

SUBJECT TO SENATE APPROVAL

MINUTES OF THE ONE HUNDRED AND SIXTY-SIXTH PLENARY SESSION  
OF THE UNIVERSITY FACULTY SENATE OF THE CITY UNIVERSITY OF NEW YORK

September 27, 1988

Chair Wedeen called the session to order at 7:05 p.m. in Room 207 at the Graduate School and University Center. Present were Senators Aaronson, Bank, Barbanel, Baumrin, Baxter, Beaton, Beheshti, Binder, Bishop, Blanks, Bleyman, Bohigian, Brady, Broido, Bronars, Brooks, Brower, Canate, Carro-Kowalczyk, Cohen, Cooper, Cravzow, Danziger, Dapas, Donleavy, Donoghue, Feldman, Galub, Geach, Gordon, Greenbaum, Grossman, Gura, Hill, Huang, Jiji, King, La Rubbio, Levine, Lidov, Lundeen, MacLennan, Magid, Mandel, Matthews, McCall, Meyers, Muehlig, O'Malley, Otte, Parkhurst, Picken, Riley, Rodriguez, Segal, Shaffer, Shogan, Sohmer, Squitieri, Stern, Taylor, Trefousse, Umolu, Wedeen, White, Zades, Zaneteas, Zarin, and Zinberg; Alternate Senators Barley, Bastos, Byron, Hager, Hough, Keane, Markoe, Patterson, and Svitak. Senators Davidson, Jaffe, Plissner, Schuyler, Stroup, and Yousef were excused. Chancellor Joseph S. Murphy, Vice Chancellor for Budget and Finance Joseph Vivona and UFS Executive Director Ellis also attended.

Chair Wedeen welcomed back the members, stating: Here we are and it seems as though we just put a comma where we ended off last spring-- and have returned. But really, from all the information I have received from many of you, I think that we can say that the faculty, by and large, did enjoy a productive and a good summer and we are all back here and hello to each of you collectively and individually. And we will go on where we left off.

I. Approval of the Proposed Tentative Agenda: Chair Wedeen asked for a motion to approve the proposed tentative agenda. The agenda was approved by motion duly made, seconded and adopted.

II. Approval of the Minutes of the 165th Plenary Session: The Chair asked for approval of the minutes of the 165th Plenary Session (May 17, 1988) remarking: You can remember that far back? A motion was made, seconded and adopted and the minutes were approved.

III. Communications from the Chair: The Chair reminded the Senate that most members knew, but for those who were new, she explained that most of her communications she wrote down and sent to them so that at a Plenary, the body didn't go over pieces of information. This was done also with the members from the Senate who are on the various Board committees. So that where possible, communications were provided in writing. However, there were always a few items that were taken up at the session either because they occurred too late to get into print, or because it was felt they had the kind of interest or import that the body would like to discuss further. Her material was in the back of the room. But there were two or three items that did occur after the written material was run off.

This past weekend, or before the weekend--Thursday, Friday and Saturday, she continued, SUNY held its annual faculty meeting. SUNY's members are spread throughout the State, as most Senators knew, and are in sixty-four colleges; and so the SUNY faculty does not have a plenary as CUNY does once a month. They have individual meetings on their own campuses; and the collective governance really meets

for three days once a year, right at the beginning of the year. It has been their policy to invite the Chair of the CUNY Senate so that we can keep more in touch with each other and have fostered the close relationship between the two large units in this State so that we are not only informed, but can be of assistance to one another. It was my pleasure to be there this past weekend and give them your greetings and wish them well this year on behalf of all the faculty from the City University to the State University.

At their large meetings, the SUNY Senate then holds major conferences. As we have the committees that work all the time, their committees set up one and two day crash conferences; and then, occasionally set up different kinds of meetings throughout the State which they feel will be of interest to large numbers of faculty members. One of the important ones that they are putting on this year is one on AIDS. They are running a two-day symposium on it; and people throughout the State, plus invited speakers, will be coming in to handle this. Saturday morning, Chancellor Johnston gave his first major talk to a faculty group. He stressed the budget particularly and some of his plans and aspirations. He emphasized the fact that it was important to keep most of the negotiations quiet until they came to fruition so that they could be of assistance to one another and the executives in Albany without offending anyone; and said his three-point goal for handling the budget would be 1) adequacy of funding on the campuses, 2) flexibility so that it could get moved around when the money was needed, and 3) predictability so that one could plan ahead and know what was a base budget at each unit before the year began. He closed by looking at me and stating that when he got the job, he made his first call to his wife, and his second call to Chancellor Joe Murphy. It is their wish, as I know it is ours, to keep as close as we can with them, and therefore, support one another and see if we can solve some of our mutual problems a little more adequately so that each group doesn't have to rediscover the wheel.

Chair Wedeen reported also that on Monday, September 26 there was a reception at Gracie Mansion sponsored by the Mayor to let the public for the first time see the video document "Safe Passage". It is a document, she explained, which was put out by the New York City Police Foundation which is chaired by President Lynch. It is children talking to children about the necessity for staying off drugs, the problems of drug abuse, and introducing what has been going on and hope will go on much further and perhaps she hoped to bring this to the body again at some future time: since the document stressed the importance of educators getting to the very young before the drug problems start. This particular film and the program right now, as explained there by Police Commissioner Ward, President Lynch, the Mayor, and the Board of Education, Chancellor Green, was to bring the importance of prevention to the very young. They were dealing with children grades four to six. Hopefully, they will expand this and go to the even younger, starting in the first grade, not only subsequently in the junior or senior high which has been the thrust in the City for sometime, since that's very often quite late. At that point, one is dealing with many children who are already in the habit of taking drugs and have to undo it. The hope in this city is perhaps to get to the very young before it even gets enhanced any further.

Chair Wedeen said she wished to communicate one other point of information: Those who are affiliated with Manhattan schools--the Manhattan colleges, where the Borough hearing the Board has once a year in each Borough for people in that Borough to speak to the Trustees and have direct contact with them will take place in the Blue Room at City Hall, September 28th from 5:00 to 7:00 o'clock (sic). If people wished a spot on the agenda, they should be sure to call in so that their name got on

the list. Call the office, she continued, or call Chairman of the Board Murphy's office and they will take the appointment for you and put you on the list. Those primarily are the additions to her communications, she said, that she would like to share with the body, with the addition of something that many members on individual campuses already knew, but some might not if it hasn't hit their particular campus. There will be three Presidential searches begun early this academic year, a continuation of Searches at Medgar Evers, and New York City Technical Colleges, and one beginning at LaGuardia Community College. The Trustees and faculty, students, alumni and Presidents are all involved in the process. At Medgar Evers, Trustee White will Chair; New York City Technical College, Trustee Cenci; and at LaGuardia Community College, Trustee Everett.

V. Reports of Faculty Members of Board of Trustees' Committees : Chair Wedeen said that the reports from Executive Committee members who are on Board committees are in the back. If there were any questions about them, please, in the course of the meeting we will get to them when we go to new business. Feel free to bring them up and question anyone of us about any of the meetings we have attended or reported to you.

[Copy appended to the minutes.]

V. Chancellor's Report: As is our custom, we always invite and always have with us Chancellor Murphy who brings us up to date on what he feels would be of interest to us in the Senate; and then is always willing to entertain and answer our questions and try to have a give-and-take that we have all learned to enjoy and expect through the years. So, if I may introduce to you now Chancellor Murphy.

The Chancellor thanked Professor Wedeen. He said between Chancellor Johnston and me (is that right, me?) is that my first phone call was to my mother. (a member interjected from the floor) and the Second? The Chancellor responded, "To my wife and the third to my former wife and the fourth..."

The Chancellor then reported that the University has 188,000 students more, apparently, this semester, that he believed this would be a high for the decade and in fact, that it might be a high for the last two decades. Percentage points are not dramatic, and they reflect more than simply the demographics. This high school class for some reason is a little bit larger than the preceding or the succeeding high school classes, he noted. There is a bit of a blip, but, more importantly, the transfer rate is up, and there is a pattern of students who have gone off to residential institutions for a year, returning home and attending City University and across the board. He said, I have never really been able to understand why anybody went to Plattsburg for culture and left New York to do that. But each year he received a postcard from the President of Plattsburg. He did not even know where Plattsburg was, he continued, also someone present no doubts knew, that it was probably very pleasant and a very nice place to be. What happened, he guessed, to a large number of students is, they went off and then wanted to come back again and CUNY was seeing an increase of transfers from those places and also from private institutions where students were becoming increasingly sophisticated and realized that a far superior education is available in The City University of New York at a much lower price than that at most of the privates in the State of New York or most of the privates in the country, for that matter. The University was going to study it carefully this year especially, and a full report would be prepared, and Dr. Wedeen would have a copy of it for the benefit of all.

The Chancellor reported that the State has a problem of about a billion three

hundred million dollars. This problem is due to the fact that people dealt with their taxes differently as the result of changes in the personal income tax at the Federal level. Because State local taxes are linked as a percentage of Federal taxes, and because people did not sell goods in which there would have been a very substantial capital-gain penalty, the tax specifically related to the capital gain, was reduced substantially and the State has a far greater problem than it had originally anticipated. Last year, you may recall, he said, as a consequence of precisely the same changes in the law, but one year earlier, there was a good deal of sale and therefore, a surplus generated in the capital gains tax accounts in anticipation of the new tax law. The result was that a surplus in tax revenues had been generated in the capital gains tax accounts in anticipation of a new tax law. The result was that a surplus in tax revenues had been generated and those monies (almost a million dollars), set aside for other projects in the State, including transportation and housing. In order to balance this year's budget, it was necessary to borrow against those savings--and the State did so, and yet, now faces what they believe to be a \$1.3 billion problem out of a \$4.6 billion budget in the State of New York. One might say that all that is required in this mathematical process, is to count the money as it comes in. That is to say it is addition. And then, count the money as it goes out. Namely, subtraction. So, how can it be that a sophisticated bureaucracy operating in Albany can't add and subtract with a greater degree of accuracy than that entailed by the magnitude of the problem which they now face? You may ask, But they do. They have told us to anticipate a \$40 million cut in our budget. That is to say, they have asked us to plan one. They have asked the State University to plan on what amounts to a \$90 million cut in the budget. The Chancellor of the State University replied by saying he would close campuses and raise tuition. We replied more quietly in a letter by saying we would fire people, on the assumption that saying that you would fire people generates more in the way of political pressure than raising tuition, which in the State University is not an issue. It is only an issue in the City University. No one really quite knows what the best way to deal with these kinds of situations is. There are solutions to the State's current problem. One very easy solution is simply delay the implementation of the tax-cut legislation that was passed last year. Delay it for a year or for two. It is a very modest cut in terms of what it actually amounts to in a person's personal income in the State of New York, although, it is a substantial cut. Probably they overcut in their eagerness to be a place that attracts and keeps business. My sense is that they have overdone it and that everyone knows in the back of their minds that these cuts are not tolerable and cannot take place. Nobody wants to deal with the issue till after the election, and no doubt will deal with it after the election. I never know whether to appear to get hysterical or not about these matters. These cuts are of such magnitude that it doesn't appear to be sensible to overreact so early. I don't think they can come about, and I don't think they will come about. I think we are going to simply have to watch scene after scene after scene in the theater of the absurd starting early this year and going on throughout the course of the whole year; and it is going to be just one of those years. However, quite apart from what the dramatics might be right now, there are certain other long-term considerations that I think have to be taken into account and I want to mention what I think they are--at least what one is, and to say what I would like to do about it. Everybody knows at some level of know, that we have to pay for these last eight years in which the country ran up the largest deficit in its history, becoming effectively a debtor country. To give you a very graphic presentation of the condition of the American economy: At our present rate of accumulation of debt, by the year 1992, the ratio of debt to GNP in the United States will be the same as it is today in Argentina. A member interjected from the floor "As it is in Argentina?"/Yes. If you think about that for a moment: In fact, we will have the

same ratio of debt to GNP, as a Third World country. It cannot clearly whoever is President be allowed to continue. One of the ways you pay for having had a party that went on too long, is of course to tighten your belt; and we all know whose belt gets tightened. It is never the people who went to the party; and the result will be that there will be an accommodation in the economy. There has to be, and there will be, and that accommodation will have dramatic effects for the society at large where we would anticipate that some inflation-depression formula is before us. And this is not my prediction, but it leads to the point that I want to make. I have been meeting with a lot of economists throughout our University: political economists, people who have some sense (economics historians), some sense of the condition of the social and economic condition of our society; and I continue to meet with others to consult with them about their assessment of where we are. - I think what we have to be anticipating - I don't mean to be hysterical about this I think that no matter who is President--I don't think it is a question of Democrats or Republicans--I think that there is a if not dramatic in terms of cataclysmic shock then certainly in a rapid piece of erosion in the quality of life for most of us and consequently for our University and certainly for public institutions. My notion is, my sense is, that almost everybody I talk to, and I have talked to many of your colleagues, that this view is generally rather widely shared. The other, which is not quite as widely shared, but closely linked to it, is that there isn't really very much to be done. I mean, there are some who believe that there are solutions. But for the most part, there is this sense of futility among some of the people I have talked to. Now, what I would like to suggest is I have asked the Presidents to do this, and I asked the Senate as well to do this, - if they would kindly provide me with a list of names of people in the University, among yourselves. Clearly, there are in this room people who could be of assistance. I would like to have an opportunity to meet from time to time with groups of people; get a clear notion of their view of the new-term future in terms of our economy and what the social consequences are of different scenarios relative to the economy in the next couple of years. I think that that will enable the University to act in more intelligent ways. No one in the State asks these questions. Certainly no one in Albany asks questions about anything that goes beyond the next election, and there is an election every two years. My guess is that we don't use the tremendous resources of the University itself to be able to counter the sort of immediate, daily, concrete pragmatism of our colleagues in Albany by having a larger, richer, deeper, historical view of the state of the State and of the country, and consequently the University. So, I ask this in a formal way. I hope that that will be responded to.

On the Community College budget: The Mayor has announced something called "TNT". Something about taxing the entire City budget one-and-a-half percent to reduce drug addiction in New York City. This amounts to about \$3.5 million, Joe? [Vice Chancellor for Budget and Finance Vivona] And my guess is that we will succeed in dissuading him that cutting money from an Education budget in order to cut out drug use is not rational. In fact, it is contradictory, and that it doesn't make any sense. But, if we are absolutely obliged to do it, we will take all the money we now spend in drug education and monies for health professionals, social workers, teachers, and so on, in drug education, give it back to them so we can put it into the Police. He is the Mayor and he should have his way.

As far as construction is concerned, The Chancellor continued, I don't have to tell you, those of you who are on campuses in which buildings have opened up- the Benjamin Rosenthal Library opened at Queens two weeks ago, I guess, and it is a magnificent building and those of you who are in the neighborhood will want to look at it; John Jay's renovated site just opened this month; Medgar Evers' new facility

has opened, and planning for a new facility will be underway I hope soon; the New York City Technical College Atrium opened last semester. I have to say it was a rotten piece of luck. The Atrium is all glass and it was opened on a rainy day. There was no way in which that building wasn't going to leak. But fortunately, all the architects, designers, construction engineers, and so forth, responsible for the Atrium, were in it while it was leaking, which was my annual instance for the proof of the existence of God.

The Chancellor concluded, stating that he had some other items that he was going to omit and answer questions, if there were interest in them.

I just want to mention three things that I have taken a public position on and would seek the Senate's support on. I think they are all important, although not all equally important. 1) First, we have taken a pretty strong position as a University and have written a lot of letters to Congressmen on the Welfare bill. The Welfare bill is just about ready to become law. I personally believe there are a lot of things wrong with it. But there is one issue that is a public issue that ought to concern you as well: We have been outspoken on this issue and I hope that you will be supportive of it as well. Persons on welfare can go to school, provided the training is related to the acquisition of a particular kind of job without losing welfare benefits. But if they go to school and major in an area that the caseworker deems not related to getting a job, they lose their welfare. This is a transparent device it seems to me, not simply the obvious reason which is to save money, because it isn't clear that it does. But to argue that the society's obligation is to enable someone to acquire only a kind of technical or manual training to enter into the work force at entry level in order to remove them from the Welfare roles. This means, of course, the training then ceases and they remain arrested at the level in which they entered the job market, which may be good for people who hire them, but it's not good for them; and this program ought to be better for them, and that means that people should be permitted to study whatever it is they want to study, including taking a degree in philosophy, without losing their welfare support. In fact, there are very few people with degrees in philosophy on Welfare which suggests...

2) An issue that the University is going to take a strong position on and which I would hope that I would get Faculty Senate support on is part-time-tuition assistance. You will recall, some of you, at any rate, that six years ago we got the Governor in, I believe, the first State-of-the-State address to include a piece of legislation providing for part-time-tuition assistance. The first State in the country which took that position. Unfortunately, the legislation, when it got into the Senate, was badly mangled, and the conditions for actually getting part-time tuition were so onerous that the money wasn't even spent, and in any event, the amounts of money were very small, only \$11,000,000, I think, out of a tuition-assistance-program bill that I believe is close to \$300,000,000. Even then, it was impossible to spend even the \$11,000,000. Our own colleges didn't really participate fully in the program because part of the onerous conditions of the part-time-tuition assistance-program was that if the student didn't complete the course successfully, the college was responsible to return the money to the State. It was clearly intended to discourage the use of part-time-tuition assistance; and it has succeeded. The result, however, has been that there has been a kind of quiet conspiracy among everybody not to deal with this issue--I think. I think there is even a tendency in the University not to want to deal with it because after all, what a lot of students in our University do is sign up for twelve semester hours even though they are working forty hours a week. In order to get their tuition paid for on the tuition-assistance program, they are oversubscribed. They are taking too much. They fail.

They blame themselves. They drop out of school. And we have created somebody who might have had a chance, who then feels badly about themselves. In fact, rather than do what this was intended to do, which is to alleviate human misery, it contributes to it. We would like to see this change. We are going to make this a central issue for the University in our legislative program this year, even though it is not for us only a budget issue. It is really a State issue.

3) Also a public issue, and I believe it is important for the University. I don't know whether we are the only university, but we have been fairly outspoken about this FBI and the libraries thing. I know it is silly. But I know it is also frightening and we are going to continue to ... I think it was Kirkegarda who said something about we are in a situation of the man who owns a theater and in the middle of a farce gets on the stage to say to the audience: The theater's on fire; and they think it is part of the farce and they keep applauding and laughing; and he keeps saying the theater's on fire and they applaud and laugh. I feel a little bit like that theater manager on this FBI issue. I mean, there is a sense really in which it is so absurd. Mind you that the FBI has reported that it asks librarians to report persons who use the library who may have East-European accents. That could eliminate large percentages of our faculty. The absurdity of it is precisely what frightens me because it is too easy to laugh at it and I think it is a position that is important for us to take and to pursue. We really don't want the FBI talking to our librarians about their hypotheses about who may have wandered in with whatever kind of accent and asked for whatever kind of piece of research, so that they could discover whether or not national secrets are being given away. That concludes my comments, and I would be happy to respond to whatever question you would like to raise with me.

Chair Wedeen interjected (to the Senate): May I ask you please to come to the center mike. Give your name and your school.

1) Professor Fred Greenbaum (History, Queensborough Community College). "I was just wondering, in the overall budget problem: If the final year of the State tax cuts was rescinded, has anybody worked out how much money would be coming into the State?" / Chancellor Murphy replied Joe? [Vice Chancellor for Budget and Finance, Joseph Vivona] \$600 million dollars. Professor Greenbaum repeated "\$600 million? That's most of the problem they have. \$600 million." / Half of their problem. That's simply delaying a cut for one year. No one wants to talk about that. But you know, I can't help but think that the people of the State of New York could listen to the following argument and understand completely of whatever political persuasion - We had a tax cut predicated on our ability to be able to generate certain revenues and maintain such services. We made a mistake. The money didn't come in. All good reasons. The revenues simply were not there. Let's delay the tax cut for a year. Does anyone ever get voted out of office for taking that position? No, I don't think so. 2) Professor Stefan Baumrin (Philosophy, Graduate School) "What else is going on?" / What else? Professor Baumrin replied "Yes." / I don't know. Tell me, Stefan. Have you got something in mind? Professor Baumrin explained, "Well, I was thinking about the things that are more frequently in the press. - The Law School, The Medical School - I didn't want to select those issues. I thought you wanted to." / Ask me. Professor Baumrin asked, "How about the Medical School? How about the Law School?" / Those are your perennials. The Law School continues. Well, there was a case this summer in which the Law School faculty sued me personally, not the Board of Trustees of the University, but me personally, on the grounds that I had failed to bring forward recommendations for tenure from the Law School; not failed to bring forwarded recommendations from Queens College because they never were recommended from Queens College. Our Bylaws, the Bylaws that govern the University, all faculty

in the University except the faculty of the Law School, do not require and in fact, would not require that negative recommendations, that is to say, when one is not recommended for tenure, be brought before the Board. We have a mechanism under the contract, as you know, for pursuing grievances in which persons seeking tenure were refused tenure. This judge...unfortunately, we were represented by the Attorney General of the State of New York and it was worth every penny we paid for it. No briefs were submitted other than a single legal argument saying that the judge has no jurisdiction. The judge thought he did and then came out with the law. It is not unintelligent but he said that the Law School Bylaws, inconsistent as they may have been, although we never really cited the University's Bylaws, apparently they weren't available to him, allowed for a negative recommendation to go to the Board and that it ought to go to the Board, and that, in the meantime, two candidates who had not received tenure out of the six who were candidates for tenure, be given a year contract; and that I be obliged to bring it to the Board. Well, the Court can tell me what to do, but it can't tell the Board what to do because the Board wasn't a defendant here. So, in fact, I am obliged to bring the two to the Board by Court order and I will do so. The Board will then do what it wishes to do on a one-year contract, and presumably later, on tenure, although, the tenure part was unstable and therefore, will be subject to an appeal by the University. The issues here, obviously don't have much to do with these two individuals. The issues here have to do with two other larger issues. They have to do first with a Law School that gets 25.5 percent of its students who take the bar exam through the bar exam which is the lowest in the State of New York, admittedly with a non-traditional faculty, a non-traditional student body. But nevertheless, conditions that the University has to see as unacceptable. And secondly, whether the Law School will function within the academic, intellectual and cultural framework of the University or whether it will exist as a separate institution with rules and regulations that govern it alone. I believe the Board will, almost by law, be obliged to impose a set of bylaws that bring the Law School under the administration of the Board of Trustees in a far more rigorous way that requires accountability in the same way in which accountability is required of all of us in our system. And I believe that will eventually have to happen. I have a tremendous amount of empathy, having had a hand in the development of this enterprise with its objectives, that I personally feel that however commendable creativity and imagination in the non-traditional ways of looking at the world might be, its principles might be, - I share those principles and those values - we cannot have an entity that pretends to itself and to others to be a Law School without producing lawyers. And consequently, we are just going to have to re-examine thoroughly what it is we are doing.

On the Medical School- We continue to do what we have been mandated by the Board to do, which is to continue to examine possible relationships with institutions that would be prepared to assist us in the creation of an entity that would have as its objective two things: 1) The increase in the number of minority physicians in practice in underdeveloped, underserved neighborhoods in New York, especially in Queens where there is no major university-affiliated hospital -- no minor affiliated hospital, no hospital really, seriously affiliated with a medical school in Queens; and 2) to increase the quality of health care available to the people there. And we are talking to medical schools and we are going to continue to do that. I should say, we continue to insist that the State support this as the Board Bylaw originally establishing this entity required of us which is that no monies be spent that are not clearly designated as dollars that we would not have gotten otherwise. And, I not only give you my assurance that that has been the case, but I give you further assurance that many of the dollars have gone into our regular program, as a matter of fact. If anything, we have not been diminished. We have been enriched by having



gone through this process in the last three to four years. 3) Professor Sandi Cooper (History, Staten Island). "Two things: 1) When you round up this body of CUNY experts on the coming collapse of '92, are you going to keep this a private meeting? Why don't you hold a Chancellor's conference on the last decade of the Twentieth Century -- something that will get in the paper. And it's probably too late to do it before Election Day. But that would have been good. The rest of us could hear them and it would have got some publicity."/As you know, I'm not Public Relations oriented and I take your advice. Professor Cooper reiterated, "Well, I wasn't only thinking of Public Relations but that is just, you know, if it's a positive fallout on the side, okay. But it seems to me that it would be an area that might bring a lot of faculty from these campuses together in an interesting way. The second thing is: You may not be aware of the fact that this body passed a resolution on the library issue last May. A pretty strongly-worded one. And what troubles me is that it was a motherhood-and-apple-pie resolution we all deplore. Is there a mechanism by which a CUNY librarian can report to somebody an overture from a public official?"/Congressman Edwards from California (Do I have the right Congressman? Is there a librarian in the house?...I'll have to check his community assignment was approached by and has represented the librarians' point of view or one of the one of the library associations' points of view on this and has made public statements and...4)Professor Anna Brady (Library, Queens) interjected, "Many organizations, The American Library Association, American Federation of Teachers have adopted resolutions such as we passed."/Congressman Edwards, of California, I think, probably has carried the ball on this and probably ought to be provided with a copy of the Resolution. But let me find out what the details are. Professor Cooper reiterated, "But the point I really was making is: What if something happened at any campus here, and a librarian would..."/Well, you know an awful lot because it did at Queens. Somebody got recorded. Professor Cooper, "Okay. So, what mechanism do we have for helping that librarian resist in case that person is going to be pursued because, in the early Fifties, the registrar's office at City College was constantly invaded by government officers who could not be stopped because they flashed that badge and we had to let them in. There was no preventing them. They had absolute right to enter, legal right. I'm not sure that's changed a heck of a lot. I mean what ought to have changed is the attitude of acquiescence on the part of those who open the doors. But I don't know that there is any formal mechanism for an employee to follow. I really don't know. But it seems to me if you... You know, globally it's one thing to be concerned about this. But I would very much like to see a mechanism locally in place. I'm sorry. Professor Brady resumed, "And this year Cuomo signed an amendment to the New York Civil Practices Act that says library records are confidential and can be disclosed only with a court order. So, you know, the State has a position on it, you know formally."/That is not law, is it? Is that Law passed? Professor Brady, "According to this report which is a fairly recent one from the Times. I mean, I really haven't really read the background on it, so -- "/First, if it is in fact the case, I think there was a bill. Whether it passed or not, I don't know, but I will find out. A lot of things passed in the last days of the Legislature and I still don't know all. Professor Brady, "This says, you know, signed an amendment to the New York Civil Practices Act."/Well, hen, he must have signed it this summer. We ought to get that in the hands of all our librarians. Thank you for pointing that out. I didn't know it. I mean, knew the existence of the legislation. I didn't know it was a law. 5) Professor Cecelia McCall, (Compensatory Education, Baruch College) I recently read a report in the Amsterdam News of a speech that you gave in reference to minorities at the University. You mentioned four points, and I would like to commend the University for their efforts. But, among the four, Affirmative Action was not mentioned. They way the article was reported was only in reference to students, not to faculty. And in view of the fact

that Affirmative Action is the only Civil Rights movement we have at the moment, I would like to know what in fact is going on in the University in relation to Affirmative Action, particularly in light of the fact that these budget cuts may have an extreme effect on the employment of women and minority faculty at the University."/At the last Board retreat in June, President Harleston presented a document on pluralism. That document was then translated into policy statements passed by the Board of Trustees, I believe at its June meeting last year. Is that right? In that document on pluralism which I will now see that everyone gets a copy of, in fact, every member of the Senate ought to have a copy of it. In fact, why don't we see to it that it is appended to the minutes, and I will submit it to the minutes and you will have that. ...There are a number of policy initiatives recommended by the Board, including references to: the centrality of Affirmative Action in the Law established in The City University of New York. Programs that have to be designed and put in place that have as their objective following: 1) the identification of students for going into academic life and their support. 2) More graduate fellowships for members of minorities..... about the concerns you express. Not just Affirmative Action. But, since Affirmative Action is based on the presumption that the University has an obligation to see to it that its hiring practices are broadly reflective of the availability pool of persons, efforts have to be made to enrich that pool. And that is one of the policy initiatives indicated in the policy document that was passed by the Board. So, the answer to your question, in an elaborate way, would be a copy of those policies and finally, the formal announcement which will occur tomorrow night at the Board meeting of a Task Force of Board members and others charged with the responsibility to see to it and to report periodically to the Board that the policies passed by the Board are implemented. 6) Professor Umolu (Humanities, Medgar Evers) "Mr. Chancellor, good evening. My name is Mary Umolu of the Division of the Humanities of Medgar Evers College of The City University of New York. In your report this evening, you stated that Medgar Evers College's new facility has been completed and, as many here may know, we have moved into that facility. But we are also aware of the fact that although it is beautiful and we appreciate it, it is till inadequate in terms of meeting our needs. In your report, you stated that the plans for a new facility are on the way and I quote you, and you said, "I hope." I would like you to interpret I hope."/Well, there is a lot to be said. We have been trying, as I recall, to acquire I think it is \$5.6 million worth of land adjacent to the campus for some time now for future expansion and use. I believe the facility has been owned by the City. And although the money either has been or is about to be, is a very high priority on our list this year, the sum is not a huge one, it is necessary to acquire that for expansion of the campus. Secondly, I don't think anybody doesn't believe that we need more facilities for the College. We do, and everyone acknowledges that. But the political power that is necessary to see to it that that's given a high enough priority in our capital expansion has not been forthcoming. And each year that we go back to the Legislature, we have to put together coalitions in support of our efforts either to get more money in the Operating Budget or in the Capital Budget. So, I am at the moment ... I can't say that we are going to have next year monies appropriated to do another building at Medgar Evers. Professor Umolu, "Sir, what about the renovation of 1150 Carroll Street? That is our present address."/I don't know. There is renovation money and land-acquisition money and I don't have the list in front of me and I will give that list either to you or to the Senate or report on it the next time I appear here. Professor Umolu, "Thank you. Chancellor Murphy." 7) Professor Gura (Speech, Brooklyn) "My name is Timothy Gura from Brooklyn Colleges. Mr. Chancellor, in May, the Senate passed a resolution about the administrative dissolution of departments. It was i two parts. It had specific reference to one department, at Brooklyn College, and it had another part urging the Board and the Chancellor to support a

method to regularize such actions -- administrative actions -- across the City University. We know the fate of the department; that's been finished. What's the status of the recommendation with respect to regularizing such administrative actions in the future?"/I recall several Board members saying that they hope that something like that would happen. But I can't recall a resolution that calls for it. And I am not sure I have heard enough arguments to be able to really make that judgment. I know the Presidents feel strongly that ought not be a policy and that t they ought to retain the power to be able to create and dissolve departments within the confines of the contract. Professor Gura further asked, "But surely that's not a surprise that they would be interested in maintaining..."/No, but I am very eager, and since I have heard their argument. Remember, I can listen to two things. I can listen to their reasons, and I can divine their motives; and I can take their motives and put them aside. Their motives may be--I'm not saying they are--greed, mendacity, selfishness. Professor Gura rejoined, "Surely not a President of a branch of the City University."/I am prepared to entertain any possibilities. By the way, they might be generous, expansive, humane. Professor Gura, "Surely"/But those are motives. The reasons that they give have to be considered in the light of the reasons that others give against it. Do I have instances --and I don't know that I do--abuse of the power as it presently exists? Do I have instances in which the University is better off as the result of Presidents' having this power? And if the Presidents don't have the power, who should have the power? And on what basis will, whoever has the power, make those decisions? Are there occasions, are there likely to be occasions when, on the one hand we demand of a College President that he reduce the size of his institution and the budget of his institution? And on the other, tell him he can't do anything with regarded to departments? That's, by the way, not irrational, because if there are things you can't do with regard to what's covered by the contract. So, I am not saying that to set you up or set the issue up. I am saying that I don't know enough about ...I mean, I haven't hear...What I listened to during those hours of hearings on the issue at Brooklyn were not arguments that were relevant to what one ought to hear if one were to take a rational position with regard to where the power ought to be or, better yet, how it ought to be distributed to make decisions of the kind in questions. Professor Gura further asked, "Would it be possible then for the Senate to expect you to charge a committee to examine such proposals?"/The Senate doesn't need me to ask it to do that. The Senate can certainly do that. And I ought to ask you: how come, if this is an issue before the Senate, you haven't gotten a committee together to make an argument on behalf of the proposition. Or maybe you have and I don't know its arguments. Professor Gura again," The question I was asking you: Is it now appropriate for you to appoint a committee to consider the arguments pro and con (inaudible)?"/Well, I haven't thought about it. I better look at your report and decide how much of an issue it is. And I wouldn't at all mind playing Solomon to...Professor Gura, "Thank you, Mr. Chancellor." "We will give you the materials again." Professor Wedeen, Thanked the Chancellor.

VI. Report on the Status of Senior College Budgets: Vice Chancellor for Budget and Finance Joseph Vivona: Chair Wedeen said, "We have also invited Vice Chancellor Vivona, Vice Chancellor for Budget and Finance, to join us tonight to help fill in all the questions, the rumors, the pieces of information we have as to what's going to happen when the money that the State said will be taking away from our budget is taken away, what will be the effect primarily on our Senior Colleges? Vice Chancellor Vivona, please."

Vice Chancellor Vivona greeted the Senate saying, Hello. I think for the first time I actually know more people in the room than I don't know. So, it's nice to be

back. In our last episode which really begins with a special meeting of the Board of Trustees at the beginning of July, the University faced a \$17 million budget cut, and it was a cut for both Senior and Community Colleges, a small cut in the capital appropriation and a demand on the part of the State to increase tuition for nonresident students, the University increased non-resident tuition at that Trustee's meeting. Otherwise one portion of the cut would have been doubled. We were expecting about \$2 million in nonresident tuition. Had we not implemented the cut, it would have increased by another \$2 million or doubled. You all know that nonresident tuition was increased rather substantially to take effect in the spring semester of this academic year. On an annual basis, it will be \$1,500 for a full-time student. For an undergraduate full-time student there are various rates for different types of students; and \$750 will be the semester charge beginning in the spring --an additional \$750. Aside from that required increase, however, the budget results were quite mixed. The cuts were reduced to \$3.9 million. In short, \$8 million of the State cut was eliminated and the entire cut associated with the Community Colleges was eliminated. In addition, a program of tuition assistance known as CUSTA, a supplemental tuition-assistance program which had been eliminated in the Governor's and legislative budgets, was later restored by the Legislature. So that was a bit of good news.

In addition, we have in this year --which is an extremely difficult year-- allocated most of the money to the Senior and Community colleges, and, as a point of information, we have set aside some money for some new initiatives on worker education, on teacher education (at least for planning for teacher education), and we've set up a small reserve account in case the nonresident tuition increase causes students to take their business elsewhere. The problem I have with the nonresident increase is that while we can generate an additional \$750 for every student that stays, for every student that leaves, we lose \$2250 at a minimum. It could create a problem.

On the Community college side, the final City budget for the Community Colleges is also not particularly favorable. We began with a budget cut of \$7.7 million, and when the dust settled, that budget cut was reduced to \$2.8 million. So, while we see small victories, we're beginning behind where we were a year ago. As Joe Murphy mentioned, the Mayor has decided to cut City budgets up to one-and-a-half percent (1-1/2%) to deploy what are known as tactical narcotics teams which are presumably used to disperse or break up cocaine debts throughout the City. This is supposedly successful in Jamaica, Queens. Not living in the City, I don't know if it was successful. And that's a \$3/3 million cut. When we met with the PResidents, it was decided that rather than submit a plan for budget reductions, we would request, along with the New York Board of Education, an exemption from the budget cut, and Joe gave you the reasons behind that: You don't cut education and expect it not to have a negative effect on what might be going on in the street.

I thought I would take a second, and I know that you folks have an agenda to deal with. Next month or the month after, perhaps in November, I will come back and talk about the Senior and Community College budget request which begins with a letter from the State Budget Division, alerting us to the potential reduction of \$40 million. The silver lining in all of that is the University, through discussions with the State, has caused them to split the discussion of doing a budget with this exercise relating to cutting \$40 million. Had it been built into the budget request process, we would have started out the budget with the line that indicated a \$40 million budget cut, or what we refer to as negative lumpsums. You would actually see a Chancellor's request that would show the loss of \$15.6 million in positions or \$2

million in equipment. However, we allocated--when we went into Fantasy World--and described how we would cut out of a \$795 million budget, \$40 million. Successfully splitting it, at least allows the University to articulate its needs without cutting its budget, and sets aside as a separate issue, this notion of making a dramatic cut into the University's budget. The University's budget request will not be very different in policy than it has been in the recent past. We will seek additional funds for students' success which relates to the broad range of services required for underprepared students; and on the other hand, we will seek substantial increases for research activities. In addition, we will seek support for libraries, infrastructure needs of the Colleges and the like. However, it will be a modest request for both the Senior and Community Colleges in order to deal with the realities of the year we are going to be facing; one which is fighting to stay at the current level of activity and trying to avert tuition increase and forces attrition of jobs. Any Questions? You don't have to tell me which College you are. I know.

Vice Chancellor Vivona responded to the following questions and answers from the floor: 1) Professor Greenbaum (History, Queensborough) "I'm Queensborough. I have been very much disturbed over the years about the bleeding of the public universities in order to fund the private universities. And I was just wondering, how much money was diverted by the increase in the upper end of TAP to the private universities this year, and has there been increase in BUNDY funds as well?"/Not an increase in BUNDY nor any changes in TAP bill or the structure of TAP which is known as the TAP Bill. This year they, they meaning the privates in that sense, did not win anything. If you look at the data, it is a hard argument to suggest that his public university system--City University, has lost ground. If you look at the budget numbers and you look at the growth in terms of dollars available from 1980 to the present time, you cannot make that argument. And if you use the State's effort, meaning, forget tuition for the moment, the effort is unbelievable in comparison to the rate of inflation. The investment's probably triple the rate of inflation. So, I have a hard time with this notion that they have not maintained their effort. They have. What has occurred is that the demand for services has gone through the roof for basically the same number of students, either because the distribution of students has moved more heavily to part-time status. So the demand on support services has gone up dramatically in that period of time. Or, in ten years, it has gone up from 31 percent part-time, to 41. And I suspect, having the latest enrollment data, that it's even higher. More demand because of the types of students using the same budget to allocate--not only to regular coursework, but to remedial courses, and then, the demand for graduate-level work, Master's level being the fastest-growing enrollment population in the system. Just a broadening out of need, but not caused by budget cuts, quite the reverse. At the same time, tuition stayed about the same. Asked whether this State is still giving more money to private colleges than all of the other forty-nine States put together, Vice Chancellor Vivona replied that he didn't know. He would suspect that any State that has TAP and BUNDY cannot be behind any other States. The math isn't there. 2) Professor Grossman (Education, City) "You mentioned money set aside for planning for teacher education. Our Board of Trustees, in its lack of wisdom, has mandated that we provide a very detailed outline of revisions as of November 15th, and then, scramble to get it completed in time to be in catalogues and in place by September of '89. -Lots of luck. Anyway, what amount of money will be allocated per College? What types of efforts or whatever will be funded? And when will this money get to the Education Departments or to the Colleges because it is not just education people involved?"/The various Colleges (I think there were eight involved in this last allocation) submitted requests. They were rather modest. The value was less than \$100,000 in its entirety. At this point in time, those amounts have been agreed upon, and I

believe given to the Colleges or at least the Vice-presidents know the amounts. So there shouldn't have been a problem. The money's already spent. It was mostly for summer activity. Professor Grossman further said, "Well, at City College it was never spent on summer activities or anything."/Well, I can look into the particulars of City College. 3) Professor Picken (Romance Languages, Queens) "You mentioned the possibility of a tuition increase. Should the Senate make its views known to the Legislature before the election?"/Chancellor Murphy said it was not to be used as an issue. The Governor is concerned that the demand re: non-resident tuition not be a precedent for undergraduate tuition. The center of the problem with SUNY is that in telling them do more with less is that it produces a raised tuition. Professor Picken further asked - "If the State tuition is increased, isn't it inevitable? We took talk all the time both heads but different ways, e.g. they don't have a large part-time population and therefore part-time tuition assistance is not in their interest; we do. 2) Professor Binder (History, Staten Island) "I don't understand what Chair Wedeen said about non-resident students only at the graduate level here but I am glad to be educated about foreign students. The Chancellor spoke of transfer students but I see them in class and I see the University loaded with Third World people. The public is not aware of non-resident meaning here. 3) Professor Grossman (Education, City) "I second Professor Binder's statement with reference to City too. We want to encourage foreign students and we favor tuition assistance."/I think the Trustees trusted me to develop tuition relief in view of the increase in non-resident tuition. \$500,000 was set aside for that purpose. I suggest that you get the report that outlines the data on the matter.

Chair Wedeen thanked Vice Chancellor Vivona for coming and for his cooperation. She noted that in her experience, he was the Vice Chancellor who has worked most effectively with the Senate. He has met the Senate's request on meeting with its representatives to keep them informed and who has given their requests on college priorities full consideration. The body was grateful to him and thanked him for his open and direct dealing with the faculty.

VII. Report on the Status of UFS Resolutions 1986-88: Chair Wedeen noted that a report on the status of Resolutions passed by the Plenary from September 1986 through September 1988 was on the materials table in the back this evening. The report noted to whom each Resolution had been sent and the response received or the lack of response. She said too that she knew many of the Standing Committees, 1987-88 had included recommendations in their Annual Reports and might be planning to bring those recommendations to the Executive Committee and the Plenary for action this year.

VIII. Nominations and Election of UFS Standing Committees, 1988-89: Chair Wedeen noted the slate of chairs and members of UFS Standing Committees prepared by the Executive Committee for the body's consideration this evening. She noted that in preparing the slate certain principles were applied: 1) The slate was derived from the Committee Preference Form distributed during the summer. Senators were given their first choice, whenever possible, or their second choice if the first was not possible; almost never was a members assigned to a third choice committee. 2) The attempt was made to have members of as many units as possible on each committee, and to balance the committee size; 3) Once Senators were assigned, alternates were assigned following the same principles. The Chair urged members who were not assigned and wished to, who had returned either of the preference forms sent during the summer, to speak with the Executive Director and indicate the preference and every attempt would be made to satisfy that request. Upon motion duly made, seconded, and adopted the slate was adopted.

IX. New Business: Professor Marlies Danzier (English, Hunter) announced that the CUNY Academy for Humanities and Sciences, and outgrowth of the Senate needed support and membership. The lecture program was an especially strong one this year with an exciting group of scholars presenting papers as well as stimulating conference scheduled. The Academy's members also enjoyed two annual Socials providing opportunity for informal discussions. Membership is open to all CUNY faculty, she said, and she urged Senators to join.

There being no other new business, the meeting was adjourned.

Respectfully submitted,

Jean Ellis  
Executive Director