1. Call to Order

The meeting was called to order by Senate President Anne E. Fernald at 12:42 p.m. in the Hill Faculty Conference Room of the School of Law, Lincoln Center Campus.

2. Invocation

Senate President Fernald delivered the Invocation.

3. Approval of the Minutes of the April 24, 2015, and May 4, 2015, Meetings of the Faculty Senate

Prior to entertaining a motion for approval of the three outstanding sets of minutes, Senate President Fernald noted that Joseph M. McShane, S.J., President of the University, and Stephen Freedman, Ph.D., would be arriving late to the meeting following a retreat with University leaders. She thanked members of the Senate for their presence and noted the anniversary of the September 11, 2001, attacks. She especially thanked past presidents Senators Forgey and Vernon for their service. Senate President Fernald congratulated Senator Hornbeck on his recent marriage.

Senate President Fernald noted that the Senate begins the current academic year in a much better place than in previous years. The University, as well, is entering a new phase in its history, and Senate President Fernald noted that Senator Hornbeck and his two co-chairs for Continuous University Strategic Planning would be playing an important role at the Fall Convocations scheduled for September 21. She encouraged Senators and their constituents to attend and to participate in all appropriate ways in the strategic planning process.

Senator Vernon noted that this year is the fiftieth anniversary of the founding of the Faculty Senate. Senate President Fernald thanked all her predecessors and noted that a brief history of the Senate is
available at the Senate’s recently redesigned website.

Senator Vernon moved, and Senator Baumgarth seconded, the adoption of the three sets of minutes of the April 24, 2015, and May 4, 2015, meetings of the Senate. The motion carried, 18-0-1.

4. Old Business: Discussion and Vote on the 2015-2016 Salary and Benefits Package

Senator Clark, in his role as chair of the Faculty Salary and Benefits Committee, delivered the committee’s report on the negotiations that led to a provisional agreement by the Executive Committee to accept a package of faculty salary and benefits arrangements for academic year 2015-2016.

Senator Clark noted that at the Senate’s last regular meeting, on April 24, the Senate had approved a motion that the Salary and Benefits Committee not continue to negotiate with the Administration after the date of commencement. However, on advice from the Senate’s attorney, the committee was directed to continue to negotiate through June 15, the date of a summer Board of Trustees meeting. Senator Clark noted that his colleagues on the Salary and Benefits Committee continued to negotiate despite physically being on three different continents.

At a certain point in the negotiation process, the Administration presented as its final offer a 2.7% increase in the salary pool; administration negotiators stated that it would be impossible for the University to offer a 3% increase in the pool. Representatives of the Administration also stated that if an agreement were not reached, the Board of Trustees might act independently to impose a lower salary increase on the faculty. The Salary and Benefits Committee worked hard to identify areas to bridge the gap between the faculty and administration positions. The issue of faculty stipends for administrative work proved to be a place for creativity, and ultimately the Administration agreed to increase faculty stipends by 8.5% in the current year, then raise them in subsequent years by the same percentage as the annual across-the-board salary increase. However, despite this concession the parties remained slightly apart on the question of salary, with the Administration proposing 2.7% and the Salary and Benefits Committee 2.8%. Senator Clark said that the 2.8% figure was important to the committee because it represented a 1% increase in faculty members’ purchasing power above the Consumer Price Index. In the end, Thomas A. Dunne, Vice President for Administration, proposed a compromise at 2.75%, which the committee agreed to accept. However, Senator Clark said that the committee insisted that no agreement become final until approved by the full Senate. Therefore, faculty members have not yet received any additional salary payments in their paychecks this year. Senator Clark also described a “handshake” agreement between the committee and the Administration to address the issue of compensation for adjunct faculty in the current academic year.

In conclusion, Senator Clark said that he endorsed the resolution that the committee and the Administration had reached over the course of the summer. He characterized it as not perfect, but successful despite numerous difficulties.

In the ensuing discussion, some Senators observed that the process by which the agreement had been reached was troublesome. One Senator noted that the Senate had previously voted not to negotiate after Commencement, yet this was precisely what happened. Senator Clark reiterated that the decision to continue to negotiate that Senate President Fernald made was taken on the advice of the Senate’s attorney. Another Senator observed that an email sent by the Senate to the faculty at large disclosed what this Senator characterized as the Senate’s fallback negotiating position. This appeared to undermine the efforts of the Salary and Benefits Committee and was deeply disturbing to some of its members.
Other Senators expressed appreciation for the work of the Salary and Benefits Committee and of the Executive Committee during a challenging time, and noted that not reaching an agreement with the Administration could have been disastrous, if the Board had chosen to impose a salary increase. One Senator noted that the Executive Committee is specifically empowered to proceed on behalf of the Senate during the periods of the year when the Senate is not regularly meeting. Senate President Fernald described the process that led up to her decision to consult the Senate’s attorney on the question of whether or not to continue negotiating after Commencement.

Another Senator expressed concern that the Senate and Administration are now regularly reaching agreements with regard to salary and benefits well past the timetable established in the appendix to the University Statutes. Senate President Fernald said that she and the Executive Committee had met with Ms. Martha Hirst, the new Senior Vice President, Chief Financial Officer, and Treasurer, and had advocated for a resolution of next year’s salaries by the April meetings of the Senate and the Board of Trustees.

One Senator asked Senate President Fernald to clarify the Senate’s procedures with regard to the use of electronic voting, since at one point during the summer it appeared that an electronic vote was being taken on the agreement. Senate President Fernald responded that she did not favor electronic voting for matters that the Senate would better address in person. She did note that Senator Vernon had clarified that the vote taken during the summer was a straw poll and not binding. Senate President Fernald also noted that the newest edition of Robert’s Rules of Order, which is binding upon the Senate, contains guidance with regard to electronic voting.

Another Senator said that even though the process was imperfect and that some mistakes were made inadvertently, the Salary and Benefits Committee did a fantastic job, showing a great deal of eukrasis. Other Senators concurred that had the Executive Committee followed the Senate’s April resolution without taking into account our attorney’s advice, the outcome would have been far worse.

Other Senators reiterated the concerns described above about the process by which the agreement was reached. Senator Clark noted that he did not believe that the Executive Committee of the Senate should ever reach a different conclusion from the Salary and Benefits Committee.

Upon the arrival of Fr. McShane, Senate President Fernald suspended discussion of salary and benefits until after the President had presented his report.

5. Matters Presented by the President of the University

Fr. McShane addressed the Senate, beginning by speaking about the many members of the Fordham community who were lost on September 11, 2001, and asking Senators to pray for them and their families. He noted that the University is beginning its 174th year.

Fr. McShane first addressed student outcomes. The “Outcomes Project” that he had described at meetings of the Senate last academic year has now produced a “First-Destination Report” describing the whereabouts and status of some 98.2% of graduates from the Class of 2014. Of these, more than 82% are in full-time employment, further education, or volunteer service; only 18% are seeking employment. Fordham students have achieved robust rates of acceptance into law and health professional schools, and 61 recent graduates are in full-time service programs.

Fr. McShane noted that he intended that this report would become an annual product of the University’s.
Already 60% of graduates from the Class of 2015 have provided information about their whereabouts. These data will allow the University to share with prospective students, parents, and members of the faculty the good news about the successful outcomes of a Fordham education. Fr. McShane said that he hopes that similar data will become available for the graduate and professional schools. Some Senators noted that it is difficult to gather such information for the alumni/ae of their schools because there are not sufficient resources available for data collection. One Senator asked Fr. McShane if it would be possible to communicate with departments and programs about the data from their students, and Fr. McShane said that he would look into it.

Next, Fr. McShane addressed the issue of enrollment. The Graduate School of Arts and Sciences is slightly above budget, especially in light of the development of new master’s programs. The Graduate School of Social Service is holding steady, while the Graduate School of Education is continuing to experience erosion. It appears that a new normal has been established at the School of Law.

With regard to undergraduate students, last year Fordham received some 42,763 applications, admitting 48% of those who applied. 2190 students were on the books on the first day of classes, a number that has now fallen to 2167, still slightly above budget targets. The Class of 2019 has the highest average SAT scores of any Fordham class on record. Geographical diversity is slightly down, and the number of international students and the number of transfer students are up. The rate of attrition has fallen, leading incidentally to pressure on housing. Particular growth was experienced in the undergraduate colleges at Lincoln Center, which enrolled between them some 643 students. The former Law School building, now called 140 62nd Street, will come online in 2016.

Third, Fr. McShane reflected upon the upcoming visit of Pope Francis to the United States. He announced that Fordham had received a last-minute allocation of tickets for the Mass at Madison Square Garden. Lotteries would be established for faculty, staff, and students. Fr. McShane offered one of the tickets to Senate President Fernald, representing the faculty at large, and she accepted. Fr. McShane noted that he would be at the Mass, at the Vespers service at St. Patrick’s Cathedral, and at the arrival ceremony at the White House.

Finally, Fr. McShane reported on the University’s ranking in U.S. News and World Report, which fell from 58th to 66th this year. He said that he was very depressed by this outcome but is committed to turning the numbers around. He has asked Institutional Research to explore the reasons for this one-year decline, and he described some of the dynamics that shape the rankings.

Fr. McShane wished a happy new year to members of the Jewish community celebrating Rosh Hashanah, as well as a good fast for Yom Kippur.

4. Old Business (Continued)

Following Fr. McShane’s departure, Senate President Fernald returned to the discussion of the Salary and Benefits Committee’s report. She noted that she had heard from Senators in the previous phase of discussion about the need for improvements in the process of negotiating. She said that she took responsibility for any failures and apologized for any procedural errors that she had made.

As discussion resumed, one Senator observed that the Salary and Benefits Committee had been receiving a great deal of pressure to reach an agreement. Another Senator raised a question about the element of the agreement that had to do with faculty stipends for administrative work and noted that in at least one school, it is not clear which positions receiving stipends are included in the agreement. Senate President
Fernald said that Senator Clark had already followed up with the Provost’s Office. She noted that addressing the issue of administrative stipends was an important innovation in this year’s agreement.

Senator Saharia moved the Previous Question, which motion Senator Vernon seconded. The Previous Question carried, 17-1-0.

The Senate therefore proceeded immediately to vote on the report of the Salary and Benefits Committee, which included a 2.75% increase in the salary pool (approximately 2.15% across-the-board and approximately 0.6% in merit increments), an immediate 8.5% increase in the value of administrative stipends for faculty, and subsequent increases in administrative stipends equal to each year’s across-the-board salary increase. The report was adopted, 18-2-0.

6. Matters Presented by Dr. Stephen Freedman, Provost

Provost Freedman addressed the Senate. He wished a happy new year to all those celebrating Rosh Hashanah and thanked Senator Hornbeck for his recent participation, as the faculty co-chair of the Continuous University Strategic Planning process, in a meeting of University leaders.

Dr. Freedman noted that he and Dr. Jonathan Crystal, Associate Vice President for Academic Affairs and Associate Chief Academic Officer, had recently met with the Senate Executive Committee with regard to three items. First, he addressed the issue of authorizations for tenured/tenure-track faculty members, noting that he had authorized a number of lines in the Faculty of Arts and Sciences and remains in conversation with the deans of other faculties. Dr. Crystal added that funding for tenured/tenure-track faculty lines comes largely from four areas: regular faculty personnel budgets, funding connected to the expansion of the Lincoln Center campus, additional funding from the Faculty Capacity Initiative, and funding specifically linked to new academic programs. Dr. Crystal said that last year Arts and Sciences hired 12 new faculty members, with two new colleagues deferring their arrival until fall 2016; this year, between 18 and 22 faculty searches would be authorized. Last year, the Graduate School of Social Service was not authorized to do any searches; this year they are advertising for three positions. Last year, no searches were authorized in the School of Law; this year one. Authorizations for the Gabelli School of Business and the Graduate School of Education are still under discussion. Drs. Freedman and Crystal noted as well that this year in Arts and Sciences several areas of overlapping interest between departments were identified in the authorization process. Dr. Crystal noted that there remains additional work to be done with regard to lecturers and other non-tenure-track faculty members in Arts and Sciences.

Second, Dr. Freedman reported on the search for a new, permanent Chief Research Officer. He observed that a goal will be to find someone who can enhance the University’s level of sponsored research. Dr. Freedman said that he is very serious about building a culture of research at Fordham and is grateful to Dr. Celia Fisher for agreeing to chair the search for a new Chief Research Officer.

Third, Dr. Freedman reported on the transition in the role of New York State Education Department liaison, noting that Dr. Ariel Fishman had assumed the position. Dr. Fishman will be an important resource for faculty looking to establish new academic programs.

In discussion, one Senator asked Dr. Freedman about the impetus for the establishment of new master’s programs. This Senator asked whether the University’s motivation to establish new programs is the same at the graduate and undergraduate levels. Dr. Freedman responded that the University needs to be bold and innovate and to look closely at the programs we are sponsoring. He said that his goal is to enable
faculty members to take more risks with regard to new programs. Dr. Freedman and Dr. Crystal cited recent curricular developments in Communication and Media Studies, Computer and Information Science, and Biological Sciences as examples.

7. Matters Presented by Ms. Martha Hirst, Chief Financial Officer

Ms. Martha Hirst next addressed the Senate. She described her extensive career in public service and higher education, including her roles in Intergovernmental Relations, Sanitation, and Administrative Services in the City of New York. More recently, she served as Chief Operating Officer and Treasurer at St. John’s University in Queens. Ms. Hirst described some of the similarities she has identified between government and higher education, and she spoke about the challenges that Fordham is facing at this moment in its history. She said that the University is in sound financial shape but that to enhance its offerings and strengths and will require even more resources.

Ms. Hirst said that she has heard from some members of the University Community about processes that appear not to function as well or clearly as they might. She said that she has a lot to learn from others in the University Community and that her approach would likely be different from her predecessor’s. Her philosophy is that we are all in this together, her approach is collaborative and her intention is to share and exchange information and ideas as forthrightly as possible. She acknowledged with appreciation that she and Dr. Freedman are already working closely together.

8. Announcements

Senate President Fernald announced that Senators had been sent a list of the faculty members to be appointed to committees of the Senate. She asked for a motion to approve the committee list. Senator Saharia moved its adoption, and Senator Jones seconded the motion. Granting the Executive Committee the authority to fill any remaining vacancies on these committees, the Senate adopted the motion, 19-0-0.

Senate President Fernald next announced that she had received an updated version of a guidance document issued by the University’s Title IX coordinator. She asked that, with the Senate’s consent, it be added as an appendix to the minutes.

Senate President Fernald then announced that on October 29, the Undoing Racism Collective will be sponsoring a teach-in on racial justice at the Lincoln Center and Rose Hill campuses.

Senator Clark, as chair of the Faculty Salary and Benefits Committee, announced that he would be making available to the Senate the results of a survey conducted by his committee with regard to the UnitedHealthcare, Cigna, and VSP health insurance policies. He noted that in general feedback about the policies has been rather positive, but there are significant concerns with regard to mental health coverage, out-of-network reimbursement levels, and specialty prescription drugs. Senator Clark observed that certain documents related to the insurance programs had not been posted on the Human Resources website, despite the University’s legal obligation to do so. He noted that he had sent a letter to Mr. Donald Perretti, Director of Benefits, demanding the release of the relevant documents. One Senator observed that in all the discussions about health insurance, the role of Mercer as the University’s health insurance consultant appears to have been eclipsed.

9. New Business

(a) Race and Diversity Task Force
Senate President Fernald reported that a group of faculty members, including some of the original members of the Senate’s prior task force on racial and ethnic diversity among the faculty, have asked the Senate to formally re-authorize the task force. Senator Clark moved, and Senator Cohen seconded, the following motion:

*The Faculty Senate strongly applauds the work of the Gender and Race Equity and Faculty Diversity and Retention Committee Task Force and authorizes the committee to proceed with its work.*

The motion carried, 18-0-0.

(b) *State of the Senate Report*

Senate President Fernald thanked former Senate President Forgey for the work that she had put into preparing the 2014-2015 State of the Senate report. In light of the shortness of time in this meeting, Senate President Fernald said that she had prepared a survey for Senators to take with regard to the outstanding items of business enumerated in that report. She also asked Senators for their input about her upcoming address to the Board of Trustees.

Senator Forgey noted that she had recommended that the Senate discuss how the State of the Senate Report should be distributed. After some discussion, Senate President Fernald observed that the sense of the Senate was that the report should be distributed as widely as possible, with the specific channels of dissemination to be determined by the Executive Committee.

By unanimous consent, and there being no further business, the meeting was adjourned at 3:41 p.m.

Respectfully submitted by J. Patrick Hornbeck II, Secretary
Reporting Sexual Misconduct on Campus

Step-by-Step for Faculty and Staff Reporting Student Incidents

**Before a student tells you of an incident of sexual misconduct:**

1) **Tell the student that you are not a confidential reporter and must report the information you learn to the Department of Public Safety, the Dean of Students, or the Title IX Coordinator, where applicable.**

2) **Let the student know that they have the right to request that the University maintain his or her confidentiality; the University attempts to honor all requests for confidentiality, except in limited circumstances.**

3) **Inform the student that they have the right to speak to a confidential counselor who is not obligated to report the information to the University (see reverse for confidential resources).**

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**Faculty & Staff Role: Mandatory Reporting and Obligations**

All faculty and staff members MUST report the following incidents when a student is a victim / survivor and they observe, obtain knowledge, learn of, or reasonably suspect:

- Any form of sexual harassment (verbal or physical)
- Rape / sexual assault
- Dating and domestic violence
- Stalking
- Sexual exploitation, including forcible touching
- Other sexual misconduct

The only Fordham employees who are exceptions to the Mandatory Reporting requirement are: clinical counselors and pastoral counselors working as such at the University’s Counseling & Psychological Services (or) in Campus Ministry (see reverse for contact information).

*If unclear whether or not information MUST be reported, it is better to call the Title IX Coordinator or Deans of Students/Deputy Title IX Coordinators (business hours) or Public Safety (24/7), 365 days who can assist you for proper next steps.*

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**After a student tells you of an incident of sexual misconduct:**

1) **Care for the Student and provide a supportive response.** Be supportive, non-judgmental, and empathetic. Be a good listener and responsive as you may be the first person or the tenth person the victim/survivor has told what happened. Keep in mind that you are not expected to be a counselor, but you can make a difference in the healing process.

2) **You must present to the student the Notification of Rights at the Time of First Disclosure, which states:** “You have the right to make a report to the University’s Department of Public Safety, local law enforcement, and/or state police or choose not to report; to report the incident to Fordham; to be protected by Fordham from retaliation for reporting an incident; and to receive assistance and resources from Fordham.” (see reverse).

3) **Tell the student that he/she can be assigned an Administrative Support Person (ASP) who will provide the student with assistance and resources, including but not limited to information on medical attention and follow-up treatment, the various options for proceeding with the student conduct process and/or with the police, information regarding University No-Contact Orders, the University’s prohibition against intimidation and retaliation for reporting sexual misconduct, and other accommodations where applicable. An ASP can respond directly to your location as soon as a report is made.**
Who You Must Call to Fulfill Mandatory Reporting Obligations

Contact the Department of Public Safety (any incident), 24/7, 365 days:
Rose Hill: (718) 817-2222  Lincoln Center: (212) 636-6075  Westchester and Calder Center: (914) 367-3333

The following offices may also be contacted during business hours:

For incidents occurring between students:
Dean of Students
Rose Hill and the Calder Center:
Christopher Rodgers
McGinley Center, Room 242
(718) 817-4755  deanrodgers@fordham.edu

Lincoln Center & Westchester:
Keith Eldredge
Leon Lowenstein, 408D
(212) 636-6250  eldredge@fordham.edu

For incidents involving faculty, staff, or third-parties:
Title IX Coordinator
Anastasia Coleman
Director of Institutional Equity and Compliance / Title IX Coordinator
Rose Hill Campus, Cunniffe House, Room 114
(718) 817-3112  TitileIX@Fordham.edu

Confidential Resources
(If a student has not reported an incident to you but wants to speak with someone confidentially)

Counseling & Psychological Services:
Rose Hill Campus: (718) 817-3725
Lincoln Center Campus: (212) 636-6225
Westchester Campus: (914) 367-3733
Calder Center: please use Westchester phone number

Office of Campus Ministry:
Rose Hill Campus: (718) 817-4500
Lincoln Center Campus: (212) 636-6267
Westchester Campus: (914) 367-3420
Calder Center: please use Westchester phone number

Off-Campus -- 24/7 Confidential Hotlines:
RAPE Crisis Hotline (914) 345-911
Safe Horizon’s Rape/Sexual Assault & Incest Hotline (212) 227-3000
NYC Domestic Violence Hotline (800) 621-HOPE (4673)
Gay & Lesbian Anti-Violence Project (212) 714-1141
Crime Victim’s Hotline (212) 577-7777
New York State Domestic Violence Hotline (800) 942-6906
New York State Office of Victim Services (800) 247-8035 or www.ovs.ny.gov

For additional info: Please see the University Sexual Misconduct Policy and Procedures at www.fordham.edu/sexualmisconduct or the Campus Assault and Relationship Education for Students at www.fordham.edu/care

August 2015