

**Faculty Senate Plenary Meeting
Minutes of November 7, 2013**

MINUTES

Senators Attending: E. Axelrod (Law), K. Behar (FPA), M. Carew (Eco/Fin), A. Croker (S/CIS), S. Dishart (COMM), B. Ferns (S/CIS), W. Finke (ModLang), K. Frank (ENG), R. Freedman (ZSB), M. Goodman (COMM), A. Grein (MKT), K. Guest (Soc/Anth), C. Hessel (Eco/Fin), R. Jain (S/CIS), S. Johnson (PSY), D. Jones (PolSci), G. Jurkevich (ModLang), C. Kulatilleke (NatSci), A. Levitus (CNSLNG/PSY), T. Main (SPA), T. Martell (Eco/Fin), W. McClellan (ENG), J. O'Keefe Bazzoni (COMM), R. Ormsby (LIB), A. Pearlman (PSY), G. Petersen (Soc/Anth), L. Rath (LIB), M. Seltzer (SPA), P. Sethi (MGT), M. Stark (SPA), J. Weiser (Law), S. Wine (S/CIS), X. Yin (MGT), R. Yue (S/CIS)

Senators Absent: C. Bellamy (Soc/Anth), C. Christoforatu (ENG), C. Gengler (MKT), S. Korenman (SPA), B. Murphy (HIS), M. Ozbilgin (ACC), A. Vora (Eco/Fin), S. Wong (MTH)

The meeting was convened at 12:59 p.m. in VC 14-250 by Prof. Terry Martell, Chair of the Faculty Senate.

I. Approval of Agenda: The agenda was approved by assent.

II. Approval of Minutes: Minutes of October 3, 2013 were approved by assent

III. Report from the Chair (Prof. Terry Martell)

Pathways Court Case: The oral arguments were on Wednesday, November 6, 2013, before Judge Anil Singh. Terry thought the lawyers representing the faculty did a great job; their arguments were clear and concise. The basic argument goes back to the 1997 *Polishook v. CUNY* case; the faculty side argued the Polishhook settlement represented a contract laying out the rights of the faculty councils, and Pathways tramples on those rights. Terry said that this hearing was on a CUNY motion to dismiss the suit; if the suit is dismissed, the faculty will appeal; if not, the case will move closer to trial. Terry believed that if the judge denies CUNY's motion to dismiss, the case may go into 'settlement' mood.

Interim Chancellor William Kelly appears willing to have some of the interpretations of the Pathways initiative 'tweaked' in some ways that will still be consistent with original BoT resolution.

Policy on Expressive Conduct: Last June, the CUNY Office of Legal Affairs wrote a draft "Policy on Expressive Activities".¹ Segments of the university expressed concern that this policy appeared to deny some basic constitutional rights. Chancellor Kelly has sent the University Faculty Senate (UFS) correspondence between him and Vice Chancellor Rick Schaffer of CUNY's Office of Legal Affairs, in which VC Schaffer states that the original draft policy was just a draft, and revisions were expected after extensive consultation with UFS and the USS (University Student Senate). A new version, titled "Policy on Expressive Conduct"² was released on October 11. Jay Weiser acts as the legal advisor in the UFS and will be involved in the consultation process. Terry opined that the tone of the revised draft was considerable different from the original, and he viewed it as a positive move.

The Future of Doctoral Education at CUNY: The University Faculty Senate will be holding its annual conference at Baruch on Friday, December 5th; the topic will be "The Future of Doctoral Education at CUNY". The conference will focus on changes in doctoral education, particularly in the arts and in the science, at CUNY.³

Sam Johnson (chair, Psychology) noted that the Grad Center has re-organized the doctoral programs in Psychology so that programs are no longer resident at any particular campus. This is affecting support for doctoral students who are studying with Baruch faculty at the Graduate Center, because only students in

¹ For the original draft policy see: <http://www.cunyufs.org/EXPRESSIVEACTIVITIES.pdf>

² For the revised proposed policy, see: <http://psc-cuny.org/sites/default/files/EXPRESSIVE%20CONDUCT2%20-%20revised%20version.pdf>

³ Information on the conference can be found at <https://sites.google.com/site/universityfacultySenateCUNY/UFS-blog/ufscouncilthefutureofdoctoraleducationatcuny>

the I/O Psych program housed at Baruch can get financial support. As it is, the resources for doctoral student support have been dropping. There is a disconnect between who gets how much support and the availability of resources for that support, and that needs to be resolved. Terry noted that Sam presented another example of why the topic of the UFS conference was important. The new CUNY policies for consolidating the doctoral programs in Psychology may possibly threaten strong programs like Baruch's I/O Psych program may making it more difficult to fund graduate students. Terry expressed concerns that the new policies will make it difficult for Baruch faculty in history or in English to teach a doctoral class merely because of their institutional affiliation, and not because of their qualifications.

UFS Charter: There is a proposed amendment⁴ to the University Faculty Senate charter for action in December. Currently, it is almost impossible to change the charter of the UFS because any amendment to the charter must first clear the UFS, and then it must be circulated to the representative faculty councils at all 26 of the CUNY units. The amendment must then be approved by a sufficient number of those bodies that they represent more than 50% of the total CUNY faculty. This process must be done in one year. The proposed amendment will allow the UFS to amend its own charter by requiring an affirmative vote from 60% of the total number of UFS senators. Terry asked the senators to read the proposed amendment for action at the December plenary.

IV. Vice Chairs:

Academic Freedom (Kevin Frank) – Asked the body to add Karl Lang (Stat/CIS) to the *Committee on Academic Freedom and Responsibility*. Prof. Lang was added to the committee by assent.

Educational Policy (Glenn Petersen):

- **Doctoral Programs:** Glenn noted that the Committee on Education Policy is looking at the issue of shifting doctoral programs to individual colleges. There will be a meeting on 11/11, and John Wahlert from Natural Sciences will be speaking on the issue.
- **Joint Committee on Curriculum & Articulation:** Glenn reported that the Committee on Education Policy is looking at formulating a college-wide committee that will examine curricular issues that cross school boundaries. He noted that there is an existing Joint Committee on Curriculum & Articulation that has a vague charge and not much authority. The Pathways Initiative and the proposal by the Zicklin School of Business to change its entrance requirements demonstrated that there needs to be a college-wide committee that has clearer authority over curricular issues that cross school boundaries;
- **Final Exams:** Associate Provost Dennis Slavin has asked the Committee on Education Policy to help reinforce the established college policy that faculty should not give any kind of exams during the last week of classes. Glenn noted that some faculty try to label an exam during the final week of classes as something other than a final; he noted that, no matter what the semantics, students experience the last exam of the semester as a final exam. The problem is how to figure out how to enforce this policy and get faculty to see that it is an issue of professional responsibility.
- **WebGrade:** Glenn noted that, for some courses that have multiple and substantive grading points, Webgrade closes too early. Glenn asked the Registrar to extend the deadline, but grades need to be submitted in time for graduation and registration for the next semester courses. The Committee on Education Policy voted to not pursue this issue. Glenn then asked the Registrar for a more efficient way to submit grades after WebGrade closes.

Q&A: Chris Hessel (Eco/Fin) said that his department has been battling the issue over exams in the last week of class for a long time. He noted that colleagues have stated that there are no consequences for giving exams in the last week of the semester. Mindy Engle-Friedman (Psych/Ombuds Office) noted that

⁴ See http://www.baruch.cuny.edu/facultysenate/documents/UFS_Charter_proposed_amendment.pdf

it is an ethical issue; if we don't model ethical behavior for our students, how can we expect them to behave ethically?

V. Report from the President

The President had no report.

VI. Report on the FY2014 Budget (VP Katharine Cobb, Administration and Finance)

VP Cobb made a presentation on the tax-levy budget for the Fiscal Year 2014 Budget. She reminded the body that the fiscal year began July 1, 2013, and ends June 30, 2013:

- New Funding Streams
 - *Baruch Investment Plan for ZSB*: Funding will reach \$6.6M in FY14, and will be included into the baseline budget. The increase will be fully realized in FY15. This initiative included 29 faculty and increased student services;
 - *CUNY Graduate Excellence Fees*: This represents a relatively new funding stream. FY14 projection is \$3.5M.
 - *Tuition Rate Increases*: FY 14 is third of a five year plan for predictable revenue increases.
- FY 14 budget
 - *Base Budget*: Mandated salary increases funded and no reduction program.
 - *The CUNY Compact*: Projected tuition revenue increase returned to colleges in form of new Compact.
 - *CUTRA*: If tuition revenues exceed the revenue target to be returned to CUNY, the colleges can save carry over from 1-to-3% of its tax levy allocation in its City University Tuition Reimbursable Account (CUTRA). This year Baruch carried over about \$2M in CUTRA;
 - *CUNY-Held Expenses*: Although some expenses are incurred locally, they are administered and paid by CUNY. These include fringe benefits and building rentals. Energy costs used to be administered by CUNY, but they were moved to the individual colleges to encourage the colleges to save on energy costs and to then keep the remaining energy allocations;
 - *Future Year Budget Concerns*: There was a change of our enrollment mix, with fewer graduate students who pay higher tuitions. Because of this change, FY14 tuition revenues are projected to fall short of Baruch's revenue target. The college will need to offset this tuition loss to avoid future year budget cuts, probably with CUTRA funds.
- FY 13/FY 14 Comparison
 - FY13 budget: \$127,636,000
 - FY 14 budget: \$134,046,100; an increase of \$6.4M, a 5% increase

VP Cobb presented several charts that illustrated the various funding streams and budget allocations by the college division. The presentation can be found at:

<http://www.baruch.cuny.edu/facultysenate/Presentations/BaruchBudgetFY14.pdf>

- **CUNY Compact Budget**
 - Total Compact: \$6,747,600
 - Includes Mandated Financial Aid: Work-study; Tuition Waivers; Textbooks and Veteran's Emergency Program: \$918,000
 - Includes two self-funded portions:
 - Philanthropy: \$703,700
 - Productivity/Efficiencies: \$563,800

- **Energy Budget Allocation**
 - Allocated \$6.2 million
 - Number equals three year weighted average of energy costs.
 - Baruch can keep any savings, but it must pay any cost over allocation.
 - In FY14 Baruch's actual spending was \$426,000 less than \$6.2M allocated.
- **Energy Savings Plan**
 - Investments in LED lights; capital projects w/energy savings; steam trap replacement program; replace/repair sensors; building management systems; peak load management plan; voluntary desktop printer reduction.
 - Education/behavioral changes.
 - Communication strategy.
 - Saved \$426,000 on energy.
- **Tuition Revenue Target**
 - The tuition revenue target is the minimum amount of tuition & fee revenues that the college must earn within a fiscal year to support its Tax-Levy spending allocation.
 - If the college falls short of earning this amount:
 - Must cut current year spending by amount of shortfall, or
 - Cover the shortfall with funding in its City University Tuition Revenue Account (CUTRA).
 - If shortfall expected to repeat the following year, CUNY is likely to cut next year's base Tax-Levy allocation by amount of shortfall.
- **Budget Impact: Tuition Revenue Target**
 - We will be about \$1M short on our tuition revenue target this year;
- **Issues Going Forward**
 - How can we meet our tuition revenue targets and avoid decreases in our budget?
 - How to continue energy savings if winter/summer not as mild as last year?
 - What happens after two years of tuition increases end?

Terry noted that, while the tax levy budget is approximately \$134M, the all-funds budget is closer to \$200M. Tuition revenues are about \$121M, making them over 60% of the all-funds budget. He observed that makes Baruch a tuition-driven school. He noted that New York State aid is also declining. He thought it likely that the percentage of Baruch's revenues provided by tuitions is likely to go up.

Q&A: Glenn Petersen (Soc/Anth) asked about windows opening in the Vertical Campus—he thought that there had been some agreement that faculty could open their windows. Glenn asked how this information could be distributed to the faculty. VP Cobb noted that the VC is a 'closed system' in terms of the overall HVAC and environmental control; any window that is open in one office affects the HVAC system for the other offices. Some faculty can request exceptions for opening windows but they will need to provide justification for doing so; VP Cobb is concerned that these exceptions will undermine the overall environmental control.

Jay Weiser asked about how the student headcount and the mix of grad vs. undergrad students be adjusted to plug up the hole in the tuition revenues. VP Cobb noted that problem remains a challenge for Enrollment Management, and that VP Corpus and Dean Lee of ZSB are working on that issue.

Sam Johnson (Psych) asked about funding for doctoral fellows at Baruch. Baruch is receiving fewer doctoral fellows, and the Grad Center pays for the fellows. There is a general concern that, when departments provide money to send someone to the doctoral programs, the Graduate Center is supposed to reimburse the college, and the college is supposed to pass it on to the departments. AVP Mary Rivers noted that there funds from the Graduated Center are allocated to the departments based on the workload

forms of the faculty members' workload forms; there is a one-year lag in getting these reimbursements. There was some discussion as to whether those funds make it back to the departments and in what form.

Kathy Pence (Chair, History) asked what strategies were available to get the enrollment mix changed. VP Cobb said that any mix that helps Baruch hit its tuition targets would be good. She noted that national trends indicate that graduate school enrollments are down. Terry noted that every college that had gone to CUNYFirst had seen a drop in headcounts. It is still unknown why this happens, but we should not be surprised if we see the same phenomena at Baruch in the Fall 2014 semester.

VII. Reports from Administrators:

Student Evaluations (Dennis Slavin, Associate Provost): Starting in the Fall 2013 semester, posting the evaluation results will be the default setting on teacher evaluations. Last month, the college set out an RFP to vendors to create an online version of the survey and reporting functions of the evaluations. The hope—Dennis emphasized the word 'hope'—that a pilot may be feasible for the January courses, with a full implementation in the Spring. Last, the actual instrument is being modified; there have been several revisions, but the process is still not done.

VIII. New Business

Mindy Engle Friedman asked if we could have paper plates rather than plastic plates for environmental sustainability. The secretary will pass that message on to the President's Office.

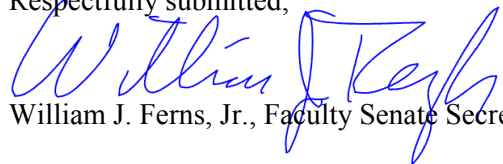
IX. Announcements

Provost David Christy noted that he had met with Middle States about Baruch's periodic review that is due in June of 2015. He also reported that Baruch has a proposal to a BoT committee to establish a dual degree program with the College of Management Academic Studies in Israel. He noted that there were also proposals to establish a medical school at City College and a film school at Brooklyn College. Last, he noted that the CUNY Grad Center has changed formulation of the number of students for whom the Grad Center will provide fellowships, the remuneration that goes with the fellowships and the teaching load. The doctoral fellows who used to teach at 2-2 load on the campuses will now teach a 1-1 load. There will be some process to give the local colleges additional funds for lecturers to make up for that decrease in teaching resources.

Terry noted that in either December or February there will be a discussion of admissions policy including SATs and freshmen/transfer mix, and some governance changes. We will also have an update on the PMP process from Chief-of-Staff Mary Gorman.

Meeting Adjourned at 2:04 pm

Respectfully submitted,


William J. Ferns, Jr., Faculty Senate Secretary