

MINUTES OF THE ONE HUNDRED AND FORTY-SECOND PLENARY SESSION OF THE
UNIVERSITY FACULTY SENATE OF THE CITY UNIVERSITY OF NEW YORK

November 19, 1985

Professor Wasser, chairman, called the session to order at 6:30 p.m. in Room 1700 at the Graduate School. Present were: Senators Alston, Ballabon, Barbanel, Baumrin, Beheshti, Binder, Bohigian, Boylan, Cantwell, B. Cohen, Constantinides, Cooper, Cravats, Danziger, Davidson, Donleavy, Donoghue, Donovan, Feingold, Flashner, Galub, Gerber, Ginsberg, Gluck, Greenbaum, Gura, Hayon, Hecht, Henderson, Johnson, Kadushin, Lea, Loetterle, Lytra, Matthews, Movasseghi, Moyne, Muehlig, Otelsberg, Parkhurst, Picken, Plissner, Riley, Rodriguez, Rosen, Schiavone, Shulman, Seguire, Shaffer, Simon, Simor, Sohmer, Speidel, Spivak, Stern, Stroup, Sullivan, Thaxton, Timoni, Trefousse, Waldinger, Walter, Wedeen, Wolfe, Yousef, and Zades; Alternate Senators Glass, Kleinman, Ladimer, Richter and Sessions. Senators Bloom, Brogan, Buianouckas, Depas, Ercolanò, Gelernt, Grossman, Hernandez-Miyares, Jiji, Kirsch, Muller, and Quinn were excused. The Executive Director, also attended.

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

II. Approval of the Minutes of the 141st Plenary Session (October 22, 1985): The minutes were approved as circulated.

III. Communications from the Chairman: Professor Wasser noted that Chancellor Murphy would not make his report this evening since he was in Paris. Dr. Wasser noted that it was hoped that the Chancellor would be present on a regular basis at future sessions since his several absences this fall meant that the questions that required answers from the chief Executive Officer of the University could not be asked by the body and the difficulties were compounded since attendance at meetings of the Executive Committee were also irregular.

Dr. Wasser reported that, as a member of the Board of Trustees, he had been present at the customary informal dinner of that body hosted by the Chancellor. The dinners provide the opportunity for the trustees to discuss informally University and general issues affecting the University that were of interest to them. On this occasion there were several matters that were explored. Vice Chancellor for Academic Affairs Barnett had been present and had told the trustees who were present that the Course Equivalency Guide provided for in the Articulation Policy Guidelines adopted by the Board in spring 1985 had been published. She also noted that there was some discussion taking place about possibilities for developing a university-wide core curriculum. Another matter that aroused considerable concern resulted from the October/November issue of a publication widely distributed throughout the University, the University Times. That issue included on page 8 an article entitled "God Bless Louis Farrakhan" that contained material that many who read it found offensive. In view of the fact that the paper's masthead carries the address for its Central Office as c/o University Student Senate, 535 East 80 Street, New York, New York 10021, several trustees asked Trustee Lowe, president of the Student Senate, what relationship existed between his organization and the University Times. Trustee Lowe had denied any knowledge of the publication although page 9 included an article that provided excerpts from Chancellor Murphy's report to a recent meeting of the Student Senate and also an open letter from Trustee Lowe to President Brown (Bronx Community College). The concern about this publication and its ties to the University, especially from the point of view of the possible diversion of University funds to this use remains grave and this and other questions are under investi-

gation. To date, Professor Wasser continued, he knew little else except that reportedly no University funds flowed to the organization with the exception of the purchase of an advertisement in the University Times by the Student Senate at a cost, he had been told, of \$1400. The paper is published under the auspices of the Committee for Equality in Education, Inc. that was organized by Mr. Leo Benjamin, a City College alumnus, who in the years since tuition was imposed on students in the University has spearheaded an effort to restore free tuition. The present group, whose Founder/Historian Mr. Benjamin is, was incorporated under the laws of New York State two or three years ago, as an autonomous membership body (Dues - \$10) with the support of several City University senior administrators. Mr. Benjamin, it has also been said, has been permitted by the Student Senate, both before and after the incorporation of his present organization, to have the use of its telephone and of space in its office. The Farrakhan article that aroused concern carries the byline Joseph C. Ferrara who is listed on the masthead as Editor of the publication and Provisional Chairman of the Committee. It has been said that Mr. Ferrara is a CUNY student but that statement has not been verified. The issue, Chairman Wasser concluded, may be expected to be pursued further, although, he added, copies of the October/November issue of the paper have disappeared from most of the usual distribution sites at the colleges within the past weeks.

A third topic of the discussion at the dinner grew out of the search issue. As he had reported at the October meeting, Chairman Wasser declared, discussion on the procedures for appointments of senior administrators in the central administration has been taking place among the Trustees as well as among the members of the Senate and an Ad Hoc Committee of the Board chaired by Chairman of the Board Murphy and comprising Trustees Everett and Rivera had been appointed to develop guidelines on such searches. Professor Wasser had, as also previously reported, approached the Board Chairman with the request that he be permitted to join the Committee as a member or be accorded the opportunity to present the faculty's views and position to it. He had thought that he had an understanding that the opportunity to meet with the Committee would be provided. Subsequently, he had learned that the Committee had met and had requested that Vice Chancellor for Faculty and Staff Relations Bloom prepare a draft protocol on procedures. Chairman Wasser had learned this when he was asked by the Vice Chancellor on October 31 to review and respond to that draft as quickly as possible since it was planned to include a revised document among the agenda items for the Committee on Faculty Staff and Administration at its November 6 meeting. Having received the draft document, Dr. Wasser had reviewed it with the Executive Committee and had drafted an answer to it. He had presented that response to Chairman of the Board Murphy and the other members of the Board Committee at the dinner on November 4. In it he had noted specific provisions that differed from the faculty's position and/or seemed to be ill-advised from the Board's point of view as well and warranted further study. He therefore requested that the revised document not be an action item at the November 6 Committee meeting to allow sufficient time for review of its content. Chairman Murphy had acceded to that request and indicated that the item might be introduced at the November meeting but would not be subject to action until the next meeting which would be scheduled in January. The issue of search procedures, Professor Wasser noted, had, of course, been the subject of some discussion with Chancellor Murphy by the Executive Committee but he had taken the opportunity on the last occasion when the topic arose to indicate his own position on the draft protocol but had suggested that since the Senate chairman had begun negotiations with the Chairman of the Board, he ought to continue such negotiations with Chairman Murphy. Incidentally, Dr. Wasser further reported, the November issue of the UFS Newsletter had evoked a barrage of comments, especially on three items - the article on search guidelines, the ones on accreditation of the Law and Medical Schools headlined respectively "Accreditation Yes" and "Accreditation No", and the Chairman's Message on deprofessionalization of faculty.

Dr. Wasser's communications were interrupted at this point by discussion, comment and questions from the floor. Several Senators inquired about the content of the draft document and the Chairman's objections to it. Dr. Wasser responded that he could not, as some Senators wished, distribute the draft, because it was precisely that and still subject to revision. He had shared it with the Executive Committee since he had informed Chairman Murphy of his intent to do so and had heard no objection. He did not think it appropriate, however, to distribute it to the Senate since it had been given him as a Board member and had not been distributed as yet to members of the Board who did not serve on the Ad Hoc Committee or the Committee on Faculty, Staff, and Administration. He might state for the membership's benefit, that, in his view and that of the Senate leadership, it served principally to condify existing practices and, therefore, failed to serve the purpose intended nor was it satisfactory to the faculty. He would be attending another meeting of the Ad Hoc Committee on November 25 and hoped at that time to make the faculty's concern and position clear as well as persuading the other members of that Committee to revise the draft. Finally, Chairman Wasser said, it was important that the Senate adopt a resolution at the present session to make clear the faculty's desires vis-a-vis search procedures so that he might convey that position to the Board on November 25. It was urged from the floor that rather than pursue review of the Board's document the Senate should stand on its own and move to set forth its position immediately.

The next item to which the Chairman addressed himself was the matter of the accreditation of the Medical School. He reported that a meeting of the Ad Hoc Committee on Medical Education had been called by the Chairman of the Board for November 25 for an update on the status of that matter.

Dr. Wasser noted also that he had been asked to serve on another Ad Hoc Committee of the Board that was presently in the process of formation. It was a Committee on Dormitories - an issue that has arisen since Brooklyn College was allocated funds in the University's Budget for 1985-86 for that purpose. The other members, he did not know at present, and no date had yet been set for a meeting.

Presidential Evaluations, Chairman Wasser said, was another matter that has been addressed by the leadership for some time. There have been several delays in beginning resumption of that practice and Chancellor Murphy had several times postponed a starting date since the time that he had, after an initial attempt to secure the cooperation of the Middle States Association to tie such evaluations to their accreditation visits, decided to resume the practice of internal evaluations within the Board's guidelines. He had now told the Executive Committee that a number of "internal administrative problems" had led to the postponement this fall but that evaluations of Presidents Bassin and Schmeller would be conducted during the academic year 1985-86. It was hoped that the process would get underway this semester. Dr. Wasser further reported that the addendum to the proposed appointments to the staff of the Central Office that would be part of the University Report to be acted upon by the Board at its November 25 meeting included the appointment of an Acting University Dean for Academic Planning and Evaluation, apparently named without a search, and an Assistant University Administrator "A" as Director of CUSIS.

Chairman Wasser informed the Senate also that the Executive Committee had raised the issue of a University policy on Aids with Chancellor Murphy but that he was disinclined to move to establish such a policy. He had made available, through his Executive Assistant, the State information booklet "100 Questions and Answers on Aids" and had offered to provide as many copies as might be desired. Therefore, Senators who wished to obtain copies of that booklet should notify the Executive Director, Dr. Ellis, at the end of the session or in the Senate Office. In addition, Vice Chancellor for Legal Affairs Rigney had

also been in touch with the Senate Chairman, at the Chancellor's request, to communicate the official University legal position on the issue.

The final item in the Chairman's communications was a report on the Regents Dinner that was held at the Hotel Sheraton-Russell on November 12. The dinner, said Dr. Wasser, was an annual event as was a comparable meeting of the Regents with the SUNY Board. It was primarily a social occasion but there was an opportunity to raise some issues with those Regents present. The primary issue discussed this year was that of teaching and Vice Chancellor for Academic Affairs Barnett had reported on the University's efforts and activities in that area.

Dr. Wasser also reminded the membership that the packets for the session included a written report from the Chairman and said he would be happy to respond to any questions on it.

IV. Reports of Faculty Members of Board of Trustees' Committees: Dr. Wasser stated that these were available in writing and had been distributed with the other materials for the session. He indicated also that questions on those reports might be raised at this meeting.

At this stage Professor Sohmer (Mathematics, City College) moved to reorder the agenda and to consider item 7 before item 6 since there was an urgency to that matter and the other was close to completion. (Item 5, Chancellor's Report, had been removed due to the Chancellor's absence). The motion was seconded and adopted.

VI. Proposed Resolution of Censure for the President of La Guardia Community College: The proposed resolution was moved and seconded. Chairman Wasser then reviewed for the Senate the chronology of events that had led to the proposal of the censure action by the Executive Committee at the request of the Senate delegation from La Guardia Community College. The issue, he reminded the Senate, had arisen in early September and had been an item in his reports at both the September and October Plenary Sessions when he informed the membership of the discussions being pursued with the President of that college. Since more than six weeks had elapsed since the issue was raised with the President and there had been no action to remedy the faculty of the affected department's grievance the President had been informed of the Senate leadership's intent to bring the censure resolution to the floor of the Senate at this session and he had been provided with a copy of the proposed resolution. The Chairman then opened the floor to discussion of the proposed resolution.

Several questions were raised during the discussion that Professor Timoni (La Guardia, Accounting/Managerial Studies) responded to as a member of the affected department. The principal issues raised by Senators were: whether the proposed resolution stated accurately the grounds for the censure in terms of rights of the faculty and of the President under the University Bylaws; whether there had been careful investigation of the matter to ascertain the facts and why, if this were so, there was a conflict between the faculty's assertions and those of the President with respect to his actions after refusing to certify the chairman elected by the department, whether or not the President's action was unique or had occurred in other departments and/or colleges. The fact that the faculty of The City University of New York enjoyed a special right under the Bylaws to elect the chairs of departments and that the President of La Guardia had violated not only the procedures established by the Bylaws but also the spirit of those Bylaws was stressed as was the fact that the difference between the facts as recounted by the faculty and the President might be due to the difference in interpretation of the matter by those parties. Professor Bohigian (Mathematics, John Jay) then moved a substitute resolution to that proposed by the Executive Committee and discussion turned to that motion after it was seconded.

The substitute resolution was discussed briefly and the question was then called. The substitute resolution was passed. The question was then called on the revised motion to censure and the motion was adopted with nine negative votes and six abstentions. It was further stipulated that the resolution be sent to the Chairman of the Board of Trustees because it was the Board's Bylaws that had been violated and that it be provided to the Chancellor and the President of the College for information purposes with the President of the College informed of the action immediately out of courtesy to him. Finally, it was agreed to communicate the action to appropriate press. (The text of the Resolution is attached to these minutes).

VII. Proposed Guidelines for Searches in the Central Office: Professor Wasser reminded the members that this item had been laid over from the October session. As noted in the minutes of that session it had been agreed to consider the items in the resolution seriatim and then to vote on the motion. Action on items 1,2,and 3 had been taken and as indicated in the text, they had been adopted. Therefore, items 4 and 5 remained to be considered at this meeting as did the main motion to adopt. He then opened the floor to discussion of item 4.

Since item 4, except for certain editorial changes, had been part of the Resolution on Search Procedures adopted by the Senate on January 18, 1983 the question was called immediately. That motion was seconded and the vote took place. The item was adopted unanimously. Item 5 had also been part of the Senate's 1983 resolution and now included only editorial changes, the question was therefore called on that item and that motion was seconded and when put to a vote adopted. The vote on the motion to adopt the item passed unanimously. The entire proposed resolution 's adoption was then moved and seconded. Professor Speidel (Geology, Queens) spoke in favor of the motion stating that the motion had his support because it did the following things: it pointed out that it was to the advantage of the Trustees that the Chancellor appoint administrators who had the support of the faculty of the University, that searches had to follow the letter and the spirit of any guidelines adopted by the Board, that searches were subject to a specific plan and could no longer be conducted on an ad hoc basis.

The question was then moved, seconded and passed without dissent. The motion to adopt the resolution as revised was then put to a vote and was adopted unanimously. (A text of the resolution is attached to these minutes).

VIII. New Business: Professor Wasser then called on Professor Wedeen (Education, Brooklyn) who had informed the Executive Committee of a desire to place a resolution before the Senate at this meeting. Professor Wedeen then called the attention of those present to the distribution with the other materials for the meeting this evening of a resolution to support the proposed resolution of the Board Committee on Public Affairs concerning endorsement of the "Fair Financial Aid For Part-Time Students Act". The Committee, on which she serves as faculty member, had adopted the resolution and forwarded it to the Board for action at the November 25 meeting and the Chair of the Committee had asked that constituent bodies within the University be asked to indicate formally their support of that resolution. Professor Wedeen moved adoption of the proposed resolution and her motion was seconded. She stated also that she would be happy to respond to questions although she thought the information placed before the Senate in writing to accompany the proposed resolution was self-explanatory.

The question was then moved, seconded and passed without dissent. The motion to endorse the Board resolution was then put to a vote and was adopted unanimously. (A copy of the resolution and explanatory material is attached to these minutes).

Professor Danziger (English, Hunter), chair of the Senate Articulation Committee, had also indicated her desire, on behalf of the Articulation Committee, to place new business before the Senate. The Chairman therefore called on her next. Professor Danziger apologized for a failure to distribute what would be a proposed resolution

developed by the Articulation Committee at its meeting just prior to the session this evening and wished to place the item on the agenda because of the importance it attached to it.

Professor Danziger then reminded the Senate that the Board of Trustees had adopted a revised Articulation Policy at its meeting of June 1985, that that policy had been developed during the academic year 1984-85 and that the Senate had been very much involved in the working out of its provisions. In fact, it incorporated several procedures that resulted from Senate action. According to information received by the Articulation Committee, progress on implementing the Board's policy statement had been extremely slow and that the procedures of special interest to the Senate had not yet been set in motion. For these reasons the Senate Committee wished to propose a resolution at this session.

Professor Danziger then read the proposed resolution's text to the membership and moved its adoption. Her motion was seconded and the question was called. The motion to call the question was seconded and adopted without dissent and the main motion was then put to a vote. The resolution was adopted unanimously. (The text of the Resolution is appended to these minutes).

The business of the meeting having been completed, there was a motion to adjourn. It was seconded, and the meeting was adjourned.

Respectfully submitted,

Jean Ellis
Executive Director