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MINUTES OF THE SIXTY-EIGHTH PLENARY SESSION OF THE UNIVERSITY FACULTY SENATE
OF THE CITY UNIVERSITY OF NEW YORK

September 20, 1977

The meeting was called to order by the Chairman, Dr. David Valinsky, at 6:50 p.m. in Room 207 at the Graduate Center. All members were present except Professors Abramson, Anderson, Bellush, Buder, Coren, D'Adamo, Diamond, Donno, Dreiling, Elster, Gilbert, Hogg, Howard, Johansson, Karfunkel, Klarfeld, Krich, Leiter, Lekachman, Levy, Lutz, Nash, S. Page, Panes, Paster, Patterson, Pinciss, Ratensky, Rempson, Robbins, Rootenberg, Rothman, Rustow, Santoro, Schneider, Shmidman, Silver, and Uretsky. Professors E. Brown, Nowinski, and Yousef were excused. Professors Nachtsheim (AAUP) and Zeller (PSC), liaison members, were also present. Chancellor Robert J. Kibbee and Dr. Jean Ellis also attended. Mr. Martin Lapidus, Executive Director Northeast Regional Office of the American Association of University Professors, also attended.

I. Approval of the Tentative Agenda: The tentative agenda was approved as circulated.

II. Approval of the Minutes of the 67th Plenary Session: The minutes were approved with the following correction: Page 5, line 38: "foreign languages out of some 17, 000 including Spanish." Professor Lea (Lehman) suggested that in future when an issue such as was discussed at the 67th Plenary was on the agenda and spokesmen on the issue who were not members of the UFS attended that the number be limited. The Chair advised Professor Lea that it was the privilege of the Senate to limit the number of questions or length of debate on any issue.

III. Communications from the Chairman: Dr. Valinsky welcomed the members of the Senate to the opening session of the year and expressed the hope that the vacation period had been useful to all. He proceeded to the introduction of new Senators as follows: Professor Valinsky (Baruch), re-elected; from Brooklyn College Professors Burton, Gruenebaum, Loy and Spininger, re-elected, Professors Cantwell and Jones, newly-elected, and Professor Brown returning from leave; Bronx Community College: Professor Rempson, newly elected; City College: Professor Jiji, School of Engineering, and Professor Ratensky, School of Architecture, newly elected; Graduate School: Professors Bard, Peyre, and Rustow, newly elected; Hunter: Professors Charney, Dolciani, Santoro, Stevens and Montalvo, newly elected and Professor Pinciss returning from leave; John Jay: Professors Berger and Portner newly elected; Lehman: Professor Roberts, reelected, and Professor Lekachman, newly elected; Medgar Evers: Professor Nwasike, reelected; Queens: Professors Dierlam, Klarfeld and Wu, reelected; York: Professor Ruttenberg, newly elected; College of Staten Island: Professor Wasser, reelected and Professors Petratos and Zimmerman, reelected; Kingsborough: Professor Ceccarelli, reelected, and Professors Schwartz and Toback, newly elected; LaGuardia: Professors Davidson and Timoni, reelected; New York City Community: Professors Coren and Page, newly elected; and Queensborough: Professors D'Amico and Marcinek, reelected.

Dr. Valinsky announced too that the document on future prospects discussed in the Chairman's Report on Summer Activities distributed to members was now being prepared in draft form for circulation to the UFS. The document, he added, would be the principal item on the agenda at a Special Plenary Session to be held Tuesday, October 4, 1977. He said too that the leadership believed that the summer had been far less unquieting than that of 1976 and that perhaps there was an interim of stability in the University's life that might be put to use to think about the future.

Dr. Valinsky also called the attention of members to the other items in his written report on summer activities and commented in particular on the action of the BHE in dismissing the president of Borough of Manhattan Community College after a special sub-committee's investigation and report on his administration.

IV. Senate Program for 1977-78: Dr. Valinsky said that the first Plenary Session was customarily the time when the Senate set its program for the academic year ahead. The program for 1977-78, Dr. Valinsky asserted, has as its major thrust the vigorous assertion of the role of the UFS as the voice of the faculty in academic decision-making and the establishment of the Senate as an active participant in that process. He explained that there were several reasons for moving in this direction: 1) November 17, 1977 marks an historic occasion - the 10th anniversary of the convening of the initial Senate Conference. After a decade of activity it therefore seemed appropriate for the UFS to assess its impact on the formulation of policy within the University; and 2) as he had suggested to the membership in his letter of June 15, 1977, the year 1976-77 had closed on a pessimistic note. The faculty were discouraged that their hopes for a more meaningful relationship with the new BHE and a more receptive attitude by that Board to faculty views had not been realized and that the UFS continued to function as a body reacting to policies developed by others rather than being involved in the designing of policy. The Senate leadership had therefore determined that the situation must be reversed - the more so because of the fact that the University had apparently emerged from the series of crises and severe retrenchment that characterized 1975-76 and had entered a period of stability when attention should be focused on maintaining that equilibrium, on preserving and enhancing the tradition of academic quality and on planning future directions for the University. Throughout the summer, therefore, said Dr. Valinsky, the chairman and vice-chairman of the UFS had taken major action and had worked out a "contract" with the Chancellor that would permit the UFS and the faculties to assume their appropriate role in University governance and policy-making. As a result the UFS leadership was beginning the year with some optimism and had developed a program that they believed would establish the role of the faculties.

The program comprises five principal activities: the development of a code of professional rights and obligations; early involvement of the UFS in the study of issues confronting the University; service on special Chancellor's committees; liaison with the Council of Presidents, the joint Board committee studying academic issues at SUNY and CUNY, the BHE Chairman and BHE committee chairmen; cooperation with the UFS of SUNY; and, of course, work by the CUNY-UFS Standing and Ad Hoc Committees.

More specifically, Dr. Valinsky continued, the program includes as a first task the development of a broad-based statement of the professional rights and obligations of faculty - a statement that sets forth the faculty's role as academics, its function in relation to students, to administrators, to other constituencies, its responsibilities as professional educators and the standards of conduct it expects from itself in the performance of its responsibilities as well as the means of insuring that those standards are met. Both the Chancellor and members of the BHE, Dr. Valinsky explained, had indicated a willingness to accept such a statement and, indeed, had evidenced a desire to have it in hand as soon as possible.

In addition, the Chancellor has agreed to inform the UFS at least as early as the Council of Presidents of those areas of concern that require review and study. A mechanism has been worked out whereby the UFS leadership will

translate those areas of concern into charges to the Standing Committees or assign them to Ad Hoc Committees. A specific time-frame for completing the committee work will be set and when all the usual and necessary steps to secure UFS endorsement have been taken, the Committee will meet with the Chancellor and members of his staff to discuss the UFS recommendations or findings. It will meet also with the appropriate group from the Council of Presidents and assist in preparing a report for submission to the BHE. It is obvious, stated Dr. Valinsky, that this procedure will enhance the work of the UFS. It permits sufficient time for the Senate to investigate and develop plans in a given area and it insures that the faculty will have input into policy rather than reacting to decisions made by others.

It has also been agreed that several special committees or task forces named by the Chancellor on the basis of UFS nomination of the faculty members will be set up to consider certain areas of concern. As a beginning, the following are being established: 1) a Budget Advisory Group composed of the Chairman of the UFS Budget Committee, selected members of that Committee, the Executive Committee members of the Joint CUNY/SUNY Budget Committee, and the Chairman and Vice-Chairman of the Senate; 2) a Task Force to study and make recommendations concerning the Research Foundation. This group is being initiated as a result of concerns expressed by the Faculty Advisory Council to the Research Foundation and others in regard to the structure and operations of the Foundation. The UFS chairman has already met with the Chairman of the Board of Directors of the Foundation and the concerns that the faculty has cited have been transmitted to him in writing; 3) the UFS Ad Hoc Committee on Legal Affairs will work with the Office of the Vice-Chancellor for Legal Affairs to revise the Guidelines and Procedures for Retrenchment and to assist in the negotiations for removal of CUNY from the list of administrations censured by the AAUP; 4) a Long-Range Planning group composed of members of the Executive Committee and coopted chairmen of UFS committees will address the future directions of the University; 5) the Committee on Movement from Lower to Upper Division has been expanded to include a representative from each unit of the University and will be working with the office of Academic Affairs to formulate policy in this area; 6) a special Advisory Group to review the SEEK guidelines has been named and includes people not directly involved in SEEK as well as SEEK personnel to work with the Chancellor and his staff and with the BHE Committee studying SEEK; and 7) committees to investigate developing guidelines for consolidation of programs and faculty exchange within the University will also be set up but will work within a larger timeframe. Other such committees will be established as the year progresses.

The fourth facet of the program is the creation of liaison with the Council of Presidents, with the Joint Board Committee on SUNY and CUNY, with the Chairman of the BHE. Discussions have already taken place concerning a link between the UFS Executive Committee and the Executive Committee of the Council of Presidents. The head of the CUNY delegation to the presidents' committee on SUNY/CUNY has agreed to work out a link with the UFS too. Regular meetings with the Chairman of the BHE comparable to the monthly meetings now held with the Chancellor are being arranged and meetings of the UFS leadership with the committee chairmen of BHE committees and with vice-chancellors or university deans on issues under discussion will be held.

The details of SUNY/CUNY Faculty Senate cooperation are included in the summary of summer activities but it should be noted that joint committees have been established to study problems such as Library and Budget and these have been meeting during the summer. The two Executive Committees continue to

work together and have on the agenda a retreat in the immediate future at which plans for the coming year will be set.

The design of the program seems promising, said Dr. Valinsky, but its success depends on other factors as well. In order for the faculties and the UFS to assert its role and take its rightful place in academic decision-making within the University, the Committees of the UFS who will be making the various studies that are needed and submitting reports will be of paramount importance. The Executive Committee is therefore preparing a slate of committee memberships that it believes will insure the successful carrying out of the program and that slate will be presented at the Special Plenary of October 4. The Executive Committee has also decided to alter the direction of two Standing Committees. Thus, the Community and Inter-institutional Affairs Committee will be asked to concentrate on those areas that parallel the work of the new Vice-Chancellor for Student Affairs and Special Programs and the SGS Committee will focus on Continuing Education and on recommendations concerning financial aid for part-time students. Further, a modus operandi for committee operations has been developed and is included for informational purposes in the materials distributed to the Senate.

To make the program work well the UFS will wish too to be in close communication with the campuses. To do this two steps are being taken: 1) a Publications and Communications Committee is being set up to make certain that regular Newsletters are produced and distributed to each member of the University's faculties; and 2) each UFS delegation is asked to select a member to act as liaison to the Executive Committee and to transmit the name of that member to the Senate Office. In addition, the UFS needs to consider its relationship with campus governance bodies. The leadership has noted in the past year an increased tendency on the part of the BHE and the Chancellory to look upon the UFS as the channel through which it communicates with campus governance groups and it has noted also the responsiveness of heads of such groups to UFS requests and invitations. It may therefore be appropriate for the UFS to consult with the heads of those groups and to give thought to formalizing some liaison with them.

Finally, Dr. Valinsky concluded, to make the UFS program work will mean that each Senator must accept the obligations and responsibilities that are part of being members of the UFS. Each must be prepared to contribute time and energy to carrying out his office. If the role of the faculty in academic decision-making is to be realized, those who represent the faculty must be willing to insure that their responsibilities are met.

Dr. Valinsky then stated that although the Committee slates were not yet complete, the Executive Committee had selected the following chairmen: Academic Freedom - Professor Gosselin; Budget - Professor Ferentz; Faculty Interests - Professor D'Adamo; Community and Inter-Institutional Affairs - Professor Cooper; University Structure and Development - Professor Edgar Roberts; Undergraduate Affairs - Professor Sohmer; Graduate Affairs - Professor Caws; Research - Professor Peyre; Library - Professor Loy; and Elections and Organization - Professor Gruenebaum. Professor Gruenebaum, Dr. Valinsky added parenthetically, would serve too as parliamentarian of the UFS. Dr. Valinsky asked that those members who had not yet completed committee preference forms or Senate Directory forms do so and return them at once to the Senate Office.

Questions were raised and comments made from the floor as follows. Professor Lea (Lehman) said that as a PSC Grievance Councillor he feared that the stability of which the Chairman spoke was not for long. He said too that he

wondered how the Code of Professional Rights and Obligations would conform with the BHE By-Laws and whether it might not add to the circumscription of faculty rights. Professor Burton assured Professor Lea that the purpose was to expand the area of faculty rights. Professor Leonard asked whether the modus operandi for committees ought not to have included a statement to the effect that committee reports must be circulated to members of the committee prior to submission to the Executive Committee or the Plenary, stating that he believed the Executive Committee had agreed on this point. Dr. Valinsky assured him that it would be included. Professor Zimmerman asked why there had been no reference to external political action in the program outlined by the Chairman and he was reminded that item 6 on the agenda dealt with political action. Professor Dierlam asked whether the Chairman had any information concerning the Chancellor's response to the request for revision of the Emergency Guidelines and was told that he had indicated a willingness to sit down and review them with the Ad Hoc Legal Committee. Professor Harvey commented that as he listened to the outline of the program and thought in terms of the tenth anniversary of the UFS he was forced to conclude that in 10 years the UFS's major role had been to serve as a sounding board for the Chancellor as to what made the faculty unhappy. He expressed the opinion that unless the role of the UFS was changed and the situation improved, the existence of the UFS might be counter-productive in the sense that it provided the illusion of faculty participation in decision-making. Therefore, unless the UFS were able to achieve a substantive role in decision-making, he had to wonder about its continued existence. Professor Greenbaum asked whether the modus operandi for committees, item 1, intended to circumvent the chairmen of committees in convening meetings. He was assured that this was not the case. Professor Zimmerman said that he wished to reply to Professor Harvey and to suggest that in essence the Senate was serving in an advisory capacity, that there was no mechanism for more than the assertion of faculty opinion. Professor Valinsky pointed out that in fact the membership of each committee of the BHE included a faculty representative and that real contributions were often made in this way. There was a problem, however, that was readily discernible especially when a local issue was brought to the Board for action. He asked Professor Burton who serves on the Academic Affairs Committee to speak to this point. Professor Burton said that such local issues had frequently appeared on the Committee's agenda in the past year and the problem that developed was the Board's lack of information about the issue and the consequent tendency of the BHE to side with the President. Nevertheless, she pointed out there was a feeling, one that had been expressed by BHE members to various presidents, that the bringing of such issues to the BHE for resolution signified a failure on the part of the president. The fact that the BHE had dismissed a president during the summer might be salutary. Dr. Valinsky added that another approach might be to get the Chancellor to get the presidents to work better with their faculties. Dr. Valinsky also pointed out that the modus operandi for committees did not mention another decision made by the Executive Committee with respect to them, i.e. to keep them smaller in numbers of members so that they might work more easily and so that members would be available to serve on the various other tasks described in the Senate program. Professor Lea suggested that the wording of item 8 be changed to read "shall be asked to resign." It was agreed to do so. Professor Greenbaum asked for further clarification of item 4 concerning the review of reports by the Executive Committee and was advised that this was intended as a consultative procedure only and not as an obstacle to the work of the committee.

- V. Resolution on Removal of the City University of New York from the List of Administrations Censured by the American Association of University Professors: The Chairman reminded the membership that as they knew from his letter of June 15 and from the materials sent for the Plenary Session,

the American Association of University Professors, on the recommendation of its Committee A (Academic Freedom and Tenure), had voted at its annual meeting to place the City University on its list of censured administrations. The AAUP action was no surprise to the UFS since, again as the membership knew, the Senate and its leadership had taken a number of actions protesting the Guidelines and Procedures for Retrenchment from the time they were first proposed and adopted in August 1975.

Dr. Valinsky announced that Mr. Martin Lapidus, Executive Director of the Northeast Regional Office of the AAUP, who has been designated by the National AAUP to serve as the staff person to negotiate the lifting of censure from the CUNY administration, was present to provide some background on the AAUP's position. After Mr. Lapidus' presentation he would respond to questions. Then, Professor Galub, chairman of the UFS Ad Hoc Committee on Legal Affairs would offer two resolutions for the body's consideration.

Mr. Lapidus expressed his pleasure at the invitation to address the Plenary and at the intent of the body to consider resolutions on the censure. He said that as faculty members at CUNY, the Senate did not need to be told what had taken place in terms of retrenchment and what the effects had been on classroom activities, feelings of security or insecurity among faculty, the ability to express to the various BHEs their sentiments towards the Guidelines. He said that the deficiencies in those Guidelines had been pointed out time and again and that the report of Committee A of the AAUP had spoken of the "especially cogent analysis" of those deficiencies by the Ad Hoc Committee for Legal Affairs of the UFS. Mr. Lapidus continued by stating that the amendment of the Emergency Guidelines in May 1976 had left the deficiencies intact. Committee A's report had been printed in the April 1977 issue of the AAUP Bulletin and that report as well as the full text of the censure action were available in offprint form.

Mr. Lapidus explained that the censure list was not a blacklist in the eyes of the Association. Rather it was a warning to the academic community that as a result of a particular case conditions of academic freedom and tenure had been found wanting at those institutions listed. He said too that, given the present state of the academic job market, it was an error to think that people would not take jobs at institutions cited nor did the Association attempt to dissuade them from doing so. He explained too that the process of removing an institution from the list was complex and that sometimes because of a technicality an institution at which the deficiencies had been repaired still remained on the list. What does happen, he said, was a sense of disapprobation within the academic community. As a result of the censure the listing of jobs at those institutions were marked with an asterisk by most professional associations such as the MLA, AHA, AAAS, etc. Mr. Lapidus said too that the resolutions being offered to the UFS by its Ad Hoc Legal Committee were welcomed by the AAUP. He said too that in response to the earlier question about whether or not the Chancellor would do business with the AAUP on this question he could say that since the date of the imposition of censure, he and the Chancellor had been dueling via the mails.

Mr. Lapidus then responded to the following questions and comments from the floor. 1) Professor Burton (Brooklyn) - "Have you any idea why there was no report of the AAUP action in the New York Times or other New York newspapers? I ask this because although the Chancellor may have been aware of the action the members of the BHE were not and, in fact, most of them first learned of the censure from the Senate."/ I wish I could speak for the Times. I can tell you that I did speak with Mr. Fiske on the afternoon of the day censure was voted and it was my expectation to find an article on the subject in the following morning's

Times. My understanding is that it was cut at the City Desk but to date I have not had a satisfactory answer. 2) Professor Leonard (Lehman) - "With regard to the three failings in the retrenchment proceedings cited by Committee A I understand the one about short notice and the one about the lack of a due process hearing but I wonder whether you could clarify what is meant by lack of effective participation by faculty?"/ In part this refers to the Guidelines themselves which ask for an evaluation of the retrenchment plan but do not really provide for faculty participation in drawing the plan. In effect one gets the sense of their saying to the president, "Do what you want, consult whom you wish, but we are not issuing a directive to you." Effective participation goes beyond consultation with faculty who happen to be in the President's cabinet or who are hand-picked by the president. The AAUP document on Governance which has been endorsed by the American Association of Governing Boards as well as the American Council on Education sets forth what is meant by effective participation. That statement was drawn up in 1966, of course, and makes no mention of retrenchment, though it probably would if it were being written now. 3) Professor Baumrin (Lehman) - "Is there any tendency in the National group to reevaluate the Statement on Governance to include Retrenchment?"/ No, there is not an intention to rewrite the statement on governance but there are other policy statements that speak to retrenchment such as the document on Financial Exigency and Program Reduction. 4) Professor Zimmerman (College of Staten Island) - "It strikes me that a statement in a footnote such as the one you referred to before is not very forceful."/ There is also a separate statement on faculty participation. 5) Professor Mapp (New York City Community) - "I am not sure what you meant when you referred to preliminary dueling between you and the Chancellor. Has he given an indication that there are any plans to meet, etc.?"/ If the Chancellor had said to me "come" the day the censure was imposed, I would have come. The Association is anxious to work with the UFS, the Chancellor, the BHE to remove the University from the censure list. We want a shortened list. Professor Mapp further asked - "What about the BHE?"/ I have written to the BHE too. In terms of the mail duel the ball is now in the Chancellor's court.

Dr. Valinsky thanked Mr. Lapidus. He then introduced Professor Galub to offer the proposed resolutions. Professor Galub moved the adoption of the resolution on the lifting of censure. The motion having been seconded, discussion took place. The discussion suggested that members were as much concerned, if not more concerned, with rectifying the conditions that had led to the censure as they were with the lifting of censure. Several members suggested that the remedying of the conditions ought to be the central focus of the resolution rather than the lifting of censure. It was pointed out that the second resolution to be introduced following the action on the first did deal with the issue of rectifying conditions in a more direct fashion. Other points made in the discussion were that the language of the resolution was far too mild, that the emphasis on dealing with the AAUP was misplaced, that the language was not clear, that there ought to be a mechanism included to compel the Chancellor and BHE to inform the Senate of the action taken. In response the points were made that the censure was the product of an action by the AAUP and that the negotiations to remove it had to be carried out between the University and the AAUP; that the position of the UFS on rectifying the conditions that had led to the imposition of censure had been expressed time and again in resolutions of the body etc., that more forceful language was acceptable to the drafters if it were suggested by those who objected to the language in the draft, that the resolution as it stood was not in need of amendment editorial or otherwise. The question was called on the resolution as circulated. The moving of the question was passed and the motion to adopt the resolution was passed. (A copy of the resolution is appended to these minutes.) It was then moved, seconded

and passed to suspend the rules and move to item VII on the agenda before completing items V and VI.

VII. Chancellor's Report: Chancellor Kibbee announced the following changes in personnel that took place during the summer: 1) the appointment of Dr. Joel Segall as president of Baruch College; 2) Dr. Roscoe Brown has been named president of Bronx Community College; 3) Peter Caffrey will serve as acting President of New York City Community College and Anthony Santiago as acting President of Hostos Community College; 4) Nathaniel Siegel continues as acting president of Queens College and Joshua Smith assumes that post at Borough of Manhattan Community College. Several Search Committees are at work although activities were slowed during the summer - the Committee for a Vice-Chancellor of Academic Affairs under President Proshansky and the Committee for a Deputy Chancellor chaired by President Lief are well along in their work; the Committee for a Vice-Chancellor for Student Affairs and Special Programs under President Marshak has organized itself. The Committee for a President of Queens is at the interview stage and committees have been established for New York City Community and Hostos Community Colleges.

Chancellor Kibbee also said that he was sorry to announce that Acting Chancellor James Kelly of the State University suffered a serious heart attack last week and was in intensive care in an Albany Hospital. Word from Albany now says that Chancellor Kelly is progressing well and may be released from the hospital within the next ten days to two weeks. His illness led to the cancellation of a meeting of the respective staffs of the SUNY and CUNY Chancellories to consider agenda items for the joint CUNY/SUNY Board Committees.

Chancellor Kibbee informed the Senate that the BHE had decided to parallel the activities of the UFS and USS and form a committee of Presidents from CUNY and SUNY to work on coordination. Two meetings of that group have taken place and the group is working on areas for mutual advancement. There is, of course, also a joint Board committee for cooperation.

The state of the Budget for 1977-78 and 1978-79 was the next subject of the Chancellor's remarks. He said that the University received approximately \$465.5 million for 1977-78 an amount which is theoretically only \$6 million less than 1976-77. From the point of view of the operating budget, however, the amount is somewhat lower since funds that are not spendable are included in the allocation. The budget is thus an austerity one but one that the University can operate on without the blood and gore of 1976-77. It is sufficient to keep the University from suffering any short notice retrenchments although one caveat should be noted - the budget is put together in such a way that the revenue from student fees and tuitions is pegged at a very high level by the State and to the extent that that amount is not achieved the budget is threatened. The figures on enrollments are not yet complete but they seem, in general, to be holding up although there are a few trouble spots that could develop.

The University is in the process of preparing the 1978-79 budget. The state schedule is a tight one and fraught with some uncertainties. A tentative request must be submitted by the end of September and a formal one will be submitted after the BHE October meeting so that a Public Hearing on the request will have taken place. There are a lot of ground rules laid down by the State for the submission of the budget request and one problem is that the University has not yet found itself in agreement with the State on how to present the senior college budgets so as to reflect parity and equity. The question is what kind of formula does one develop to place the senior colleges of CUNY in better perspective than

they were placed by the State Budget Office in 1977-78. The University needs to find a way to show how its senior colleges reflect the State University University Centers rather than the four year colleges. The University has now developed a document which the State Budget people have accepted conceptually but there has been a slippage in the past between concept and figures; hopefully, this document can be used. In any case the intent is to present the budget request as the University sees it and continue discussions until December when the budget will be wrapped up for inclusion in the Executive Budget to be presented to the Legislature in January.

There is another major question in respect to the 1978-79 budget and that is largely a political consideration, i.e. the extent to which the City will contribute to the senior colleges. The official position has been that the City intends to withdraw all support; that was changed for 1977-78 to a 25% contribution. The question is befogged because the present City administration has a finite life now and although the mayoral candidates have indicated a desire to continue support they haven't yet had to make a budget. When they do, their statements may get lost. As a University therefore we have to give our attention to the developments in this area during the next several months. If the question is resolved in the University's favor, it should hold for some reasonable time barring some financial catastrophe.

The Chancellor reported too that the BHE has been involved since early summer in a long-range planning enterprise. They are looking at the University now, at the demography of the City and the colleges, and trying to arrive at some future plan for the University. Two sessions have been held and there have been conversations with the Chairman of the UFS asking him to arrange for a meeting between the Chancellor and representatives of the faculty to keep them up-to-date and to get input on data, etc. The Chancellor remarked also that the Chairman of the UFS was a faithful participant in the meetings of the BHE Committee too.

In addition, the Chancellor announced, a meeting is being set up to which the Chancellor, the Director of the Budget and others on his staff, and the Budget Advisory group of the UFS will be invited. The purpose is to go over where the University is in its budget request and the intent is to keep the group an on-going one. The timetable for the community colleges, the Chancellor added, is not as stringent as that for the senior colleges but since the University wishes to put the request together in one piece for the Public Hearing the budget for the community colleges should be ready at about the same time as that for the senior colleges. The community college budget, he explained, is easier since it doesn't have to conform to the State regulations and since the University is more familiar with City procedures.

There is a proposal on a testing program that is almost ready to be put forward. The proposal grew out of the Report of the Committee on Movement from Lower to Upper Division, a faculty group, meetings held on the campuses by the office of Academic Affairs, and is now going to be put before a meeting of the expanded Committee before being submitted.

Chancellor Kibbee then spoke to the coming year. He welcomed the members back from what he hoped had been a pleasant, profitable and productive summer and said that he thought as one looked ahead to the current academic year, it was helpful to look back. If one reflected on the state of affairs 15 months ago, one recalled that the University was closed, that it was in the midst of a crisis that replicated the crises of the City and State. The new BHE was then involved in a Draconian and drastic separation of people from the University's payroll - an ac-

tivity that was carried on with great pain and a tragedy for the University. We were also involved in preparing the budget in a new form, in dealing with the TAP program applications. It was a hectic, confused, horrible situation. Although some of the scars are still with us and the financial situation is hardly bright, although the budget is hardly luxurious, we have for a moment some stability which we can use to plan intelligently for the future - a future that is not going to be affluent, but we do have a moment of breathing for which we are thankful and it lets us deal with the future more rationally than the past. I hope that I can work with you and you with me to do that although I know that there will be times when our paths are crossed - but this wouldn't be a university if that weren't the case.

Chancellor Kibbee then responded to the following questions from the floor. 1) Professor Wedeen (Brooklyn) - "In relation to your statement about the testing program, if someone from your office has not been to a campus who should take the initiative to have someone come? On my campus there has been no contact with your office."/ He has been and gone. The Vice-Chancellor has made appointments with the President and asked for faculty, students, and administrators to be brought together to meet with him to discuss the proposed program. 2) Professor Burton (Brooklyn) - "After the convocation with Representative Koch last week I was concerned about some of his statements. The UFS raised a question about the declining budget of CUNY and the increasing aid to the private sector and asked his view on whether this was an appropriate use of tax-levy funds in a period of fiscal constraints. Representative Koch's response suggested that he did on the basis of the information that he had. He also made comments about faculty being over-paid and under-worked, about the privates being able to educate more cheaply than the public institutions, etc. What plans do you have to reeducate him?"/ We have requested a meeting with him. I did not find his remarks terribly distressing because his information simply is not true. I am assuming that he is intelligent and educable and it behooves us or any major group to try and bring him the realities of what is going on here. He has made statements concerning the University's remaining independent, its being an important resource, etc. but his view is hackneyed; it is a Daily News editorial approach. Professor Burton further asked - "Is there any possibility of obtaining a fact sheet that shows the cost at CUNY as compared with the cost at the privates?"/ We have been working on developing that information and we are hopeful that through the state group of public and private institutions (ACUSNY) we can arrive at some common definition. 3) Professor Milentijevic (City) - " I have a question concerning the budget. To the extent to which the budget will be affected by the number of students enrolled and since the BHE voted to give aid to community college students only leaving part-time senior college students without financial aid how is this affecting part-time enrollments in the senior colleges?"/ Some presidents say it is; others that it isn't. The situation is not clear yet. I can't help but think that the lack of financial aid will affect part-time enrollments in the senior colleges. Some part-time students are becoming full-time, if they can but it is not a possibility for many or most of them. The problem that the BHE had, as you know, is that unlike last year when it could plow back some of the revenue from tuition into a fund from which all students needing aid could receive it, they couldn't do it this year. They were faced with a Hobson's Choice really - to reduce the senior college budgets to obtain the necessary funds for financial aid for part-time students or to refrain from providing aid. The State Budget Office, of course, is fearful of establishing a precedent that will affect the State University and this identifies the difficulty that the University has under State auspices; they want to treat us homogeneously and they fail to recognize the differences among various areas in the state. It is hard for the state Budget Office or the Governors office

to make the appropriate distinctions. 4) Professor Ferentz (Brooklyn) - "I dislike raising campus parochial problems here but we have been told that a representative from the Central Office came to our campus and met with the President and some people chosen by the President without the faculty leaders knowing anything about it. This came three months after the BHE adopted a governance plan for our college under which the President removed himself and his administration from the Faculty Council and the faculty. How would you suggest that the leaders of the faculty address a request to the Central Office that someone talk to the faculty?"/ I guess you would have to ask them. 5) Professor Leonard (Lehman) - " I think you've been talking about about a survival budget but isn't it also important to talk about a budget for development of the University so that it may resume its proper place in terms of quality, etc. A year ago we urged that there be some kind of inventory drawn up of what has happened to education in the University - in my department, for example, work loads have increased 44% and that is bound to affect the educational process. It is a problem that must be addressed; we must look beyond a survival budget to one that will insure the quality that makes the University great."/ I agree. One of the things we have been trying to do with the State is just that but it is false to think the State is going to infuse large sums but they may give some. We have to look at our own problems, e.g. there are places with few students and lots of faculty - situations that have developed over time and have built up internal kinds of problems. When the State looks at us it asks the student/faculty ratio in say humanities and concludes that it is not too different from that in other institutions and asks what are you complaining about. The student/faculty ratio is determined in a kind of mechanistic way and doesn't really reflect how people are distributed throughout the University. The solution is not to get rid of faculty but we may have to adjust imbalances over a period of time in a way not totally disruptive to the lives of faculty members. I think this is the kind of thing we should be doing. 6) Professor Cooper (College of Staten Island)- "Last spring I spoke about my experience in hiring adjuncts and the list of retrenched personnel. I have just had the same experience. I had the occasion to hire adjuncts and was unable to locate any list in the Central Office. Did you look into the situation?"/ Other members indicated that they had had success in locating the list by calling Mrs. Judith Weinberg, director of University Personnel. 7) Professor Wasser (College of Staten Island) - "Chancellor Kibbee, could you give us some indication of the differential funding form you have proposed and the State has accepted conceptually?"/ We have tried to work this out in the professional fields where we are developing student/faculty ratios that reflect the situation. We are using the criteria of various professional associations to buttress our arguments. In doing this we are trying to increase by a coefficient the relationship between the four year colleges and the University Centers. We have had teams of faculty and administrators from various units with professional fields to help work out the papers that can be translated into formulas. The State, of course, is also looking at the loss of students from the University because the loss of students means a loss of funds. 8) Professor Baumrin (Lehman) - "Are you prepared to suggest to the BHE that it withdraw the guidelines on workload that were adopted in July 1975 since they are no longer relevant?"/ I don't think so - not yet. That's a big move. The workload thing does reflect the difficulties we have. They shouldn't be different in institutions of similar kinds - there are minor differences but not great ones. Professor Baumrin further said - "I know you have a terrific computer but the guidelines could be used by some administrators to color the situation for different departments or individuals to have 12 hours when the canvas shows 9. They are backed up with a document that 12 hours are required. There is clearly a gap between the implementation of the document and your attitude towards it and this has been made clear on a number of occasions."/ The real problem is that any kind of policy of that sort can be

used by people in ways it was not intended to be used. We could easily say everyone teaches 12 hours but I see it being used with an exercise of academic judgment. There are often reasons why some people should be teaching nine hours and others twelve and so forth. It is a reflection on academic leadership where they are not being used in this way. 9) Professor Wakatama (Medgar Evers) - "You spoke of a funding formula being developed on the basis of professional programs. If each of the programs is funded according to this formula how is the money going to be distributed - will the funds be general or earmarked for the program?"/ The money will come in so that it is not earmarked absolutely but can be used in a general way. Professor Wakatama further asked - "Could a unit cut things from a program which was the basis for the funding?"/ Yes. 10) Professor Stansky (Baruch) - "In your remarks on student/faculty ratios the emphasis was on faculty productivity, has any thought been given to the product? I think the emphasis should be there; it used to be and we were proud of our product. We used to boast that we had the largest number of graduates who went on to the PhD of any institution in the country."/ I hope we don't have to make that kind of absolute distinction. When the situation is that you are dealing with people who control the money - the City and State - and they have to want to invest in this product then you are controlled. If we could agree that twice as much money would result in twice as good a product then I hope we could argue that this is reasonable though not optimal but it is hard to argue.

V. Resumption of Item V: Professor Galub moved the adoption of the second resolution proposed by the Ad Hoc Committee on Legal Affairs, "Resolution on the Role of the UFS Ad Hoc Committee on Legal Affairs". His motion was seconded. The previous question was moved and passed and the resolution was adopted.

VI. Organization of the Senate for Political Action: Professor Valinsky announced that on September 12 the UFS Executive Committee and others had participated in a special University Convocation for the run-off candidates in the Democratic run-off primary. Only Mr. Koch had been present and various questions were put to him and his responses heard. The experience had shown that there was a need for activity during the coming months to educate him as well as other mayoral candidates concerning the University. This was a job which many in the University needed to undertake including the Senate. The officers of the Senate together with the chairmen of the Budget and Structure Committees would therefore constitute a Political Action Group. Other members of the Senate who wished to volunteer their services for various political activities were asked to notify Dr. Ellis in the Senate Office.

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Radmila Milentijevic
Secretary