannounced draft revision of CUNY IRB policy. You will recall that we had a conference, on IRB because IRBs have an effect on the freedom of faculty to pursue the scholarly work that they want to do. It's not just the biology faculty, for instance, with animal studies, it's also sociology, psychology, history, and so forth who have to, at times, submit their work through institutional review boards. At the federal level, this is regulated by the National Institutes of Health and the University had the option of opting out for other fields being regulated. It chose not to do so, so other fields are regulated. That regulation can be onerous, and we heard plenty of examples in the conference that we held last spring. So the University administration is planning on making changes, but we're not in a position to discuss them because there's really nothing on the table yet, and the UFS Exec would very much like to discuss that with you, but we don't have anything in our hand to discuss yet. Central computing initiatives have been announced by the IT steering committee. Those are listed in this sheet and I've presented larger lists to the Library and Information Technology Committee for their consideration at the next meeting. So with that I'd like to finish this report. Are there any questions?

Professor Pecorino - Last plenary we passed a resolution with regard to the admissions standards. So my question is what are your thoughts on the following: It would be best if each local governance body were to examine the proposed changes in admissions and then as a body take an action to either raise, lower, or keep their standards where they are rather than to do nothing and accept the imposition of the changes by the Central Administration. / Chair Philipp - That's exactly my opinion. To do nothing suggests that the college senates do not have the right to set these standards. In fact the college senates have the right to set these standards, by most college governance plans. You should of course examine your own. The governance plans of the colleges supersede the bylaws of the Board of Trustees. At the same time, the bylaws definitely bring the faculty governance bodies into this conversation and give them the power to set admissions standards. The Chancellor -- or more precisely -- Vice Chancellor Schaffer in a letter has claimed that the Chancellor and Vice Chancellor Botman have the right to set University-wide standards because of the bylaws' description of the Chancellor's powers. But that description does not explicitly include the right to set admissions standards. It has lots of nice vague language which you can refer to yourself. But the bylaws do explicitly refer to the faculty's right to set those standards. And that's a right that the University Faculty Senate is simply defending. We don't have any opinion on what the Chancellor is proposing because that opinion should be expressed by your senates, not by the University Faculty Senate. So what we do have an opinion on is your sense should be determining those standards, whether you agree with them or not, just make a determination on what you want to do. Don't give up your power for determining them, that's the critical point here.

Professor O'Malley - How to say this gracefully? The Executive Committee voted to support the 5% increase in tuition. There are lots of good arguments for it, but I was unconvinced. I hope Michael Edelstein, when he gives his report, will discuss some of those reasons why. Always before, we had abstained. That was a difficult position. But I just think this body also should hear the arguments for and against and perhaps have a say, if not today, at the next plenary. / Chair Philipp - I don't think the 5% was mentioned explicitly, but the Compact was mentioned. The

Compact, yes. / Professor O'Malley - Oh, the Compact, which included 5%, because we just met with the Chancellor. / Chair Philipp: But it was not part of the motion. Thank you.

Professor Julian Aronowitz (Math and Computer Science, Lehman College) - *I'm not sure if what I'm going to ask is fully germane. But a lot of discussion has been pertaining to full time and adjuncts and all that. Has anyone bothered to investigate the possibility or probability of such a type of position as part-time permanent? As opposed to part-time temporary, which is what an adjunct is?* / Chair Philipp - That's a contractual issue, and that's best raised in the halls of the Delegate Assembly, not at the University Faculty Senate. / Professor Aronowitz - *I appreciate that, I just want to know if anyone talked about it.* / Chair Philipp - I don't know.

Professor Alfred Levine (Department of Engineering Science and Physics, College of Staten Island) - *I would like to clarify the remarks of my colleague Susan O'Malley. The Executive Committee voted by a vote of seven to two to supported the Compact. I, before that vote, had expressed to the Chancellor my feeling that the 5% was too much. I don't know what Karen plans on saying, but I suspect if I were going to say anything in testimony, as I will, I will state that it should not be 5%, that it should return to the 2.5%. I support the idea of an investment in the future of CUNY and I would like to point out that the Compact as structured will result in the portion of our operating budget covered by tuition declining. And if we can keep the mechanism in place each year, it will decline. If at any point this is reversed and they start to propose that we increase the portion of our operating budget by tuition, I will be immediately opposed to that.*

Professor Richard Woytowich (Computer/Electromechanical Engineering Tech Department, New York City Tech) - *I'm not familiar with Microsoft Windows Live at the tail end of the -- not knowing whether it's something that lives only on the servers or whether you need to be running Windows to access it. Can I just put in a recommendation that we try to avoid anything that locks a student into a particular platform, operating system, whatever?* / Chair Philipp - You certainly can make such a motion, but I think it would be best submitted to the Library and Information Technology Committee. They're the ones to handle it for the senate.

Professor Beaky - I'll be very quick. Since the issue of the Executive Committee vote on the Compact has come up, I just wanted to explain that the two of us who voted to oppose did so on the basis that we still believe that CUNY should be tuition-free. We opposed the 5% and that's why. We don't oppose investment in CUNY but we support a free tuition policy.

Professor Crain - The Compact has built in steady tuition increases, and I don't know what it matters to a student if the percentage of tuition to the overall operating budget is decreasing, but if I'm a student and my tuition is increasing, what do I care about the percentage of tuition to the overall budget? All I know is I can no longer afford to go to college.

Professor Leslie Jacobson (Health & Nutrition Sciences, Brooklyn College) - I'd like to know some more about the natural science doctoral programs and how they affect the other campuses./ Chair Philipp - It's not clear what effect the joint degrees, will have on the other campuses. City and Hunter, their senates have expressed approval of, the existence of joint degrees in these four natural science doctoral programs, that is to say, chemistry, biochemistry, biology and physics, and how this will play out on the other campuses is not clear. The Chancellor, the representatives of the Chancellery, have said that the two colleges will not have power over the curriculum. I've asked them if they have joint degrees would that mean that the City College Senate and the Hunter College Senate would have shared power over the curriculum of these degrees to the exclusion of the other campuses, perhaps? And their answer has been no, they would not have any power. Now, where that is written is, of course, nowhere. The other question is will the other campuses be deprived of doctoral students and participation? At this point it does not appear to be the case except for the very smallest campuses, smallest in terms of their participation in the doctoral program, such as York. So it's not clear to me that for a college such as Queens or Brooklyn there will be a clearly substantial change. However, the letter of intent that the Hunter College senate passed does mandate, or certainly suggests, strong changes in the governance of the programs that make them different than how the programs are governed currently in terms of the right of faculty membership and the right to take students and

so forth. And the difference between the Graduate Center's rules and Hunter's proposed rules, how that will be resolved if it all, is unclear. I have urged the chair of the Hunter senate to consult with Executive Officers and members of the Graduate Council, the Senate of the Graduate Center, to try to resolve these issues. I don't know if they will or will not. So that's the long answer. The short answer is, I have no idea. / *Professor Jacobson - The reason I ask, one of the things that came up last year was the whole question of funding for doctoral students and the new requirements which will be involved, which, I guess, in some measure will really either deplete the resources of the other colleges or cancel those programs.* / Chair Philipp - Let me play devil's advocate here. The Chancellery argues that they've placed much more resources into these programs with the Chancellor's Science Fellowships. I should also mention, for those that are interested, there are also enhanced fellowships for people not in the sciences that are being given by the Graduate Center of late, but these fellowships are at a level that is greater than what has been given in the past. The disputes have been how many of these are to be given, but that dispute has been settled to the side of the faculty advocates of that number, whether it was 70, 80 or 90. It seems now to be 90. Of course, the people who are bearing the cost of this are the colleges. The presidents of the colleges are providing the money for years two, three -- two, three, four, and five, of the graduate school experience, except that now they're being compelled to provide it and they cannot withdraw their promise. The source of the money doesn't seem to be any different than the source of the money in the past. So in a way it's a political device to compel the presidents to make commitments to these programs where in the past the presidents had declined to do so as part of the Decade of the sciences. Does that answer your question? / *Professor Jacobson -Yes, it does. But I think we have to be very, very careful and very wary about what happens at the other institutions.* / Chair Philipp - I should say that I personally, and Professor Baumrin, standing behind you, who is also chair of the Structure Committee of the Graduate Council, have been extraordinarily, I think, attentive to this issue. We've attended numerous meetings. I was a member of the task force that was slated to come up with the proposal. It wasn't run in what I would call anything like a democratic manner, and there was never a vote, and I would have voted against the proposal, had there been one, and I didn't take part in the subcommittees because I thought it was an inconsistent thing to do with my other role

as chair of the Faculty Senate. I'm just trying to illustrate that I've put an enormous amount of time paying attention to this and monitoring it, not only because I happen to be a chemist myself, but because this is a model for what will be done in the future. At the same time, I have to say, I've not expressed an opinion on behalf of the UFS because the UFS has taken no opinion, so therefore I've made sure that people know that the UFS as a matter of fact has taken no opinion on any of this. But I have encouraged people to consult and Jason Young, behind you, from Hunter College, will be happy to comment further.

Professor Jason Young (Psychology Department, Hunter College) - *I just want to offer a clarification that these are not new doctoral programs. In fact, this is more of a bureaucratic change than anything else. And what Hunter College, in particular, and may be City as well, were concerned about is that when the doctoral programs are formally rooted at the Graduate Center all of the funding circuits through the Graduate Center and Hunter never felt it was getting enough of that to fully pay the cost of that education. So what really lies behind this is not stealing the thunder from other schools, but rather Hunter making sure it's getting the funding that it feels really bears the cost, reflects the cost, of these programs.* / Chair Philipp - I was also referring to the letter of intent which does create structures that are not, and systems that are not, currently used at the Graduate Center. But that's another story entirely.

Professor Stefan Baumrin (Philosophy Department, Graduate School & University Center) - *On point of information, I put in 3.5 hours today on this issue, but that's not what I'm here for. On the question of the vote on the Compact, I'm one of the votes that switched from those opposed to those for, partly because as a portion of the tuition bill, the amount that the Compact calls for has declined successively each year as a function of inflation and also because there weren't any increases for several years. One of the points that the Chancellery made is it needed additional funding for faculty lines. This past year, they made an attempt to translate the 2.5% increase that they asked for into a request for additional faculty lines. They got the faculty lines, and the legislature picked up the 2.5%. Lucky us. I figure, why not ask for 5%, ask for another 800 lines, see if the legislature wants to pick up the tab and get the 800 lines. I'd rather have*

them commit themselves to the 800 lines than to the question of keeping tuition at \$4 thousand for the senior colleges. And so for that reason, I supported this now. They are going to ask for additional lines and we'll see how it works out.

Professor Sandi Cooper (Department of History, College of Staten Island) - *In 1976 when tuition was introduced, there was a solemn commitment in the legislature to offset the charges for most students and I think it wouldn't be that hard to dig the documents out. I remember hearing it anyway when I was there. I know the Chancellor operates on statistics and money and all of those kinds of things that drive economics these days, but there's also history, and there was a promise. And that was largely made for CUNY students because SUNY students were paying tuition, although it was quite low. I don't think anybody in this administration has a clue about that.* / Chair Philipp - We should actually look it up. At this point I'd like to turn the floor over to Professor Edelstein. He is chair of our Budget Advisory Committee. The Budget Advisory Committee is appointed by the chair of the UFS and has people on it who are in a professional sense associated with budget and finance. They meet frequently with Vice Chancellor Malave and his staff and are given access to raw data, and they frequently do such things as discuss proposals that are usually trial balloons. They are given access to a lot of things, but in turn they also promise a certain degree of confidentiality. All of this data that they get becomes public eventually -- it's just a question of time. So Professor Edelstein is our current chair, and he's going to describe some of our newest information flows, which I think should be very interesting to you because they suggest that the poverty level at your college is much less than what you think it is.

C. UFS Budget Advisory Committee: Professor Michael Edelstein: I'm an economic historian by trade, so when I look at certain budget developments, I'm always wondering, "Well, what's different?" The latest report that I just downloaded, College Year End Financial Report, I guess was officially permitted to be public very recently. What you'll notice is that the colleges have somewhere between two and seven million dollars, many of them, two and seven million dollars in CUTRA and reserves. Reserves are the technical name for the surplus that's sitting with the

community colleges and the CUTRA accounts are what they're called at the senior colleges. It's reasonable that there should be some amount of money in these reserves. After all, there are ups and downs in costs at all the campuses. Stuff fluctuates year in, year out. You can't predict how many students are coming in. You can't, to some degree, predict what 80th Street is going to give you. So a little cushion in there is something that's certainly fiscally advisable. However, a good number of the colleges have considerably more than what a conservative estimate of cushion should be, and so the question is, where did it come from? It has been showing up the last two or three years. The first thing is that CUNY's enrollments are expanding and they're expanding at rates that are faster than what was predicted, which means that, in turn, funds are available, either because tuition is being paid or there is some dependency in the state source that depends on enrollment. So the first thing that's going in there is that enrolments are more aggressive than they've been in the recent past. The second element that's in there is that because of the Compact, the state has promised to cover mandated cost increases. Now, if I were a provost or a financial officer at the colleges, I would not quite believe these numbers. After all, it's not so long ago that in the middle of a year, 80th Street would say set aside 2% because we don't know whether we'll have enough. So it seems to me that there's a certain conservatism. Some campuses have more conservative provosts than others -- I'll certainly throw that in! But still, a certain conservatism is what's called for if you're in these positions. The issue that the financial officers and the provost have to deal with is whether these funds, are a permanent trend or a relatively permanent trend, and therefore they have to do something about them, or are they something that's going to go away? And most of them seem to have operated on the basis that they're going to go away because they have hesitated in using the funds for acquiring faculty, which is obviously a permanent and recurrent expense. Now, my understanding is that 80th Street has told the campuses that they can use the funds for that and some campuses are actually adding lines in order to mop up these surpluses. The problem, of course, is that as many of you already know, it's difficult to get quality faculty, particularly with the wage structure that the University has. There's a vast competition out there for excellent faculty and CUNY should certainly be in that market, but fitting in that market with the salary structure that we have is difficult. So I would say the search to fill lines is probably a longer process at CUNY than it

might be elsewhere because of that, and then, of course, what happens is that it trips over into the substitute assistant professor category, but there too there's a problem. Provosts as a group remember earlier days when in the middle of the year, 80th Street would come down and say we're taking away 2%, and set it aside. So when they sit there and consider whether an appointment should be made, and at what wage rate or salary rate it should be set at, they're going to lowball. And therefore at a certain point, you're not going to be able to make that appointment either if what you're looking for is a quality appointment. In any case, substitute assistant professors tend to be considerably less expensive than a real appointment, so that's another reason why there may be some excess in these reserves. So I think most of the financial officers and provosts have been told that they have to spend this money out because politically this is like a target for the state legislature. We go up there and we ask \$30 million for some program, and somebody in that legislature will see this same piece of paper that's in front of me and they're going to say "Wait a minute! You have \$45 million sitting in surplus accounts." Whoop! It goes away. So all I can say to you as faculty members and as academic leaders in the academic senates of your colleges is that you should certainly encourage your provosts to spend the money and hopefully on lines, because that's probably what we need most, but on some campuses it may be carpenters and plumbers. But certainly the money should disappear as quickly as possible. I think that's about all I have to say on this.

Professor Dean Savage (Sociology Department, Queens College) - Dean Savage, Queens. What is a reasonable reserve fund as a percentage of operating budget to keep? / Professor Edelstein - Well, I'm going to defer to Terry here.

Professor Terrence Martell (Weissman Center for International Business, Baruch College) - I just did a rough calculation but only on the senior colleges. I calculated we have a little over 4% reserve, which works out to be about a 14.6 days' worth of funding. Now I will simply ask the question, would any of us, in this room, be comfortable with a savings account equal to 14.6 days of your salary? Easy, easy. When we talk about spending this money, right, this is reserve. This is not flow money. You can't use it for permanent funding. You could use it for a one-shot

infrastructure investment. You could buy computers with it. But if you hired people on a line, you'd be betting in terms of what was going to happen. So whether 4%'s the right number or 2%'s the right number, it would be prudent for you, if you're going to make the argument to the provost -- and if I were at Queens, I'd sure as hell be making that argument, if I were at Hunter I'd be making that argument, if I were at City I'd be making that argument -- I'd be arguing for one-shot kinds of investments that you can make in this period, because this is not money that's necessarily going to be there next year. Thank you. / *Professor Savage - Is there a way of actually getting some kind of sense of the proportion of operating budget that is existing on the various campuses? Because that was part of my question.* / Professor Martell - Well, if you take total -- / Chair Philipp - You have to go the mic, but first of all, Michael would like respond to these comments. / Professor Edelstein - I defer to Terry who's far more familiar with these sorts of things in private corporations and public corporations than I am. If he says 1-2% I agree with him. The only thing that I do know is on the aspect of how to treat what's there, and I have to say that 80th Street does not treat it as a one-time event, which should be backed by a one-time purchase of equipment or a one-time redo of a lab or something like that. They think that there should be some permanent lines involved. / Professor Martell - Right, they want to put one-half of it back into your base budget. And that, unfortunately, is a wonderfully seductive proposal but can lead to a really negative financial result. This money does not have to stay -- look at Staten Island -- if Staten Island's enrollment drops, the CUTRA balance goes away. The people sitting on those lines have now got a serious problem. And I want to make one thing clear. I spent five years as School Board President. New York State allows a school board to keep 2% of their budget in reserve. Right, that's a low number too, but that's allowed. I don't think the amount of money we have here, in the aggregate, is unreasonable. I grant you, there are schools here that need to step up to the plate and say, hey, what's going on? And Baruch is getting there too. It increased its number substantially this year, to the surprise of all of us who worked on a full-time basis. I'm not saying this is not a faculty concern. We should be there, but I would want us to make suggestions that are prudent, because this is real money.

Professor Levine - Terry, I almost always agree with everything you have to say. Here I have to disagree with you. I would agree with you if this were the only reserve that CUNY has. But I would like to point out, by just giving the arithmetic that our total budget is around \$2 billion and this list of expenditures is \$1.4million. So there are \$600 million unaccounted for here. That money ultimately gets spent but it's directly under the control of 80th Street, and they have huge reserves so that they can do whatever they want with it, including paying your fringe benefits, including paying for the energy. / Professor Martell - I'm not talking about 80th Street. I made no claim about understanding -- / Professor Levine - 80th Street's intent in giving us this money is that we should spend it. Indeed, this money was tied to the Compact, and 80th Street is upset, and rightfully so, that colleges which were told to hire faculty didn't. And I believe the Chancellor is genuinely upset at this. And all I can say as a member is Thank You, Matt Goldstein.

Professor Petratos - I thought that balanced budgets went out way back in the 1950s. Nobody has a balanced budget, so why should the college or the University? We heard from Al before about the reserves, I'm not familiar with that, but it's probably true. Is it better to have shortages of funds and not be able to spend the CUTRA now or 14 day savings we were told before? No, there's no 14 day savings. We have people we cannot pay. We go to the state legislature, the university, and say look, you have to come up with money. Something went wrong, something fell short, and they would come up with money. Balanced budgets are anachronistic in any book. They're operating the university with nickels and dimes anyway -- \$2 billion for 250 thousand students is less than \$6 or \$7 thousand dollars per student a year on the operating budget. Thank you.

Chair Philipp -. We will continue our series of reports by our committee chairs. Professor Jacobson is chair of the Faculty Advisory Council of the Research Foundation and as such she represents the University Faculty Senate to the Foundation. At the same time, because of her position she's a member of the board of directors of the Research Foundation which helps determine what the Foundation does and how it does it. The faculty members on the board are a

minority group. The Chairman of the Board is the Chancellor. And the President of the Research Foundation is Richard Rothbard. I'd like to invite Professor Jacobson to talk about some new initiatives of the FAC.

D. UFS Faculty Advisory Committee: Professor Jacobson - Since the hour is late and I see many people have already left, I'm going to make this very brief, but I do want to point out one thing at the outset and that is that I am very pleased to represent the research faculty at CUNY. I would hope that you take back to your constituents the fact that there is such a committee that wants to assist the research faculty in their relationships with the Research Foundation. To that end, last year, which was my first year on this committee, I sent out a note, a letter, to each of the research faculty members at each of the campuses in which I requested to know "What is your relationship with the RF, with the research foundation? Are you having any problems? Can we assist you in meeting any of the challenges that you have?" And we had a number of responses which, at our meeting with the RF, we brought to their attention, and I must say, it has been a very cordial working relationship. They addressed some of the IT issues because that's basically where they were in terms of people getting paid on time, on being able to see the accounts and how long they were left on their sites, a number of different things. This year we've gotten no such request, which is really remarkable, but I am hearing about different problems that we will, again, address to the RF. So that's one of the things that we've done. We've tried to really bring them on board and get a cooperative venture going, and it has really worked. We have a number of things that we are involved in, things that we've requested. One of the things we want to know is what happens to overhead money that each of the presidents gets? And the thing that we found out is that the faculty, for example, maybe the chairs, our governance leaders, have to ask the President what it is they're doing. What fraction, if anything, goes back to the researcher. One of the problems that the Research Foundation is having, and I fully understand it, is that while we have increased the numbers of grants that we've been getting these years, the grants are mostly training grants, and as such, carry very little in the way of overhead. Some of them carry enough, but some of the training grants that we get from NIH carry back 8%. It costs the University more than 8% to really do all the bookkeeping and everything else, and the equipment and materials

that they need to do, so we're not getting any money in terms of real, good overhead -- the 50, 57% that we should be getting from the research grants. To that end, the UFS was terrific in sending out a note to everybody at UFS to please be aware of the NIH, meeting last Friday at John Jay which invited faculty who are looking for grants to come and meet with the NIH people and find out more about what they are funding these days and how to go about writing a successful program. We are also involved with asking the RF to inform us of any new IT programs that they're doing, about the new Community of Science websites. Have any of you seen that? It's a website now that leads to funding agencies, which includes also the humanities and the social sciences. So if your campus has a Community of Science website, take a look at it, because it is really terrific. The University Research Foundation is also involved in a new program that's coming up in 2008, which is called the Festival of Science. Apparently most of the universities and some of the big research foundations in the city are going to get together hoping to stimulate more education in science, more science funding, and they're looking at some weeks-long activity, Madison Square Garden, and something of that sort, really to interest everybody in pursuing or getting kids more involved in science. One of the things that we are painfully aware of is that we are far behind most of the industrial world with respect to our science and mathematics education. We're looking at the drafts of the IRB guidelines -- these were discussed earlier. At the moment they really have to get their act together and clean up all the misinformation that we have found on it. The RF wants really to get involved in pre-awards initiatives, and they're looking at all kinds of ways in which we can do that. If you people have any suggestions, I would appreciate hearing about it. I'll give you my email address, jacobson@brooklyn.cuny.edu, and so I would welcome any kind of suggestions you might have for grant initiatives. The one new thing that I have to report, although I really don't have the particulars, is the fact that the Research Foundation is sponsoring three \$10 thousand grants, research awards, to be given one in humanities, one in social sciences, one in the sciences. And that money is to be put into their accounts at the Research Foundation and they can use it in whatever way that will foster their research. I think that that really speaks well in terms of the RF's committing to a research agenda and hopefully stimulating some research.

Chair Philipp - In terms of the indirect cost recoveries, the UFS has extracted from the Chancellery the amounts that each of your colleges get in overhead money. That means that money that comes to the college because of grant activity but is not direct cost of the grant, and therefore is spent by the college administration. How the college administration spends these moneys is of considerable interest, and it was the faculty that resulted in money coming to the college. I used to have Leslie's position as chair of the FAC, and for many years afterwards, we asked for these numbers and we failed to get them. Bill Phipps discovered that there had been actually a board resolution mandating that the college presidents report to the Chancellor every three years on the disposition of those funds in broad categories. I asked for this at several meetings of the board, and the Chancellor finally responded and got these numbers from the colleges campuses. So we have a table of numbers of how overhead recovery funds are spent by each of the campuses. There are several campuses where all the categories are zero. At the same time, these numbers are in broad categories and therefore don't really say how the money has been spent. And the broad categories are not necessarily consistent from college to college. The words mean different things. Campus faculty, and it can be individuals, can ask the college where did this number come from in this table? Say one table says that \$2,500,000 were spent on department supplies or something like that. You can ask for an itemized accounting of that, because that number cannot be fictitious. It was reported to the board as a legal document, it has to be real, and therefore they must have added it up from some other document. They must have that document. Therefore you have a right to see it. As a citizen you have the right to see it because this is a public institution. So if you wish to find out how they're spent, all you have to do is ask for them. For the table that we got from the Chancellery was an excellent starting point to ask for the details. But of course, this is campus-based. It is not the position of the UFS that should do it globally, unless the UFS were to resolve to do that.

Professor Jacobson - Let me just elaborate a little more. The category on how much each campus gets is this whole number. How it is spent is different, we have discovered in our committee, because we know that as a matter of fact, some of the committee members at some of the colleges know how that money is spent, others do not. So I would suggest that not everybody

go back and ask their presidents, but the people who are involved maybe in the research area get together or have maybe the UFS representative, or the faculty governance leader, somebody who's head of the council, ask for clarification. But one of the things that's clear is that what we would like to see done is we'd like to see some of that money go back to the department. Now, it cannot go back to the researcher, *per se*, but it can go back to the department, and then that department, that chairperson or committee, can designate some moneys for more equipment or for whatever it needs. But I don't think everybody going back and asking for this information is the way in which it's going to work. I think a body has to know what they want to do and what their expectations are. We're also hoping to get from some of these schools that know what happened some information on how it is spent by the departments, and then perhaps we'll have a better picture on what we should be doing. / Chair Philipp - What Professor Jacobson is saying of course is correct -- for everyone to do it individually would be wrong. What I wanted to point out is that individuals have a right as citizens to do that. Any person has the right. Now, college faculty governance leaders sometimes have give and take relationships with presidents that make it harder for them to sometimes ask for sensitive information. And you can certainly delegate it to any one person to do that, and you have the right to do that.

Professor Baumrin - *I also served in this position for four years as a head of the Faculty Advisory Council and therefore as a member of the Board of the Research Foundation, only that time it was when Goldstein was the president of the Research Foundation. And although he agreed that the senate ought to have this information, President Proshansky blocked making it available. And this is a very important occasion in the history of the relationship between the Faculty Advisory Council and the Research Foundation and the Chancellery that this information is available because it unveils the presidential slush funds of the individual campuses. Once we've got the information, peeling it back layer by layer should be a lot of fun.*

Professor Pecorino - *Queensborough is one of the campuses reporting dashes across the line, zero. A committee of our governance body made inquiries of the appropriate Vice-President and the narrative was in confirmation of what you described. Most of our grants are training and*

education grants. Our faculty and administrators work hard to get those grants. And my question is sort of naive and I suspect that the answer's got to do with history and politics -- I don't believe it has to do with law. Right now Queensborough let's say averages $X\%$ in indirect cost, and the Research Foundation wants $X+Y$ to cover its administrative fees, whatever they call it, so now this is what I don't understand. The Research Foundation is about research, and it is also declared legally to be a separate institution from the City University under judgments of the court for contractual reasons, what have you, although there's an intimate relation. Why then would it not be possible for campuses such as mine who develop grants such as we have in education and training to administer the grants ourselves? Why must we give that over to an independent body separate from the University? Like I say, it's kind of a naive question. I wasn't there when it all got set up, so I really don't understand it. And I'm wondering if you were on the Board, maybe it has come up, maybe it has been discussed. I would like it to be brought up as a possibility because where that leads us is, we bring in X , we have to give up $X+Y$ and that X could have been used to help support the faculty engaged in the development of those grants. So we don't have it available to us. / Professor Jacobson - I think Al can answer that question because he's been on this council much longer than I and I'm sure this has come up in the past.

Professor Levine - This has come up repeatedly. The reason that the state gives zero dollars for indirect cost recovery is that technically the indirect cost recovery is to pay for the lights and the space. The state says with excellent justification, we've already paid for that. And this is actually the answer to your question. The state in the grant wants to write a contract, and it can't write a contract with itself. So if this money is coming in as a grant money, it doesn't have to go through the Research Foundation, it can go through a foundation at your college, but it has to go through a legal entity that is separate from the college. Now, if you can find a foundation at your school that is prepared to handle the legal ramifications of dealing with the payroll, dealing with the contract, dealing with all of this, and charge you less than the Research Foundation, please, go ahead. But my experience with the college foundations is that if you think that the Research Foundation grabs money, try dealing with your own foundation. / Professor Jacobson - 8% is really a small sum in terms of what it costs to administer these grants. / Chair Philipp - I'm

changing my role here. I'd like to mention that people have actually done this, in the University, have actually used agencies other than the Research Foundation. Yes, many, many. And that in fact was a severe problem, a potential problem for the Foundation itself. It didn't like it when large grant holders such as here inside the Graduate Center set up their own puppet foundations and used those to administer the grants that they themselves were getting. And as a result, the Chancellery issued a directive some time ago directing the campus presidents who sign off on grants to make sure that those grants were administered by the Research Foundation and not by other granting agencies.

Professor Cooper - About 20 years ago when I did this we tried very hard to break it down so that each campus did this kind of administering on its own, because the Research Foundation was such a mess that people who had grants never actually saw a nickel until five and six years later. It was a nightmare of a mess. And I will distinctly remember one faculty member with live animals in his lab, where they cut off the supply fund, and all his experiment died on him because of lack of food, air conditioning, and everything else. It was ghastly. We really ran a campaign. And what we did then was we got everybody who got a grant to work it out with a friend who was at Columbia, or NYU, or California, or Buffalo or somewhere else to run it through these other campuses. And that, I think, woke them up. But if you think they're a mess now, I don't think they are compared to what they were. But there still is this problem of recovery, and I'm happy to hear that you got that far with the numbers, because we never got anywhere close to that. / Professor Jacobson - Sandi, I want to point out that the Research Foundation is not permitted to give us those numbers. They came from the University and Bill was able to get them because it was legally available. But they are not permitted to do that. I also want to point out one thing -- at the moment, we have a very good working relationship. I can call at any time. We meet first as a group, our committee meets, and after that, we meet with Richard Rothbard and his staff so that even touchy subjects that are really not within our purview but maybe somewhat within our purview, they're willing to discuss, and if we have to keep confidentiality, we do. I think it's a good working relationship. And so I'd like to see that fostered and if we can find some ways to do that, then please be in touch with me.

Professor Savage - The discussion tonight may have left people with the impression that the 8% was so modest that perhaps it was a perfectly reasonable request to demand that much because the administrative costs were that great, but actually the Research Foundation still generates, even with that amount of money, a surplus, which they can then go ahead and devote to various kinds of things. For example, there's a fund varying from a million to \$2.5 million that is skimmed off and given to the Graduate Center, where it is apportioned by the President of the Graduate Center to various doctoral programs. And the way I became familiar with this was that my own department of sociology at Queens College generates moneys which then have a certain amount skimmed by the Graduate Center. So I went down to see Bill Kelly, hoping that we were generating a million a year and I thought that we would get some share to support doctoral students on our campus, and we're told quite outright no, that was impossible, that we would continue to have to make an obligatory contribution to supporting graduate students in the sciences because we did not teach doctoral courses at my campus. I was not pleased. / Professor Jacobson - Could you email me something about that? / Chair Philipp - I'm familiar with that because that came up while I was chair of the Faculty Advisory Council. And if you recall, this was at a time when the UFS was demanding a larger cut out of the profit of the Research Foundation for things like doctoral student support, which we achieved although in a way that discriminated against the fields like sociology and whatnot. But it went into another Graduate Center fund that was applied equally. You and I discussed this issue at that time. And we were able to ameliorate the problem, but not make it go away.

Professor Pecorino - I thank my colleagues for the education, and I have a suggestion, I may alter it from the previous one. Would it be possible for a team of students from Baruch to study the Research Foundation as a project in management and give a confidential document making recommendation for improved efficiencies? It would benefit the students and it might benefit the Research Foundation. It's something to bring up to the board. / Professor Jacobson - Are there any other questions or concerns? Again, please if you have anything that you'd like to share with me, I gave you jacobson@brooklyn.cuny.edu, and I look forward to working with you again.

