

MINUTES

Meeting of the Hunter College Senate

1 February 2006

The 462nd meeting of the Hunter College Senate was convened at 4:15 PM in Room W714.

Presiding: Joan Tronto, Chair

Attendance: The elected members of the Senate with the exception of those listed in Appendix I.

The Chair asked the Senate to rise in a moment of silence to remember Professor Fulton Ross who passed away on January 20th. Professor Ross was Chair of the Communications Department for a number of years, and Chair of the Hunter College Senate from 1985 to 1988. She informed the Senate that a Memorial is scheduled for April 23rd.

The Senate observed a moment of silence in honor of Professor Fulton Ross.

Agenda: The revised agenda was adopted by unanimous consent.

Minutes: The Minutes of November 30th and December 14th were approved by unanimous consent.

Report by the President: A summary statement of President Raab's report to the Senate is attached as Appendix II.

Report by the Administrative Committee: Report by the Chair

The following is a summary statement of Professor Tronto's report. She said:

"I am sorry to take the Senate's time when we have pressing business, but let me say a few words about *Perez v. CUNY* and about how the Administrative Committee is going to respond to that.

As you know, the New York State Court of Appeals announced in its ruling in *Perez v. CUNY* in November 2005 that the college senates in CUNY are public bodies and public agencies for the purposes of State law and that "under CUNY's comprehensive university governance scheme the College Senate is the sole legislative body on campus authorized to send proposals to the CUNY Board of Trustees." That is the good news. We are real. But as a public body and as a public agency we then are required to follow certain requirements of a State's Open Meetings Law and the State's Freedom of Information Law. We circulated Vice Chancellor's Schaffer's memorandum that the President referred to by e-mail to all senators. Let me tell you what immediate changes we are making to our practices. We already do most of the things required under the Open Meetings Law. We advertise our meetings in advance, meet at set times and so on. In order to comply with the Open Meetings Law there are two things we are going to have to do differently.

The first concerns the quorum. Under Robert's Rules we had set our own quorum, now under the State's General Construction Law, Section 41 we must have a majority of all members, which includes vacant seats, in order for a quorum to exist. So our quorum is now 102 senators (one half of 202 = 101 plus one -- a majority). The State's General Construction Law section 41 also says "not less than a majority of the whole number may perform or exercise such power, authority, or duty." Thus, we will now need what I am going to call a "Section 41 majority," 102 votes to carry out our duties as a public body. However, we don't need a "Section 41 majority" to carry out intra-cameral business according to State law, and I am awaiting final word from Vice Chancellor Schaffer on this point, although I discussed it with him last night in front of the University Faculty Senate.

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Second, while the Open Meetings Law does not require that every vote be publicly recorded, the Freedom of Information Law (FOIL) does. So we are going to use the clickers from now on always to vote. Now, we are still not required to publish the results of how each senator voted in our Minutes, and this is a question for the body. It is still possible for the Senate to use what Vice Chancellor Schaffer called last night “a closed ballot.” Under a closed ballot, how individuals voted would only be released when somebody actually under the Freedom of Information Law asks to know how individuals voted. So while this isn’t a secret ballot, because anybody could find it out under FOIL, it also is not like a roll call where you are going to have to stand up and say how you voted when your name was called. It is the opinion of the chair, however, that senators should be willing to cast their votes openly. Clickers are easier to manage than roll calls, so we will use clickers.

In the long term, the Chair and the Administrative Committee have asked the Charter Review Committee to consider as expeditiously as possible changes in the size and composition of the Senate that would make it easier for us to meet the quorum rules.”

She then asked if there are any questions for Dean Chin.

At this point Dean Chin requested to make a statement, and she proceeded to read from her notes.

In response to requests from the floor the Chair asked the Senate if it would be acceptable to add the memorandum from Dean Chin to the Minutes.

Dean Chin stated that she needed to mention one section about “Executive Sessions.”

The Chair stated that Dean Chin’s memorandum in its entirety would be added to the Minutes. She thanked Dean Chin for her help in thinking through some of these issues.

Dean Chin’s memorandum is attached as Appendix III.

The Chair then continued her report as follows. She said:

“The last thing I want to say to you from the Administrative Committee is that Senate attendance not be burdensome, because you MUST come to the meetings, and if you cannot please resign your seat. We will meet as often as necessary to conduct our business, but we will not meet if business can be postponed. On March 1st Robert Ptachik, University Dean for the Executive Office, will join us to discuss the process of presidential evaluations.”

Election of Chair for Master Plan Committee

The floor was open for nominations for Chair of the Master Plan Committee.

Professor Barbara Sproul (Religion) was nominated.

The Chair asked for unanimous consent to close nominations and to instruct the Secretary to cast a single ballot in favor of the nominee. There having been no objection, it was so ordered.

Special Election to fill vacant seats on the Senate

In accordance with Article IV, 2. H. i & ii of the *Charter for a Governance of Hunter College*, the Administrative Committee presented the names of all nominees received to date:

Students: (20 vacant seats)
Jasmine Olmo (Psychology)
Alex Kohen (Political Science)
Christina Davis (Full-time Undergraduate)

Catherine Zinner (Political Science)
Milca Almodovar (Theatre)
Gary Henkle (Full-time Undergraduate)
Cecilia Lazzaro (Full-time Undergraduate)
Julia Daly (Full-time Undergraduate)
Emmanuel Palatulan (Full-time Undergraduate)
Kelle Jacob (Full-time Undergraduate)
Yi Hao Wu (Full-time Undergraduate)

It was moved that the student nominees be declared elected. The motion was approved by voice vote without dissent.

Faculty: (3 vacant seats)

Daniel Skinner (Political Science)
Claus Mueller (Sociology)

It was moved that the faculty nominee be declared elected. The motion was approved by voice vote without dissent.

Clickers were distributed to the newly elected senators.

**Committee
Reports:**

Nominating Committee

Dr. Marilyn Rothschild, Chair of the Committee, presented the following nominations for seats currently vacant on Senate Committees:

Undergraduate Course of Study Committee: (Tuesdays 12-2)

Students: Alex Kohen (Political Science)
Milca Almodovar (Theatre)

GER Appeals Committee

Student: Alex Kohen (Political Science)

Undergraduate Academic Requirements Committee (Tuesdays 3:30 – 5 PM)

Faculty from Health Professions: Philip Alcabes (Health Sciences)

Budget Committee

Student: Abdelhafid Toury (Economics)

Committee on the Library:

Faculty: John Wallach (Political Science)

Master Plan Committee

Faculty from Humanities & Arts: Jeff Mongrain (Art)
Faculty from Social Sciences: Greg Johnson (Anthropology)

Charter Review Committee

Faculty Alternates: Andrea Savage (School of Social Work)
Walter Volkomer (Political Science)
Students: Charles Blumenthal (Economics)
Colleen Boris (Women's Studies)

Teacher Evaluations Committee

Student: Keith Yu (English)

The nominations were approved by voice vote without dissent.

Select Committee on Academic Freedom

The motion on the floor was approval of the four Recommendations on page 5 of the Report by the Select Committee on Academic Freedom dated 1 February 2006 as distributed.

Discussion continued as follows:

Professor Bill Sweeney made the following statement. He said:

“I think people are wondering about the climate of fear, and what is it that people are afraid of anyhow? I think the answer to that is loss of access to resources, opportunities, loss of respect of the administration, and the loss of a feeling that this is a place that welcomes who you are and what you do.

I will tell you one story. I have more than one to tell, but there is a two minute limit. I did not go to the Academic Freedom Committee. I probably should have, but I didn't. There is a summer program I wanted to run a number of years ago, and I was looking for College Now funding. I spoke to Miriam Cilo about the program, and she was very enthusiastic about it and said she would include it in the college request. At Christmas I saw her again and she confirmed that she had included it in the college request and that I definitely would be getting money for the program in the summer. When I had not heard from her I called her in May and asked what was going on with the money for my program. She said that the program had been cut and there was no funding available. Fortunately, I was lucky enough to find other funding, and so I was able to run that summer program that summer. Afterwards I asked Nick Michelli, who was University Dean for Education at the time, why College Now had not funded it. And so he asked at 80th Street, and the surprising answer was that it had been funded. The money was given to Hunter College for our program, but he said that the college is not required by 80th Street to use the money for the purposes for which it asked for the money. In other words, it is a lump sum that is given to Hunter, and so there was no violation of process as far as 80th Street was concerned. But I have been at the college since 1975. I have been Chair of the Chemistry Department for thirteen years, and I have never heard of anything like this before.

It is perhaps not irrelevant that the summer program that I was asking to be funded turned out to be the prototype for our \$12.5M CUNY grant from the NSF that was written solely by Hunter faculty. You may not know about this grant because it was never announced at Hunter College to my knowledge.

How many incidents like this are okay? Five percent of the faculty went to that committee and perhaps there are others who did not, who had stories like mine. Free and open discourse are central to a healthy college environment, and I think we need to be able to acknowledge we have a problem and move on in a way that makes the college environment healthy and open and safe for discourse.”

Dean Laura Schachter made the following statement. She said:

“I am concerned that academic freedom is being equated with each of us receiving what we would desire to receive. The Academic Freedom report gives us three different responsibilities that are worth discussing at greater lengths. The first being the responsibility of the administration to try and learn more about what concerns people have and how if at all people feel their freedom is being violated. And that is the responsibility of the administration. And I think the second responsibility is for the people at this college, many of whom are sitting in this room right now, who have loudly, vocally and hostilely disagreed with this administration and have nonetheless been given significant financial resources, to speak up and concede that fact. And third I think it is the responsibility of the people in this room who have not received the resources

that they desire to receive to acknowledge or at least consider the possibility that the reason for that lack of resources was not because of disagreements with

academic freedom or disagreements with the administration but because there is a certain amount of money that is available at the college and decisions are made about who gets that money and some people's projects perhaps are not as valuable as they believe them to be no matter how sincere their belief, choices have to be made. And the choices may be made not because of disagreements with the administration or because of things that have to do with fear but because preferences are elsewhere and if we don't all three of the people, the three groups that I just mentioned, each of us take on our responsibility in that regard, I don't think it is honest to adopt a report that does not include all of those points and I don't think this one does."

Professor Greg Johnson made the following statement. He said:

"I would like to speak in favor of adopting the recommendations of the report as they stand, and I would like to comment that one of those things the report does not do is determine or suggest what the origins of this widely perceived problem might be. The origins could be various. I mean it is perfectly conceivable that we have a lot of delusional people around. Evaluating that hypothesis would probably take more applied clinical psychologists than Vita would probably recommend to us. It may be that people's negative experiences were so diverse and unique that they share no underlying commonalities. From the social science perspective that seems unlikely. Probably the origin is something more in the public domain and I would like to suggest to you that one thing that is in the public domain is that in recent years we have found many of our friends, colleagues, and acquaintances gone missing, for often quite inexplicable reasons. You know, what happened to Ann Cohen, where she finally wound up as a University Dean at 80th Street? What happened to Richard Pizer, who is at the Graduate Center? What happened to Bob Marino? What happened to Michael Griffel? What happened in Facilities to Julio Vasquez, who went off to be Director of Facilities at Columbia University? What happened to Jerry Rosenrauch who went off and is the Registrar of NYU? What happened to Vice President Harwood? What happened to his successor? What happened to the two Betsys in Development? Betsy Bowman is no longer with us. What happened to so many people? What happened to Dean Leashore in Social Work and his successor? These have been very rapid transitions and it seems to me that it is enough to make people nervous, and we should perhaps look into it further."

Dean David Steiner made the following statement. He said:

"As you all know, I am new here. I want to make one quick technical point, and then a broader appeal. The technical point is simply that in clause number one you speak of a perception of a climate of fear, and I think that is an important point. In number three you speak of the climate of fear without any concession to perception. I am not taking a position on that, but actually there is an important difference. Many of us have perceptions that may or may not be accurate. I think the previous speaker spoke to that. The existence or conclusion of a climate of fear is a still more disturbing conclusion that rests presumably on other grounds. My point, most substantively, is simply to say that as a new Dean and with other Deans I take it as part of our responsibility to be a conduit and a translation between the faculty and the administration and we are dedicated and have made this clear to all the senior administration that whenever in the future we might see a blockage or something that says a process is not academically what it might be, we take very seriously our responsibility to make a case for that academic integrity. If it occurs, I expect to be held to that and I know my fellow administrators do too. So just to say to my colleagues in this room, this is a very serious issue, but we are in difficult challenging times. I understand the temptation sometimes of shortcuts to try to help the college in fundamental ways. It is a temptation we must sometimes be very careful about in order to move the college forward but always with deference to due process and we are dedicated to making that happen."

Professor Ewen rose on a point of information and said: “Dean Steiner, I am a historian and I am used to using texts. Your quotation of item three is a quote out of context. If you read it, it says “the climate of fear described to us” which is consistent with the term “perceptions.” And so, it is just a question of knowing how to read documents through.”

Professor Barbara Welter made the following statement. She said:

“We were asked by the Senate as a group of people, and I had no particular axe to grind, to do a particular job. I have been on many committees, and that is what we did. We listened to a whole lot of people; many of them, in my opinion are some of the best people that I have ever worked with at Hunter College. I believe that no one in this room including at least the administrators that I know would have been anything but deeply moved and deeply concerned at the stories that we heard. And rather than attacking the committee, I think perhaps more attention should be given to the point brought to this body, our desire that there be more discussion. Not so that so that we can go to the administrators and they will take care of things. In shared governance and with shared responsibility, as Dean Schachter asked, we need to understand our problems and come to some consensus through the kind of enlightened thought that I think is essential to the way in which a university ought to come to conclusions. Not from the top down, but discussed among us. And that is what a very hard working committee came to as a unanimous conclusion.”

Dean Paul Kurzman made the following statement. He said:

"I am the Acting Dean of the Hunter College School of Social Work. Sometimes I think an issue that is deeply felt on all sides, as clearly this one is, can in part be understood by giving an example. I had a situation where one of the members of my faculty who did not yet hold tenure was attacked in a very open way internally and externally and by newspapers, radio, and television, for a particular position that she took in our profession of social work on a modality of intervention with clients. Indeed, her position and her affiliation with a particular Institute in the city may have been a little bit non-mainstream, some would say even further than that, but my position as the acting Dean was that she deserved to be supported. In fact there was an academic freedom issue here for her; she was, as a non-tenured member of faculty, particularly vulnerable, but she had the right to affiliate in her professional life with any recognized Institute of her choice, popular or unpopular as its positions might be. The other charge against her was that she brought the modality of intervention, called social therapy, into the teaching that she did in her classes. My position was that, within parameters that are acceptable for anybody teaching that course in any section, she, like any other instructor, should have the freedom to bring her perceptions and her perspectives to the classroom in a non coercive fashion, based upon her expertise as a professional and as a member of this faculty. I obviously could not take this position without the support of the Provost's office and the Administration of the College, given the fact that this was becoming a public issue. I sought their opinion and in fact I sought their support for my position to see this as an issue of academic freedom. She had an expectation that I as the current Dean would help protect her without equivocation, after explaining all aspects of the issue. Everyone whom I spoke to on the seventeenth floor supported her and my right, in turn, to protect her from the attack that was being made upon her based upon her affiliations and position in favor of the particular modality of psychotherapy. So, again, it is one instance, but sometimes through individual instances and metaphor we understand perhaps better than in any other way, and so I wanted to share this example with you.”

At this point the Chair informed the Senate that only three minutes remained for the meeting.

Dean Steiner rose on a point of personal privilege and said: "I am hoping that this is a deep debate about serious issues and I know you all share that view, but since a professor's somewhat ad hominem remark was made about my ability to read, you will understand that as a fellow academic I'd like to quickly respond. There is a very big difference it seems to me between describing a perception of something and describing something."

It was moved that debate be closed. The motion carried by voice vote.

There was a call for a division.

After brief discussion, the Chair ruled that because of the late hour discussion be carried over to the next meeting.

The meeting adjourned at 5:25 PM because of the late hour.

Respectfully submitted,

Stuart Ewen
Secretary

APPENDIX 1

The following members were noted as absent from the meeting:

Faculty

Africana & P.R./Latino Studies	Juan Flores	Physics & Astronomy	Leon Cohen
Anthropology	Jacqueline Brown	Psychology	Sosimo Fabian Peter Moller
Art	Brian Wood Maria Pelizzari "E"	Romance Languages	Virginia Santos Rivero Carmela Scala
Chemistry	Namby Krishnamachari	SEEK	Ruby Tsang Maria Rodriguez "E"
Classical & Oriental Studies	William Mayer "E"	School of Social Work	Annette Mahoney
Computer Science	William Sakas	Theatre	Louisa Thompson
Economics	Howard Chernick Michael Schleifer Avi Liveson	Administration	Len Zinnanti "E"
English	Sarah Chinn Angela Reyes "E"	Ex-Officio	Michael Delfausse
Film & Media	Michael Gitlin	Students	
Geography	Ines Miyares "E"	Patrick Rivers	Kelly Levy
German	Douglas McBride	Yevgenia Elkina	Anna Tobin
Health Sciences	Kathryn Rolland "E"	Annie Thermidor	Dora Romo
Library	Clay Williams	Carmen Lopez	Nadeesha Epasinghe
Mathematics & Statistics	Dana Draghicescu	Kwame Coleman	Tamara Joachim
Music	Paul Mueller Barbara Hampton "E" Mark Spicer "E"	Saulat Ajmal	Deila Dean
Nursing	Gloria Essoka Patricia St. Hill	Ankur Mangalagiri	Alexandra Calzado
		Sean Sullivan	Brian Bankoff
		Isis King	Giselle Campos
		Caroline Erb	Laura Musich
		Shannon Miller	Sharlene Hamlet
		Nyasha Tindall	Ezra Serran
		Brian Gaun	Debra Hilborn
		Andrew Colascione	Dilini Kasturiarachchi
		Lisa Davis	Penelope Williams
		Gary Henkle	Piotr Dabrowski
		Cecilia Lazzaro	Spencer Dennis
		Emmanuel Palatulan	Diane Young
		Kelle Jacob	Jasmine Olmo
		Yi Yao Wu	Catherine Zinnel

APPENDIX II Report by the President

The following is a summary statement of President Raab's report to the Senate 2/1/06. She said:

"Thank you for the opportunity to discuss a number of matters that are on our agenda and the University's agenda.

Re: Budget

First, I know everyone is thinking about the budget. There are a few pieces of good news in the scenario. The first is that all the hard work in this room and in rooms throughout the college on the compact was really recognized in the budget submission. If you go on the website and look at what CUNY submitted to the Governor, you will see under the Hunter College portion the proposal that we submitted from the committee that came from the Senate, the Student Government, and many other constituencies that worked together to put forward ideas of how we would spend the additional \$4.5M if the compact were funded. It was very gratifying to see that we submitted a memo that was brilliantly synthesized by Acting Provost Rabinowitz, and that memo was put into this submission. It was a very expedited process, but it was a process where people really weighed in, and that message was heard.

In terms of the budget right now, the piece of good news in it is the presentation from the Governor that does not come with the usual slash in the operating budget. We are starting pretty much where we were last year. At least it is not a fight for complete restoration. But there are two very serious problems that undercut that piece. The first is that the budget is predicated on a \$300,000 increase in tuition rather than the \$130,000 increase that was agreed upon by the CUNY Board of Trustees, including the student trustee on the board that was part of the compact thinking. That is something that has to be addressed. We all have to come together and make sure that the \$300,000 increase in tuition is not adopted by the State Legislature, and that would require the State Legislature to put back \$17M into the operating budget of CUNY. Many of you have received the form letter so that we can all write to our State legislators, and I really urge you to help us. Numbers are very important here, the word has to get out. Given the budget surplus we feel that we are in a good starting position to insist that the money be restored. But that is really not enough because we are also \$18.3M short in having the compact funded, which is what the hundred thirty dollars a year tuition increase was predicated on. \$17.4M would get us up to a \$130 tuition increase, but we need another \$18M from the Legislature to fund the compact. So, we need \$35M for the CUNY system from the State Legislature, and that is what we are all focused on demanding now. We will be sending out lot of information about how all of you can help individually. We will, as we have in the past, invite our State legislators to campus to make that point, but those are the areas that must be addressed by the Legislature.

There was an unfortunate provision regarding TAP in the Governor's budget. Every year there is some part of the Governor's budget that somehow minimizes TAP funding, and we have to organize and make that clear. One of the two changes would not impact Hunter as much, and that withholding TAP for the first two years for people who have a GED rather than a Regent's or other high school diploma. Most of our students are not in that circumstance. The other suggested change in TAP is that TAP be reduced for students who are not carrying a fifteen credit load. Right now full TAP funding is given to students with a twelve credits load, and that is the majority of our student body. This 80% reduction would have a really detrimental impact, and we need the help of everyone in this room and work very closely together to get that message out.

On another budget note, I want to talk a little bit about the graduate program money that was provided by CUNY this year to the campuses as a result of the graduate tuition increase. Hunter received a little over \$700,000. It has been a very exciting experience to be able to actually spend some money. There was no shortage of needs here and requests to spend it. In order to make some decisions on allocations we looked of course at all the existing strategic plans, external reviews, and self-studies and accreditation reports that all of you have worked on over the years, but we also reached out to the Deans and asked them to talk to their chairs and program directors. I think I had emails from every chair in the Arts and Sciences graduate programs. People are very clear about how they could use new funding. We asked people to think this year about items that could be purchased immediately, like books,

equipment, and physical rehab projects versus visiting lecturers and hiring new faculty because the lead time made it pretty much impossible to spend that kind of money.

Appendix II (Continued):

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The first two big projects dominated about a third of the spending. The first is really pursuant to the Strategic Plan that the community adopted in 1999 and that is the goal of having 25% of our student body be graduate students. I have seen that as a more and more important goal, because Eija and I struggle with this all the time in order to keep our enrollment. You remember that we were able to secure from CUNY a commitment not to increase our enrollment. The prior administration had agreed to real exponential growth, and we had that commitment reversed but agreed to stay where we are. But in order to do that we are sometimes concerned about the continuing pressure on the undergraduate population, and particularly in trying not to increase the size of the freshman class so that the freshmen have advisors, access to classes and to services. This goal of at least 25% graduate students in the College is extremely important. One of the things we have been hearing over and over as we worked with the departments and schools that have graduate programs is the need for support for admission in a variety of things. First, support for office help and for processing applications, but also for more serious things like re-engineering graduate admissions and moving to an online system - filing of applications, recruiting materials, marketing materials through websites where students surfing the web can see that Hunter has a program in X, and this is what we do in that program, and that we can get materials and respond to them quickly. As I said, a part of this expenditure will be on re-engineering our admissions process so that we can really meet and even exceed the goal of the 25%, and in the same time market our premier programs to let people know that they are available, and strengthen them that way as well.

The second part of that third of the money is for a priority that was unanimously identified in the compact discussions, and that is for the Library. Of course, this is the graduate portion of the Library, but Louise's list is so long that whatever you give her, no matter what restrictions you put on the money, if you ask her if she needs it, she needs it. There is a fair amount for improving the Library.

The remaining two thirds of the money was divided between the four schools working with the Deans, who had been working with their Chairs. For example, the School of Education has a major new project with a real focus on training our teachers through the use of technology, which our new Dean had discussed as he was interviewing. A large portion of this money will be used to promote that project. We have already had some private money to match that project at the Health Sciences as well. We are doing lab renovations in Social Work as well as some physical improvements in the library. In the School of Art and Sciences there are two new labs under construction, one in Urban Affairs to do a geographic information visioning, and one in Anthropology. Many programs are asking for money for visiting lecturers, and for equipment that has been lacking over time, and again for books. This money has been very wisely allocated.

The final request came from the Graduate Student Association. We compiled all of those and then went to the departments and said this is what your students are asking for, does this make sense to you? Is this money really missing from your budgets? Are these things that you are not actually planning to buy, but that you need? We worked that out and incorporated the graduate student requests through the departments.

It was an exciting experience. We had to respond to many lingering needs, and we are now starting to think about next year because this is recurring money. We will be able to start talking about how much of this money can be allocated for new faculty or support personnel positions because that money once it is allocated is obviously not available the next year for new spending. So, we have to think about how much we want to restrict and capture these funds. I want to remind all of you involved in graduate programs that it is not too early to start working with your Deans to start planning on how this money will be spent.

Re: Fund-raising

I want to talk a little bit about some of our fundraising news because we have had some really wonderful progress. It is a very slow and painstaking process to really move forward and change a culture. We have had a lot of generous support, but we have not at all tapped out the support of alumni and other friends in this city. It is a wonderful fact that in our entire history we have received only one \$1M gift, and that was six years ago. This year we broke that barrier, and just the last year we had three new \$1M gifts and we are working on at least another three. So, we are now a school that gets million dollar gifts and it is breaking a real psychological barrier. It is a very exciting thing, and I now feel that I want to get a \$5M gift. Now that we have people who give \$1M, the next person should give five. I am hoping I'll find someone who will agree with that, but it is a change in how we present ourselves.

Within this last year we also had three \$500,000 gifts, two gifts over a quarter of a million, and eighteen gifts of \$100,000. That is another significant fact, because that is what we are now counting as a major gift. We are having discussions like that with alums and we can talk seriously on a regular basis about \$100,000 gifts. It is changing the

Appendix II (Continued):

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culture, and while not everyone in this room will be able to see an impact, we are seeing strategic impacts from this money, and what you want in a Capital Campaign is a real transformation by philanthropy of an institution.

One of the exciting things that Eija will attest to, is the increase in scholarship money. We have twenty new student scholarships this year from Mother's Day and we had two that were permanently endowed at the \$100,000 level. We feel that as students come and express needs, and with the new STARS system, that we are able to embrace this need and help our students. We had a very interesting donation recently from a donor who said to me, "You're not going to like this, but I want this scholarship money to go to students who aren't doing very well." And I said, "I actually think that is wonderful." He said, "You know I was here, I have done really well, but when I was here I did not do as well as I should have because I was just stressed out; I was working too much and I did not have the focus, and I want to help a student not to have that issue and be able to spend more time in school." It was really very moving and Eija is now interviewing candidates. It is very rewarding for some students that you see are in real duress with family situations to be able to have the ability.

The \$100,000 gift in Creative Writing did something really spectacular. It allowed our graduate students to be matched with a major writer as a mentor. Their tuition is paid, and they are paid a stipend and then they are paired with a major writer for the semester. They do research for this person, and then the person in turn helps to read their work. One of our students was with Katherine Harrison. We had a lunch with the donor, and we had the authors and the students. They were helping Katherine Harrison do research on her new piece that involves Rasputin. She is doing historical research and she in turns is reading this student's manuscript. So, these are the types of things having an impact. It is changing the Creative Writing Program, and I think we are seeing this in a lot of areas. It is very exciting. We are looking at some major gifts for student internship money for the Library and it is very gratifying to see the impact. The challenges are still there. We have talked about them before. We are a public institution.

Re: Alums and Capital Campaign

We have some very loyal alums. I don't know if everyone knows Agnes Violenus who is the head of our Alumni Association. She is amazing. Agnes you have to stand up. I think Agnes can attest to this. For many of our alums this was a public college and they did not pay tuition, so it is not hard to recognize that students need more financial support than ever. I don't know if you have an official title, but Eli Schwartz is also an alum and it is wonderful to see him as well.

A public college in the sense that the government should be funding what we do or perhaps since we are a public college we may waste the money that is given anyway. There is the issue of the approach of women to philanthropy; women tend to give differently than men. They want to be more involved in an institution than men who write checks, and it means a different kind of engagement and a more intensive strategy.

And, finally, the lack of a class structure, particularly in the last thirty years often impedes. We do have our milestone reunions, and we have one coming up. We will have a large class from 1956 and we will have a very small class that is from 1976. It is not that same class structure that most institutions have. We have been working on a real alumni outreach strategy which is really two prong. We have a new Director of Alumni Affairs who is working closely with the Alumni Association and other groups and we are trying to multiply the numbers of alums that we reach. We now have an alumni e-newsletter, but it took us awhile to get this together. We are now getting responses where people send back their class news and their notes and we are reaching more people. We have a mentoring program that alums participate in which has doubled in size and it is another way to engage alums. We just started a pre-law advisory group and we have about a hundred fifty alumni lawyers that we have reached out to. We hope to see many of them on campus for a big event in a few weeks. We have a database of over 80,000 alums. Some people we have lost and missed and we keep trying to find them.

The second level of engagement with alums is creating a leadership base for the Capital Campaign. I have spent a lot of my time on that, and it is a lot of one-to-one reaching out to people in positions to really help the College. We now have a small visioning cabinet to help us structure this capital campaign. It is being chaired by the CEO and President of Coach, who is a 1967 male graduate of Hunter from the Bronx campus. Miss Evelyn Lauder and Klara Silverstein are on it. Some of the major pillars of the community and people with substantial resources have joined this small group to help us fashion the campaign, and that has been really gratifying. We are hoping it will be a five year period and a \$50M campaign, but I think we are going to raise that. Having received \$7M of it already in a year, I think we will be able to do better.

Appendix II (Continued):

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We are beginning to organize the goals and this is something that I am going to put in writing and ask all of you to talk about in your departments, in divisions, in schools, and in the student government. The four areas are: Student support, which is scholarship and other internships, study abroad, mentoring, support for graduate school tests; faculty support, faculty retention and recruitment and faculty development, travel grants; the third is academic programming, which includes the Library, and all the things people need to run their particular programs, equipment, film equipment; the fourth area is for physical plans, including the part of the Library that needs a real overhaul, the auditorium, many of our physical spaces.

We are working now, and we have lists. We have our top sixty candidates and top two hundred candidates and we are beginning to really pull that all together. We are coming to a time now where we did a draft document. The Visioning Cabinet met yesterday and completely pulled it apart so we have to re-do it. Then we will be in a position to begin to ask comments from the community. We are out there trying to get support from alumni and other people who are committed to the mission. A lot of progress has been made in beginning to organize this, and a lot of progress has been made in re-engaging alums.

This year we are also working on a class gift with the help of the new alumni director, Eija's staff, Pierce, and Charles. I can't really find anyone who remembers collecting class gifts. We need to reinstitute that from people who graduate in June even if it is ten dollars or twenty-five dollars. A) It is a nice gift, and B) it creates a history, a habit, a culture of giving, and it is also very helpful for us in *U.S. News and World Report* rankings, because the figure is not actually how much you raise, it is the percent of alumni participation. So the day you become alums, is the day you give that first gift. It will help our numbers, and it will help create that tradition. I am going to be circulating a lot of what I just said in writing and then asking again for departments, divisions, areas, the Library just in functional areas to come together again and try to help us organize their specific needs within these categories, because it just helps us all in marketing. I want to thank all of you who have been available to come to events and talk with donors. Everybody has been incredibly helpful when asked, and we will be calling on more people to help. We very much appreciate it.

Re: PhD Program in the Sciences and Teaching Academy

I want to talk about a few initiatives. I think that people would be interested in the following two things. Some people know about them, but I don't think there's been a lot of CUNY information on them.

The first is that the Chancellor has organized a team of experts to take a look at the issue of the PhD programs in the Sciences in CUNY and talk about whether we should keep the consortium model or if we should move to campus based programs or Graduate Center based programs. The Provost and I will be meeting with a number of you who are joining us. We were asked to bring five scientists, and we will be meeting with this group in mid-February. We will be reporting back about that. It is a very serious look at how the sciences will be treated at CUNY. I think that it is very gratifying that CUNY has great respect and recognition for the work that the scientists at Hunter have done, and I feel that we are in a very good position within this discussion. We will be reporting back about the results of these meetings and the results of this report as it moves forward.

Many of you know that CUNY is launching The Teaching Academy, and many of you here, Dean Steiner and Dean Friedlander, Pam Mills, Bill Sweeney, and Shirley Raps have been very involved in this planning process at CUNY. We will be moving forward on the campus to implement this program. The program is aimed at addressing the shortage of math and science teachers by investing in undergraduates majoring in math or science, who will become teachers with a two-year commitment to New York City. There will be a tuition waiver, internships, and other types of support, and we will be working on recruiting those students. We will be looking for freshmen who have done well in math this year and who would like to join the program as sophomores. More information will be forthcoming, and we are excited to be part of it. I thank everyone here who has made this possible.

Re: Perez v. CUNY and Report by the Select Committee on Academic Freedom

I want to just comment that Linda Chin is here, and I guess Joan you will ask her at the right time to speak a little bit about the Perez decision. As we said, we requested a full written opinion from the General Counsel at CUNY, and that has been forthcoming. Linda is here to answer any questions that she can.

Finally, I want to respond just very briefly to the report on academic freedom, and to say that I feel very strongly that if there is any one person in this community that feels that their academic freedom is in jeopardy that that is very disturbing to me, and that I am hoping that out of this discussion today, which I will be listening to, we can come together as a community to find solutions or identify problems and focus on any changes or improvements that need to be made in that regard.”

APPENDIX III Statement by Dean Linda Chin

I will respond to questions after my brief presentation.

I would like to briefly summarize the facts of the Perez v. CUNY case.

On May 24, 2001, a Hunter student by the name of Chong Kim attempted to attend a meeting of the Hostos College Senate, but was barred by Hostos College personnel, claiming that the Senate was not covered by the Open Meeting's Law. At the meeting, the Hostos Senate had approved several changes in the curriculum, voting by secret ballot.

A few months later (on September 6, 2001), a student at Hostos by the name of Aneudis Perez attempted to attend a meeting of the Executive Committee of the Hostos Senate and was similarly barred from attending.

Hence, these events led to a law suit (Article 78 proceeding) against CUNY for violation of the Open Meetings Law and the Freedom of Information Law (FOIL). The lower court (Supreme Court) held for the petitioners, CUNY appealed and the Appellate Division reversed in favor of CUNY. Petitioners appealed and this case ultimately was decided by the Court of Appeals in November of 2005.

A summary of the case is as follows:

The Court said that the Senate and its Executive Committee of Hostos College, as a public body and agency are subject to the Open Meetings Law and the Freedom of Information Law (FOIL). Both provisions, define in part, organizations within their ambit as those that perform a "governmental function." The Court found that the Hostos Senate has been charged with a number of the responsibilities delegated by the Legislature to the CUNY Board of Trustees and that the Senate functions as a proxy for faculty councils authorized by Section 8.7 of the CUNY Bylaws.

The applicable provisions of the Open Meeting's Law are as follows:

Quorum

Section 102:

1. Joan has already addressed the quorum and the majority of the whole number of persons who are charged with any public duty to be performed.

Meetings

Section 103:

1. Every meeting of a public body shall be open to the general public except when it adjourns to executive session (to discuss litigation, personnel issues, collective bargaining, criminal investigation and so forth). A meeting is the official convening of public body for the purpose of conducting public business. Therefore, work sessions, planning sessions, and informal meeting of a public meeting, which require a quorum, is subject to the Open Meetings Law.

Public Notice of Meetings

Section 104: 1. The Open Meetings Law requires that public notice of the time and place of meeting of a public body that is scheduled a week or more in advance must be given to the news media and conspicuously posted in a public location at least seventy-two (72) hours before the meeting.

Appendix III (Continued):

Minutes

Section 106: 1. Minutes shall be taken at all open meetings which shall consist of record of all motions, resolutions, and any other matter formally voted upon. These minutes shall be available to the public within two weeks of the date of the meeting.

Section 87(3): Under FOIL - Requires that a public agency such as the Senate must maintain a record of the final vote of each member in every proceeding in which the member votes. So that all votes will have to be made public.

1 **Section 105 Executive Sessions** - The Open Meetings Law provides for closed sessions under specific circumstances where
2 the public may be excluded. When discussions involve the following issues:
3

- 4 1. Public safety law and enforcement
- 5 2. Proposed or pending litigations
- 6 3. Collective bargaining
- 7 4. The medical, financial, credit or employment history of a particular person or corporation
- 8 5. Personnel matters (appointment, employment, promotion, disciplinary, etc.)
- 9 6. The preparation, grading or administration of an examination
- 10 7. Proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities.
 - 11 1. Motion be made to be in executive session
 - 12 2. Motion must identify the matter to be discussed
 - 13 3. Requires majority vote of total membership approval of the motion (102 votes)

14 However, while discussion is in closed session, minutes of the executive session must consist of a summary of the
15 final action that was taken and the votes taken; such minutes must be available to the public within one week from the date of
16 the executive session.

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