



# FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

## Faculty Senate

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Meeting: 12<sup>th</sup> Floor Lounge  
 Lincoln Center Campus  
 Guests: Dr. Stephan Freedman, Provost  
 Anastasia Coleman, Esq., Director  
 – Institutional Equity and  
 Compliance

the \$500,000 million goal that had been set.  
 Fr. McShane thanked all of the major donors  
 and the 60,000 alumni, who make up 1/3 of  
 the donor base, for their contributions to the  
 campaign.

Excused: Senators Judith Jones, Barbara  
 Mundy, Aditya Saharia and Henry  
 Schwalbenberg

*Admissions:* The admitted acceptance rate is  
 47.1% which is slightly up from last year.  
 The projected total enrollment is 2110  
 students (1640 residents, 470 commuters).  
 The enrollment figures thus far at each  
 campus are as follows: Lincoln Center total  
 550 (405 residents, 145 commuters); FCLC  
 500 ( 365 residents, 135 commuters). Gabelli  
 LC 50 (40 residents, 10 commuters); Rose  
 Hill total 1560 (1235 residents, 325  
 commuters); Gabelli RH 450 (345 residents,  
 105 commuters); FCRH 1110 (890 residents,  
 220 commuters).

### Call to Order

At 12:55 PM the Senate President Grace Vernon  
 called the meeting to order in the Faculty Lounge,  
 12 Floor, Lincoln Center Campus.

### 1. Invocation

Senator Nissim offered the invocation.

### 2. Matters Presented by the President of the University

The Rev. Joseph M. McShane, President of  
 the University, presented on the following  
 issues:

*Development:* The Founder's Dinner will take  
 place Monday evening at the Waldorf marking  
 the end of the campaign. A total of 540  
 million has been raised which is well above

In terms of undergraduate quality, the average  
 SAT scores of admitted students to RH was  
 1290, Gabelli 1308 and LC 1296. The SAT  
 average score of all admitted students was  
 1296, up four points from last year.

Admissions at the professional schools are  
 doing fine. The law school remains the most

challenging and has a targeted enrollment of 375.

Fr. McShane reported that Loyola Hall is being transformed into a freshman dorm to accommodate the increase in residents. This will help offset the losses in the professional schools.

*Albany:* Fr. McShane stated that next week budget negotiations will be occurring in Albany. There are three different entities involved in the negotiation, the Governor's Office, the Assembly, and the Senate. During the first go around they each present their own budgets and then enter into negotiations. The new budget is due April 1st. One of the key programs for higher education is the Tuition Assistance Program (TAP). In the Assembly budget, the maximum amount set for TAP is \$5300. In the Senate, it is \$6470. The Higher Education Opportunities Program (HEOP) is another key program in which increased financial support is needed. Another area of concern involves a scholarship program proposed by the governor. In this proposal, any student who wants to major in any of the STEM fields will get a full scholarship at a SUNY/CUNY school. Fr. McShane stated that he is opposed to the Governor's proposed program, since the strength of STEM has traditionally been in the private schools. The Dream Act is another area of concern for higher education. This act would provide tuition assistance for immigrant students without legal status. Republican lawmakers voted against the bill because there was no funding stream for this program and therefore its funding would need to come from existing programs. Start Up New York is yet another program with implications for higher education. Initially the

program had excluded NYC but now it has been expanded. The program is of critical importance to Fordham's Rose Hill Bronx campus. Fr. McShane believes that it would be difficult for the State to bypass Fordham given certain socio-economic statistics in relation to the Bronx. It is the poorest of the five boroughs; has the lowest high school completion rate; it is 53% Hispanic; and is the poorest congressional district in the country. Fr. McShane reported that Fordham had requested a 5 million dollar grant from two senators to help with the renovation of the science facilities.

*Discussion:* Senators thanked Fr. McShane for his work on the capital campaign and with the State Senate.

Senators asked how many Fordham students are enrolled in the Higher Education Opportunity (HEOP) Program. Fr. McShane responded that 125 HEOP students are enrolled at Fordham and that 1 out of 12 HEOP students in NY State is a Fordham student. These students have similar graduation rates to other Fordham students. A number of Senators commented on how wonderful the HEOP students were in their courses. In summary according to Fr. McShane: we have the largest HEOP enrollment in the State; we have exhibited the most success with these students and this program in comparison to other schools; and we therefore have the most to worry about if any budget cuts are made to this program.

Senators commented that approximately 60 faculty members attended the recent retirement forum. At the forum, Mr. Perretti reportedly spoke about how important it is for there to be accurate and accessible information about retirement. The audience

expressed the need for this information and asked when the information would be available. In response, Mr. Perretti stated that he did not know when it would be available. Senators said that this lack of information and timeliness was unacceptable.

Fr. McShane commented that some retirement information is available in the Statutes. Given this, he asked Senators what the specific questions and areas of concern were. Senators acknowledged that there is some information about retirement in the Statutes but that the Statutes do not tell faculty what medical benefits are offered for retirees. This is the kind of information that needs to be made available. Senators agreed to get a list of the kinds of retirement information needed by faculty. Fr. McShane also agreed to have a FAQ document in relation to retirement provided to faculty by 6/30/14.

Faculty had questions about the implications for the hiring of faculty positions given the projected 5% increase in enrollment. Faculty highlighted the need for faculty to be involved in the planning for this increase and stressed that the increase cannot be absorbed by just adjunct faculty.

**3. Matters Presented by Dr. Stephen Freedman, Provost**

*Law School:* Dr. Freedman reported that the budget issues are progressing well in the Law School. He has been very pleased with the collegial way in which they have been handled.

*Arts and Sciences:* Dr. Freedman stated that he plans to continue consensus building in A&S. He is committed to an open dialogue.

Unification of the Administrative Structures of the School of Business  
Dr. Freedman reported that the business faculty voted unanimously to support the unification. The integration of key administrative functions would happen this summer and the hope is to unify the schools by next summer 2015. At this juncture, the administration is asking for the Faculty Senate support of the plan, which is a statutory requirement in order for the plan to move forward. Senators from the business school involved in the planning process reported that the process has been very transparent, thorough and informative and that the plan itself is seen as logical, intelligent and financially advantageous by many faculty members in the business school. Senators asked Dr. Freedman and Dean Rapoccioli whether there would be any cost savings created by the merger. Dr. Freedman noted that cost savings had not been the reason for the merger, that there would be some efficiencies created by the merger but that cost savings weren't primary and they did not anticipate any significant savings. Dr. Freedman added that he suspected they will look at things to redirect resources to help the development of the business programs nationally and internationally. The international expansion as well as the Gabelli presence at Lincoln Center will require resources.

**The Senate approved (20-0-0) the following motion (Cohen, Baumgarth):**

**The Faculty Senate approves the plan that has been approved by the School of Business to unify the administrative structures of the School of Business.**

**4. Reading and Approval of the Minutes**

The Senate approved the minutes of the meeting of February 21<sup>st</sup>, as amended (17-0-3).

**5. Reading of Important Communication**

Dr. Vernon reported that Fr. McShane had replied to the letter she had sent to him and the Board of Trustees on behalf of the Senate with regard to concerns about best business practices at the University as well as health care discussions over the past years. Fr. McShane's response has raised a lot of issues. The Executive Committee will be responding to his letter in order to clarify further our concerns, to address some incorrect and contradictory factual information as well as governance issues. The Board appears to have already taken some steps in response to our letter by rethinking the audit committee to include risk management. Our response will also be vetted through the attorney that the Senate hired this past summer. A senator asked what the timeline would be for getting this letter to the Fr. McShane and the President of the Board. The Senate President responded, Friday, April 4 by 11:59 pm. Another senator asked what were the procedures in place involving the hiring of independent contractors and vendors. A senator responded that he had asked the Provost this question and that Dr. Freedman has responded that he wasn't aware of anything but would investigate. The Senate President reminded all that when the Ad Hoc Committee on Health Care hired their medical consultant, there was no official procedure dictated by the University, but that we interviewed candidates and did our own due diligence.

**6. Salary and Benefits Report by Co-Chairs, Dr. Andrew H. Clark and Dr. J. Patrick Hornbeck**

*Health Care:* The Ad Hoc Committee on Health Care met this past Tuesday (April 25, 2014) with Mr. Perretti, Mr. Lordan, Mr. Dunne and the Mercer representative. At the meeting Mr. Lordan reminded the committee that any decisions regarding health care would be considered as part of the S & B package. The Ad Hoc Committee provided the administration with a document listing the problems with the RFP. Each problem was addressed and the administration promised to include all of the changes in the revised RFP that will be sent out in 2-3 weeks. Prior to it being sent out it will come back to the Ad Hoc Committee and will be reviewed again by the Senate's health care consultant who will receive the raw data that Mercer receives from the insurance carriers. The administration is proposing a single carrier with different tier options (4 in total most likely) which should cost the same or less than what faculty members are currently paying. A dental option has also been added but is not necessarily tied into the medical plan. Mr. Lordan suggested meeting weekly until the issues surrounding the RFP are settled.

*Course Load Relief:* The Ad Hoc Committee Co-Chairs reported that the administration is now in receipt of the proper Statutes language course load relief document. The committee will be following up on this next Tuesday.

*Discussion:* Senators raised concern about the timeline and that the salary agreement timeline does not really mesh with the Health Care negotiation timeline, which would be a

much longer process, given the need for faculty review and input into the proposed plans. In order to get a salary agreement by May, Senators do not want to have to reach a premature agreement on health care. The Co-Chairs of Salary & Benefits, who also members of the Ad Hoc Committee on Health Care, responded that it was their understanding from Mr. Lordan that as long as health care discussions were progressing, a salary agreement would still be possible by May. The Co-Chairs of Salary & Benefits noted that once Courseload relief was off the table, they would be able to start making progress on salary negotiations. They reminded senators that while they would work in good faith with the administration to observe the current timeline if at all possible, doing what is best for all faculty with respect to the serious health care discussion was their primary concern.

Senators raised questions about the minute taking process at the meeting. Both the administration and the Ad Hoc Committee took minutes and discrepancies were found between the minutes recorded by each. Senators recommended that the meetings be recorded, given the critical nature of these meetings and the need for an accurate and complete record.

Senators discussed how to best communicate with the faculty and get their input with regard to the proposed health care plans. A secure Blackboard site was recommended.

The Co-Chairs of Salary & Benefits also reported that an improved health care plan for retirees, as well as an improved dental and vision plan, will also be part of the

negotiations. No details however, have been provided in writing at this point in time.

Senators questioned if we have already committed to going with a single carrier. The Co-Chairs of Salary & Benefits responded that going with a single carrier was considered to be the way to get a better benefit package. Senators recommended that two different bids be requested from the carriers, one if the company was the single carrier and one if there were multiple plans. The Co-Chairs of Salary & Benefits responded that the problem with this strategy is that some companies will not bid at all unless they would be the single carrier. Senators stressed the importance of the disruption analysis and having this available to faculty when they are reviewing the various single carrier plans.

*Other Faculty Concerns re: Salary and Benefits:* The Co-Chairs of Salary & Benefits reported that at the request of concerned faculty members they had asked the administration about their policy for providing faculty members registered as LDA with the corrected W2 –C tax form. These forms are needed by faculty who are entitled to a tax refund as a result of their change in marital status after the legalization of same sex marriage. In response, Mr. Perretti, who was contacted during the Senate meeting, reportedly stated that this would be too hard to do given the small number of people involved and that it was not the University’s policy to assist in this way. Senators communicated to the administration at the Ad Hoc Committee Meeting that the faculty involved are very upset by this policy since the W2 C is required in order to get the tax refund.

**The Senate approved (21-0-0) the following resolution (Hornbeck/Jackson):**

**The Faculty Senate demands that the Administration, as required by the Internal Revenue Service, issue corrected tax forms (W-2C) on behalf of faculty members who have been affected financially by the legal changes concerning marriage equality so that they may obtain full refunds of any relevant taxes paid.**

Senator Porco, who is a CPA and knowledgeable in this area, volunteered to work with HR to fix the problem if HR was incapable of doing or unwilling to do this work themselves. While Senators expressed gratitude for this generous offer, and a willingness to accept it if this was the only way in which this issue could be resolved, Senators pointed out that this was a system issue, and that a Senator should not be doing the work of the administration.

**7. Research Council Nominees**

**The Senate approved (14-0-0) the following motion (Keitel, Fernald):**

**The Faculty Senate accepts the nominations put forth for the University Research Council.**

**8. Institutional Equity and Compliance**

Anastasia Coleman, Esq., Director Ms. Anastasia Coleman, who reports only to Tom Donne, gave a presentation about her background as well as her role and responsibilities as the director of Institutional Equity and Compliance and Title IX Coordinator. She is responsible for reviewing

the law to make sure that we are in compliance; for responding to complaints; and for prevention and awareness training e.g. bystander intervention training.

Senators recommended that her job title or subtitle be changed so that it is more clear as to that for which she is responsible. Senators stressed the importance of communicating her role and the functions of her office as clearly as possible to students so that they know who to go to and what the process involves. Students do get this information as part of their online orientation prior to coming to campus and during their first week on campus. Senators suggested that more attention be given to students' fear of reporting and the best strategies to address this fear. Senator Clark forwarded to all Senators the resources, pamphlets, etc., related to questions of sexual assault that the University currently has available. He encouraged Senators to share these documents with their constituents. Ms. Coleman added that she will be revising her website to give a more extensive description of her responsibilities. When asked about a University diversity and equity officer, she noted that there is an Office of Multicultural Affairs.

**9. Announcements**

*Faculty Participation in Voting:*

The Faculty Senate President commented on the very low rates of faculty participation in voting and encouraged all faculty to fill out their ballots and vote.

The meeting adjourned at 3:45 p.m.

Minutes submitted by Mary Ann Forgey