



FORDHAM UNIVERSITY
THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

Joseph M. McShane, S.J., Hon. President

Dominic Balestra

Richard Gyug

Jennie Park-Taylor

Anne E. Fernald, President

William Baumgarth

Hugh Hansen

Berish Rubin

Andrew H. Clark, Vice President

Martin Chase, S.J.

Margo Jackson

Aditya Saharia

J. Patrick Hornbeck II, Secretary

James A. Cohen

Judith Jones

Henry Schwalbenberg

Aimee Cox

Eve Keller

Esther Solomon

G. Larry Farmer

Dorothy Klotz

Grace M. Vernon

Mary Ann Forgey

Micki McGee

Christopher GoGwilt

Harry Nasuti

Excused: Senators Forgey, Hornbeck, Jones, and Schwalbenberg

Absent: Senators Balestra, Baumgarth, and Farmer

Meeting: Twelfth-Floor Lounge, E. Gerald Corrigan Conference Center, Leon Lowenstein Building, Lincoln Center Campus

Guests: Dr. Stephen Freedman, Provost

Dr. Jonathan Crystal, Associate Vice President for Academic Affairs and Associate Chief Academic Officer

1. Call to Order

The meeting was called to order by Senate President Anne E. Fernald at approximately 12:30 p.m. in the Twelfth-Floor Lounge, E. Gerald Corrigan Conference Center, Leon Lowenstein Building, Lincoln Center Campus.

Immediately upon calling the meeting to order, Senate President Fernald indicated that Senate Secretary Hornbeck had been excused from attending the meeting but was willing to prepare the minutes if a recording of the meeting was made. She asked for and received the Senate's consent for the minutes to be prepared from a recording.

2. Invocation

Senator Jackson delivered the Invocation.

3. Approval of the Minutes of the December 18, 2015, Meeting of the Faculty Senate

Senator Jackson moved the adoption of the minutes of the December 18, 2015, meeting of the Senate. Several corrections to the prepared minutes were made. The minutes were adopted as corrected, 12-0-4.

Prior to the next item on the agenda, Senator Klotz moved that a separate item be added to the agenda, "Governance Issues in Gabelli." The motion was seconded and adopted, 14-1-1.

4. Matters Presented by the President of the University

Joseph M. McShane, S.J., President of the University, addressed the Senate. He spoke about four matters:

undergraduate admissions, the Continuous University Strategic Planning process, the task force on diversity, and faculty diversity. Fr. McShane also described his recent travels on University business to Arizona and southern California.

Under the heading of undergraduate admissions, Fr. McShane reported that some 44,434 applications for undergraduate admission have been received, an increase of 5-6%. More than 19,000 of these applications were for early action. Numbers are not yet available for the graduate and professional schools.

With regard to the Continuous University Strategic Planning (CUSP) process, Fr. McShane reported on a retreat that the CUSP committee had recently held. He noted that five priorities have emerged to date: diversity and inclusion; transformative learning; research for the common good; urban communities; and Fordham as a twenty-first-century university. Fr. McShane indicated that he has asked the colleges/schools and other administrative units to hold off on local planning efforts until CUSP can provide guidelines for such efforts.

With regard to the task force on diversity, Fr. McShane reported that the group has met twice to date. The members are just beginning their work and are considering how to incorporate into their discussions the deliberations of all relevant constituencies, as well as previous reports on related issues.

On the subject of hiring for diversity, Fr. McShane reported on a proposal from some years ago that would enable departments to hire for diversity by expanding the size of the faculty. While this proposal was not accepted at the time, Fr. McShane encouraged faculty to search broadly and widely.

Asked about the five priorities identified by members of CUSP, Fr. McShane noted that under each of these priorities there is tremendous richness in terms of specific goals and objectives that are currently in the process of being developed. Fr. McShane characterized the conversations of CUSP as honest, hard-fought, rich, and intellectually curious. A Senator who serves on CUSP indicated that the priorities themselves might be rephrased as the process continues.

Another Senator asked Fr. McShane if any progress had been made on increasing resources for the Dorothy Day Center, a topic that had been raised at a previous meeting of the Senate. Fr. McShane responded that Fr. Michael C. McCarthy, S.J., the University's new Vice President for Mission Integration and Planning, had just recently arrived on campus. Fr. McShane characterized Fr. McCarthy as trustworthy and indicated that he is working on this issue.

Fr. McShane wished members of the Senate well in advance of the coming snowstorm.

5. Matters Presented by Dr. Stephen Freedman, Provost

Senate President Fernald asked for and received the Senate's consent for the Provost's report to follow immediately.

Dr. Freedman, joined by Dr. Jonathan Crystal, Associate Chief Academic Officer and Associate Vice President for Academic Affairs, addressed the Senate. Dr. Freedman addressed two issues: diversity in faculty hiring and faculty workloads.

On the subject of diversity, Dr. Freedman reported that he has set aside some funds to permit the strategic hiring of faculty from underrepresented groups in the current hiring cycle. He stressed that in his view

this is only one element in the development of a more diverse faculty. He and other administrators are working to develop a formalized process for the implementation of this initiative. In the current hiring cycle he has decided to place priority on the hiring of African-American and Latino/a faculty for undergraduate teaching. Dr. Freedman described the initial implementation of this initiative and said that he will return to the Senate for further discussions on this matter. He indicated that a first round of decisions would likely be made in the next few weeks.

One Senator observed that Dr. Freedman's involvement in this initiative will be helpful, but only if it takes place early in the hiring process. Dr. Freedman responded that he has been meeting with many departments and is putting in place a process to address these concerns as early as possible. Dr. Freedman noted that he is trying to avoid being "top-down" in his leadership. The Senator observed that the University needs leadership from the top.

With regard to faculty workload, Dr. Freedman reported that he is seeking to develop policies on faculty workload that are both better and more transparent. He noted that Fordham is seeking both to prioritize research and to attract the best students to take classes with high-quality faculty. He described many of the challenges involved in balancing these goals.

A Senator observed that at the previous meeting of the Senate, Dr. Freedman had spoken about making decisions about post-doctoral instructors, lecturers, and other such instructional staff members. This Senator asked for an update on the status of that initiative. Dr. Freedman observed that a conversation is moving along within each of the schools to develop the right balance between categories of instructors that adheres to the University's goal of having 60% full-time faculty. Dr. Crystal added that he is seeking to make decisions as early as possible, to avoid a scramble at the end of the semester.

Another Senator observed that one of the things that is distinctive about Fordham is the opportunity for students to take small classes with access to full-time faculty. This Senator noted that larger classes would take away Fordham's distinctive identity. Dr. Freedman responded that in some cases, large classes are more beneficial. Senate President Fernald noted that at the Lincoln Center campus, there are significant constraints on the size of classes; therefore, any policy on workload will need to take architecture into account.

Another Senator noted that when Fr. McShane was speaking, he had used the language of "departmental lines." This Senator asked Dr. Freedman to speak to this language. Dr. Freedman responded that the University has moved away from the concept of departments "owning" lines.

Senate President Fernald thanked Dr. Freedman for his presentation.

6. Matters Presented by the Faculty Salary and Benefits Committee

Senate Vice President Clark, as chair of the Faculty Salary and Benefits Committee, presented the committee's report, which was as follows:

1) Compression

We continue to meet weekly to discuss compression. Ben Crooker continues to do excellent work providing us clean data and we have been able to establish trend lines that point out issues of compression effectively. We will have graphs with standard deviations next week and should be able to identify all the cases of compression that need to be addressed in Arts and Sciences ideally by the

end of our meeting next week. The professional schools will come next. We anticipate finishing and submitting our findings to the CFO on March 1, 2016.

2) *Wellness*

As you recall, at the last Senate we passed a motion to demand that Mr. Perretti step down from his role as chair of the Wellness Committee and that a new chair be selected along with a co-chair appointed from the Senate. We have not had any official response from the administration on this motion. But the motion seems to have put Mr. Perretti into action, as he posted an advertisement on the Fordham website for a Manager of Wellness on January 15, 2016.

The Wellness Committee was informed of this posting but was not consulted in any fashion before this posting and had not discussed the language of this posting since the May 2015 meeting.

Although we are happy that the position has finally been advertised 9 months later, we still request that Mr. Perretti step down from his responsibilities as chair and that the Senate's motion be followed.

3) *UnitedHealthcare (UHC) Update*

At the last Senate meeting we discussed UHC's response to our requests made at the official meeting with UHC on November 9, 2015. As mentioned, UHC's response, which took about a month despite assurances by them that they would respond within a week or two, had various problems. With the consultation of the Executive Committee of S&B and our health consultant Michael LiRosi, I prepared a formal line itemed response to UHC's response and shared this response with Tom Dunne and Elaine Crosson. While there are a number of issues that S&B and our consultant identified as needing to be addressed, like email notification, a more robust description and assurance of Advocate4Me, among other things, we also demanded that the monies spent by faculty and staff on out of network penalties in 2015 for lack of pre-notification be reimbursed. As UHC has made pre-notification very difficult for doctors and patients, their action to penalize reimbursements by 50% for no pre-notification seemed pretty egregious. Mr. Dunne and Ms. Crosson drafted a lawyer letter to UHC which we are in the process of reviewing in which they request that the \$32,888.73 in question for the 53 UHC members be reimbursed.

The other issues although pressing will not be addressed in a legal letter but in requests by HR to UHC. I just received an email 4 minutes ago from Mr. Dunne indicating that Mr. Perretti will be following up on these outstanding issues. Given Mr. Perretti's inaction on previous issues, we have concern that he is the one responsible for the follow up and we will make recommendations that someone else be tasked with this responsibility.

We will continue to pursue our demands with UHC. A number of new issues have arisen since the start of the new year, and we will need to address these as well.

Following Senate Vice President Clark's report, one Senator thanked the Salary and Benefits Committee for its work and especially for preparing a "lawyer letter" to UHC. This Senator urged Senate Vice President Clark to ask the Senate for help when necessary. The Senator also raised several concerns with regard to the University's changes in retirement investment plans. Senate Vice President Clark responded by saying that the University's general counsel, Ms. Elaine Crosson, is working effectively on the issues with UHC and that senior administrators at the University appear to be familiar with the problems in

Human Resources. Senate Vice President Clark indicated that the Salary and Benefits Committee would continue to push on these issues. With respect to retirement, Senate Vice President Clark indicated that he has a great deal of trust in Dr. Bruce Berg, the chair of the Salary and Benefits subcommittee on Retirement and a member of the University's retirement committee, although despite Dr. Berg's expertise there may be problems with the new retirement arrangements. Senate Vice President Clark said that it might be helpful for there to be a Salary and Benefits subcommittee to look into this matter.

The Senator indicated that he would be willing to volunteer, or to identify another individual from the Law School, to serve as an *ex officio* member of the Salary and Benefits Committee, since the Law School does not bargain with the University regard to benefits. Senate Vice President Clark responded by reiterating his statement at previous meetings, that the best thing that the Law School might do would be to return to negotiating salaries and benefits with the rest of the faculty. However, in the past the Salary and Benefits Committee has invited individuals from the Law School to discuss matters that affect the Law School. It would not be appropriate for an individual to volunteer to serve without the backing of her or his constituency and without the backing of Salary and Benefits.

7. University Research Council Election

Following discussion, the Senate voted (18-0-0) to approve the slate of candidates being presented to the President of the University for nomination to the University Research Council.

8. Governance Issues and Governance Issues in the Gabelli School of Business

Senate President Fernald introduced the subject of governance in the Gabelli School of Business, as well as governance in the University more broadly, by reporting on a recent conversation with University General Counsel Crosson, in which the Senate President and Ms. Crosson discussed possible avenues for communication about contentious matters involving governance. Discussion ensued.

Senator Keller made the following motion, which was seconded by Senator Hansen:

The Senate tasks the Executive Committee of the Senate to investigate, along with a trained mediator from the School of Law, current concerns raised in the Gabelli School of Business with respect to issues of governance. The Executive Committee should report back to the Senate at the next meeting whether this mechanism is a viable one for dealing with future issues that emerge and what the process of any future mechanism should be.

The question was called, and the motion was adopted 17-1-0.

9. Announcements

Senate President Fernald announced that the Dean of Arts and Sciences Faculty is beginning to consider allowing faculty to submit materials related to personnel decisions electronically. The initial proposal is to begin with decisions concerning reappointments / contract renewals.

Senate President Fernald also announced that she has encouraged the Senate Elections Committee to consider the possibility of recommending that Senate elections take place electronically. This would represent a substantial savings of time for the Senate's Executive Secretary.

Finally, Senate President Fernald reported that Senator Park-Taylor, who serves on the University's task

force on diversity, will report to her on the meeting.

On motion of Senator GoGwilt, the Senate adjourned at 3:19 p.m.

Respectfully submitted by J. Patrick Hornbeck II, Secretary