

MINUTES

Meeting of the Hunter College Senate

18 February 2009

- 1 The 499th meeting of the Hunter College Senate was convened at 3:50 PM in Room W714.
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- 3 **Presiding:** Richard Stapleford, Chair
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- 5 **Attendance:** The elected members of the Senate with the exception of those listed in Appendix I.
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7 Alternate Senators were formally seated in accordance with the procedures approved by the Senate, and
8 clickers were distributed to them.
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- 10 **Minutes:** The Minutes of November 19, December 3, and December 17 were unanimously approved as distributed.
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- 12 **Report by the** The following is a summary statement of President Raab's report to the Senate. She said:
13 **President:**
- 14 "I want to start by confirming that yes we do actually have a mosquito problem at Hunter College!
15 According to our facilities people it is caused by standing water. We are doing something about it and
16 we will address it.
17
- 18 On a more serious note, I wish I had more information to offer about the State Budget, which is still in
19 a holding pattern. It will not be passed in early March as the Governor had hoped. They are now
20 looking at the April 1st deadline, which the State has actually met for the last couple of years. The
21 proposal from the Governor to require a tuition increase but to structure the tuition increase so that a
22 certain percentage of the revenue raised will be returned to the campuses as investment is still on the
23 table. As soon as we know more we will let you know.
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- 25 As we have reported, the Capital Budget remains intact and we are moving forward with the design,
26 construction and demolition schedule for the new School of Social Work and School of Public Health
27 in East Harlem. We are attending a Community Board meeting next week to make a presentation to the
28 Executive Board. So far the community reception has been extremely positive. The Centro Library
29 will also be moving to this building, and they are also working on their community outreach.
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- 31 Many of you have been reading about the stimulus package, and I want to assure everyone that we are
32 working with the CUNY Administration to track these funds for CUNY and Hunter. As you know,
33 there will be money for construction. One of the most exciting parts of the stimulus package is the new
34 funding for NIH and NSF which our faculty has taken very aggressive advantage of over the years. To
35 have an Administration and a Congress that support scientific research and are investing in it will be a
36 great boon to Hunter College. It is a wonderful event for us. There is also a plan in the stimulus
37 package for a tuition tax credit. We are working to get information about it to help our students will be
38 able to take advantage of it. At the moment the proposal is a credit of 100 percent of the first \$2,000 of
39 expenses and 25 percent of additional amounts up to a maximum \$2500 credit. This could be an
40 extraordinary amount of support for our students.
41
- 42 I want to call your attention to a memo that you will soon be receiving about the continuation of our
43 faculty initiative with technology program, called FIT. It is a program that was devised by Associate
44 Provost for Technology Manfred Kuechler working closely with ICIT. It had a wonderful reception
45 last summer when a number of faculty members took advantage of the program. The program
46 provided a stipend and support from the technology support staff to help faculty to integrate
47 technology into their teaching. Faculty created new courses, and they enhanced existing courses. We
48 received really positive feedback from the program. We will be offering the opportunity for faculty to
49 participate again this

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55 summer. I urge all of you to take a look on the web-site to see if you would like to take advantage of
 56 the program.
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58 I know that you will be speaking about Middle States later, and I just want to underscore the
 59 importance of your participation. I think that the report shows a school that is in a really strong and
 60 exciting condition. I want just to take an opportunity to thank Sandi Clarkson, Phil Alcabes, and the
 61 Provost for an amazing job. It has taken me forever to read it, so I can imagine how long it took to
 62 write it and to put it together. There is so much material and so much detail reporting on the
 63 achievements and the opportunities and the challenges that we face. I really urge all of you to take the
 64 time to read the report and to give us your feedback as we move forward with the process. I am sure
 65 Sandi and Phil and Vita are happy that it is nearing its end. It has been an enormous amount of work
 66 and I thank all of you for your participation.
 67

68 Finally, without preempting the discussion that I know you will be having today, I do want to mention
 69 something regarding the issue of the Senate and the voting rules that were required by a recent court
 70 case. It is very much our position, and of course no surprise, that Hunter College must maintain a very
 71 vital and robust Senate as a governing body. I want to make clear my support for any initiatives that
 72 the community feels will help support our ability as a community to have the Senate continue in this
 73 robust format. We will find the resources and provide the support that is necessary to keep the Senate
 74 strong and vital. Richard and I have agreed to meet tomorrow to continue the discussion to see how the
 75 Administration can support the Senate Administrative Committee's effort to have the Senate function
 76 as is required for the health and future of Hunter College.
 77

78 Thank you. Any questions I can answer?"
 79

80 **Report by the** The Chair presented the report as follows:
 81 **Administrative**

82 **Committee:** **Special Election to fill vacant seats on the Senate**

83 In accordance with Article IV.2.H.i & ii of the *Charter for a Governance of Hunter College* the
 84 Administrative Committee presented the names of all nominees received to date for the at-large seats:
 85

86 **Students:**

87 Scott Powell (Chemistry)

88 Nieves Veras (Spanish)

89 Dhariana DeLa Cruz (Psychology)
 90

91 It was moved that the entire slate be accepted. The motion carried by voice vote without dissent.
 92

93 **Re: Voting Crisis**

94 The Chair informed the Senate that in accordance with Senate resolution of 12/17/08 he had sent the
 95 following letter on January 15th, 2009 to CUNY Vice Chancellor for Legal Affairs, Frederick P. Schaffer:
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97 Dear Vice President Schaffer:
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99 The Hunter College Senate has unanimously asked that I write you to request a reconsideration of
 100 recent rulings concerning voting majorities in college governance bodies. A serious problem has
 101 arisen which has all but eliminated effective governance at the College.
 102

103 According to the New York Court of Appeals, the state's highest court, college governance bodies,
 104 such as the Hunter College Senate, are subject to the New York State Open Meetings Law. This law
 105 holds that the public has the right to attend any meeting of the body and that a quorum for the conduct
 106 of business is one more than half the membership. That is in accord with both the spirit and the
 107 language of the Hunter College Senate Charter.
 108

A problem arises because of a related law, the General Construction Law, which in its section 41 states that in voting resolutions,

“not less than a majority of the whole number [of members] may perform and exercise such power, authority or duty. For the purpose of this provision the words ‘whole number’ shall be construed to mean the total number which the board, commission, body or other group of persons or officers would have were there no vacancies.”

Simply put, action can be taken by the body only upon majority vote of the total membership. In the 100-member Hunter College Senate this means 51 votes are required to take action.

Over the last two years attendance at Senate meetings has averaged between 55 and 65 members. This is ample to achieve a quorum (51 members) but it has proven to be inadequate to permit the will of the majority of attendees to act on resolutions. We have arrived at a point whereby the Senate is unable to act on any but the most routine matters. If 55 Senators are present and voting on an issue and 5 are opposed, the measure fails. Given the fact that the Senate considers contentious and complicated issues of policy, the expectation of almost total agreement among the Senators as a prerequisite for acting is unreasonable. It has all but completely stymied representative government at Hunter College, an institutional imperative won by the great sacrifice of students and faculty and affirmed by the State of New York.

During the course of the Fall semester the Senate has considered a number of actions which have been supported by substantial majorities but have failed to pass under the definition that a majority necessary for action is one more than one half the total membership. Some were important to the proper operation of the Senate’s responsibilities as defined in the Charter.

- In September the Senate considered the question of allowing the grades of C- and D+ to be assigned. The vote to do so passed by the majority of those present, 39 in favor, 18 opposed and one abstention, but the motion was defeated for failing to meet the required 51 votes.
- In October the President requested that the Senate waive its responsibility to establish a search committee to fill the new position of Chief Operating Officer because Len Zinnanti, our former Vice-President for Administration, had agreed to take the position. Zinnanti had amply demonstrated his skills and his worth in his previous tenure as an officer of the College and a new search would be time-consuming and expensive, as well as an exercise in futility given the expected outcome. The vote to waive the search was supported by a majority of those in attendance but failed 34 in favor, 15 opposed and 8 abstentions
- In December the Senate considered a resolution initiated and supported by a substantial majority of student members that the College shift its student evaluations to an on-line system. The motion to do so again reached a majority of those present but failed to achieve 51 votes: 32 in favor, 23 opposed and 4 abstentions.
- Also in December a resolution to increase from 3 to 4 the maximum number of credits which a student may take in the winter session was proposed unanimously by the Senate Undergraduate Course of Study Committee and supported by a majority of those present at the Senate meeting but fell short of the necessary 51 votes: 50 in favor, 3 opposed and 1 abstention.
- The Senate anticipates an active Spring semester. In February the Senate Mellon Project Special Committee to Review the General Education Requirement, a committee which has worked for two years to provide recommendations to improve the undergraduate curriculum at the College, will begin to bring forward its reports. They will propose a new structure for the minor, reconfigure the relationship between the major and the GER to permit greater flexibility for students, rewrite the requirements to conform to new TAP regulations, and a

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172 number of other issues. If the current restrictive system of voting is allowed to stand it is
173 unlikely that any of these initiatives will pass. We are at a crisis point.
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175 This situation frustrates democratic government, the intention of which is to permit bodies to hear
176 multiple viewpoints and determine by vote the will of the majority. It also ignores the intention of
177 representative democracy — the Hunter College Senate, for example — which permits a body politic
178 to delegate its power to elected individuals. The principle whereby an individual can represent a larger
179 constituency is a fundamental structural necessity to allow democratic government to function. This is
180 the basis of the system that permits a body to define its voting majority as one more than half of those
181 members in attendance.
182

183 Since no factional or individual right is protected by the application of the New York State
184 Construction Law it is perverse to continue to allow it to impede representative government at the
185 College. The Hunter College Senate therefore petitions the Legal Affairs office of the City University
186 of New York to review the relevant case law and statutes and support our request to return to our
187 original manner of operation whereby we define a majority vote as one more than half of those in
188 attendance. We will continue to abide by the Robert's Rule which states that action in meetings can be
189 voted on only when a quorum is present.
190

191 I look forward to hearing from you.
192

193 **Update on Middle States Self-Study Report**

194 Provost Rabinowitz, Co-chair of the Middle States Steering Committee, presented an update. The
195 following is a summary statement. She said:
196

197 “You should be in receipt of a hard copy of the first half of our draft report to the Middle States
198 Commission on Higher Education: the introduction and the first seven standards. The standards
199 addressed in today's handout relate to the ‘institutional context’, and include in depth discussions of
200 the following:
201

202 Mission and Goals
203 Planning, Resource Allocation and Institutional Renewal
204 Institutional Resources
205 Leadership and Governance
206 Administration
207 Integrity
208 Institutional Assessment
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210 The document you have received is now available to the entire Hunter community via the Middle
211 States website.
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213 No later than 3:00 pm Friday afternoon, we hope to have the second half of the draft report available
214 both in hard copy in the Senate Office, and also on our website. That half of the report deals with
215 ‘educational effectiveness’, and includes thorough discussions of the following:
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217 Student Admissions and Retention
218 Student Support Services
219 Faculty
220 Educational Offerings
221 General Education
222 Related Educational Activities (Basic Skills, Certificate Programs, Non-credit Offerings)
223 Assessment of Student Learning
224

225 Once the full report is posted, a note will go out to all Hunter faculty, staff and students inviting them
226 to read the report and join us in a discussion of it at a special Senate meeting scheduled for a week
227 from today, February 25th , starting at 3:30. For those unable to make the meeting or wishing to
228 comment

233 privately on the report, we welcome comments sent to middlestates@hunter.cuny.edu. These
234 comments will be visible only to me, to the co-chairs, Phil Alcabes and Sandi Clarkson, and Ann
235 Marie Nichols Grinenko of the Provost Office.

236 Before turning this over to the co-chairs of the committee, I would like to say a few words about the
237 draft and the process, and give some thanks where they are due. The draft is just that-a draft-and we
238 already know that there are mistakes, omissions, repetitions, infelicities of language, and the like. We
239 want and need your eyes on this, and we genuinely welcome your suggestions on matters of
240 everything from strategy to substance to style. The one favor we ask is that if your concern or
241 correction is a matter of fact or data, that you provide your source so that we may refer to that in our
242 report. Middle States requires that any statement of fact be backed up through appendixes, tables, or
243 the likes. So, again we ask you to help us out in the remaining few weeks to get this report in tip-top
244 shape.

245
246 The first goal of this process is to win re-accreditation for the institution that those of us in this room
247 cherish, and we tried not to lose sight of that. Our second goal is to use the process of self-study and
248 external evaluation to create the basis for strategic planning in the future, and we tried to set the stage
249 for this as well. Following the advice of the chair of our examining committee, Dr. Earl Richardson,
250 President of Morgan State University and of our MS liaison Linda Suskie, our strategy in preparing
251 this draft has been to put our best foot forward and put our challenges and limitations in context. We
252 have strived throughout to be upbeat and honest, and we request that you consider this as you read and
253 comment on the draft.

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255 As to process, you should know that working group reports were submitted to the co-chairs in late
256 spring of 2008. Phil and Sandi worked throughout the summer and I joined them in late summer to
257 shape those reports into a draft that went to President Richardson in November as our first draft. The
258 Steering Committee last met on December 23rd, 2008 and has not contributed to the draft since that
259 time. In the month of January I made an attempt to create a cohesive document written in something
260 of a single voice. As I did that, I solicited input from the co-chairs and the senior administration,
261 including the President. Now it is time to solicit the opinions of the most important stakeholders in the
262 process-you, the Hunter Community. Given that the final report needs to be in the hands of the visiting
263 team by March 10, we ask that your comments be send to us no later than March 2nd . Again, please
264 be sure to include your sources for any suggested changes of information.

265
266 I cannot thank Phil and Sandi enough for the long and tough job of shepherding this process with me,
267 which is both academic and political. Throughout, they have worked well with the steering committee,
268 the working groups, and the community and have ensured that this process has meaning and integrity.
269 They have been unfailingly open and inclusive, and it has been an honor to work with them.

270
271 I also want to thank the Steering Committee who worked so hard and to such good effect since
272 October of 2007, and I would like to mention their names:

273
274 **Members-at-large:**

275 Mosen Auryan, Eija Ayravainen, Taina Borrero, Linda Carlson, Conan Freud, Kelle Jacob, Alex
276 Cohen, Anne Marie Nichols Grinenko, Professors Anthony Picciano, William Sakas, and Bill
277 Williams.

278
279 The Steering Committee that was made up of the Chairs of the Working Groups: Prof. Jill Gross,
280 CIO Frank Steen, Prof. Manfred Kuechler, Dean John Rose, Professors, Richard Stapleford,
281 Roger Persell, Andrea Savage, Helena Rosenblatt, Jason Young, Mary Lefkarites, Dean Madlyn
282 Stokely, Assistant Provost Peggy Tirschwell, Professors Christa Acampora, James Gordon and
283 Lynn Chancer.

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285 I thank you for reading the report in advance and commenting on it. I would like to invite Phil and
286 Sandi to add any comments, observations, instructions.

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288 The Provost yielded the floor to Professor Alcabes, who said:

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“I would like to reiterate the urgency of participation in this process on the part of all the constituencies around the college as broadly as possible and as extensively as possible in the little remaining time.

There are about three weeks left before the report has to go to Middle States. Then there are six weeks between that date and the visit of the evaluation team. There are two periods for different kinds of involvement. One aspect is the open meeting that will take place here on February 25th, and reading the report and sending comments by e-mail. The second is that even after the report is submitted, we will all need to talk about what it is we are going to say to the evaluation team. This is not meant to coerce anybody to toe the party line. On the contrary, we expect that there will be differences of opinion and we can attest to you that the evaluation team will expect that there are differences of opinion. But it would be embarrassing if people are not aware of what is at stake here.”

Professor Alcabes yielded the floor to provost Rabinowitz, who said:

“The team will be visiting April 26th through the 29th. We would like as many as possible to participate in the visit. There will be open forums including an open forum for the reading of the visiting team’s report where they give a preview of their findings, and I hope you will take the opportunity to participate.”

Provost Rabinowitz yielded the floor to Professor Alcabes, who continued:

“What you can do in the meantime is to look at the draft report and check the Middle States web site. The Provost Office has promised that the second part of the report will be posted by the end of this week, so that you will be able to read all of it before the open meeting next week. As the date of the evaluation team visit gets closer, we expect to know a little more about what the team wants to do while they are here, and we will let you know what we know about the itinerary for their visit. No doubt, there will be multiple opportunities for different groups of people to meet with different members of the team.”

Professor Alcabes yielded the floor to Provost Rabinowitz, who said:

“I want to be clear about one thing. My hands were the last hands to have touched this draft. So, if there are any sins of omission or commission they are mine alone and are not the responsibility of the steering committee or my co-chairs. If you feel that your program has been left out, or if you have been mischaracterized in some way, please let me know. The Steering Committee has not participated in a meaningful way since Christmas, and the co-chairs have ceded this report to me mostly from January on. So I am the guilty party. I want to make that clear.”

The Provost yielded the floor to Professor Clarkson, who said:

“The Steering Committee did not bow out of this, but on December 23rd the committee and the co-chairs agreed that the Provost would take over the writing and put everything in one voice. I am sure the Steering Committee would have taken part in a meaningful way but we did not call on them to do so. Hopefully, at this point they will read the report, take it apart, say whatever they want to say and come next week to discuss it. As Philip said, all three of us are available to talk about the issues that you do not want to put in an e-mail. Just let us know.”

After discussion it was moved that the meeting be adjourned. The motion carried and the meeting adjourned at 4:25 PM.

Respectfully submitted,

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Phil Alcabes,
Secretary

APPENDIX I

The following members were noted as absent from the meeting:

Faculty

Africana&PR/Latino Studies	Pedro Lopez-Adorno (A)
Art	Paul Ramirez
Biology	Shirley Raps "E"
Chemistry	Pamela Mills Dixie Goss (A)
Classical & Oriental Studies:	Fang Dai "E"
Curriculum & Teaching	Ann Ebe (A) Sema Brainin
Economics	Howard Chernick Jonathan Conning (A)
English	Christina Alfar (A)
German	Elke Nicolai (A) "E"
Health Sciences	Mimi Fahs (A)
History	Bernadette McCauley (A) "E"
Library	Luis Gonzalez (A)
Mathematics & Statistics	Ada Peluso
Nursing	Donald Smith Elizabeth Simon (A)
Physics & Astronomy	Noel Goddard (A)
Political Science	Charles Tien (A) John Wallach
Psychology	Tracy Dennis (A) Tricia Striano
School of Social Work	Lorraine Tempel
Sociology	Claus Mueller (A)
Theatre	Joel Bassin

Lecturers and Part-Time Faculty

Barbara Sproul (Religion)
William Mayer (Classics)
Constantin Radis (Sociology)
Carmela Scala (Romance Lang)
Aubrey Ewaroo
Jeffrey Mongrain (Art)
Matthew Knip

Administration

Dean Jacqueline Mondros (A)
Acting Dean Ken Olden (A)

Ex-Officio

Deborah Francois, USG Pres.
Patricia Rudden, Alumni Assoc.Pres.
Jason Ares, CLT Council President
Nadine Young, HEO Forum Pres.
Sarit Levy, GSA Pres.

Students

Maria Arettines
Mariya Kayumova (PoliSci)
Kaveh Tabatabaie (PoliSci)
Claudia Caceres
Johanna Gurman
Dulgun Maidar
Jenny Alcaide
Amardeep Singh (Biology)
Glenda Holland (Sociology)
Christina Podkalicki
Peter Cardenas (Psych)
Zain Saeed
Mariya Yefremova (Poli Sci/Eng) "E"
Tobi Jaiyesimi (PoliSci/Eng)
Francesca Manieri (SEEK)
Ian Christner (Grad. Sociology)
Robert Walko (Economics)
Sera Yeysides (Econ/Poli Sci)
Kareem Devonish
Darius Carr
Jessica Torres
Lorena Sanchez