



FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

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

William Baumgarth

Janna C. Heyman

Harry Nasuti

Anne E. Fernald, President

Martin Chase, S.J.

J. Patrick Hornbeck, II

Diane Rodriguez

Berish Rubin, Vice President

Andrew H. Clark

Margo Jackson

Aditya Saharia

Aimee Cox, Secretary

James A. Cohen

Judith Jones

Henry Schwalbenberg

G. Larry Farmer

Eve Keller

Falguni Sen

Christopher GoGwilt

Dorothy Klotz

Grace M. Vernon

David D. Hamlin

Micki McGee

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Dr. Berish Rubin/FCRH (1-3637) rubin@fordham.edu
Dr. Grace Vernon/FCLC (6324) vernon@fordham.edu

Excused: Senators Hansen and Hornbeck

Meeting: South Lounge, Leon Lowenstein Building, Lincoln Center Campus.

Guests: Dr. Stephen Freedman, Provost
Dr. Jonathan Crystal, Associate Chief Academic Officer and Associate Vice President
Office of the Provost
Dr. John Drummond, Robert Southwell, S.J. Distinguished Professor in the Humanities,
Faculty Salary and Benefits Committee Member
Dr. Bruce Berg, Professor of Political Science, Faculty Salary and Benefits Committee
Member

1. Call to Order

The meeting was called to order by Senate President Anne E. Fernald at 12:36 p.m. in the South Lounge, Leon Lowenstein Building, Lincoln Center Campus.

2. Invocation

Fr. Joseph M. McShane, S.J., President of the University, delivered the invocation.

3. Approval of the Minutes of the Meetings of April 15, 2016 and May 2, 2016

The Senate approved (15-0-2) the minutes from both the April 15, 2016 and May 2, 2016 meetings (Saharia/Jackson).

The Senate approved (17-0-3) the conversion of the May 2, 2016 Special Meeting Action minutes to full meeting minutes (Saharia/Jackson).

4. Matters Presented by the President of the University

Fr. Joseph M. McShane, S.J., President of the University, addressed the Senate on three matters: Rankings, Diversity and Middle States.

Fr. McShane began his report on Middle States by reminding the Senate of the accreditation process that occurred in the spring of last year including the visit, exit interview, and report issued by Fr. Leahy, President of Boston College and Chair of the Visiting Team from Middle States. The University received notification in June that Fordham had been reaccredited with no recommendations offered or follow-up report required. Fordham is fully reaccredited for the next eight years, which is the longest period between accreditation visits that Middle States will grant to any institution. In the last few years only a third of all universities who have applied for accreditation have received this type of report.

Fr. McShane thanked all members of the Senate but especially the Senate leadership for the work that was done last year to make sure this was a successful accreditation. Fr. McShane also thanked Dr. Jonathan Crystal and Dr. Susan Ray, on behalf of the University, for the timeliness and excellence of the reports they submitted to Middle States.

Fr. McShane continued his report by addressing diversity and the final report of the Diversity Task Force, submitted via Peter Vaughan, Dean Emeritus Graduate School of Social Service, and Chair, Presidents Task Force on Diversity, in late August. Fr. McShane will continue to meet with Peter Vaughan, the Deans and the Vice Presidents. Fr. McShane agreed to the Diversity Task Force's request to have his formal response to the Diversity Task Force's report and recommendations by the end of October. The Diversity Task Force's report included eighteen recommendations for the University placed in ranked order. Fr. McShane said that there will, by and large, be positive responses to the recommendations, and that they will require a great deal of shared work.

The recommendations fall into three categories: Organizational; Process Policy and Procedure; and Curriculum. Fr. McShane identified the third category, curriculum, as the most challenging to address. Curriculum is defined in the report in two ways. The first is the curriculum that faculty teaches students and includes addressing core course concerns such as American Pluralism. The second aspect of curriculum addresses training for faculty, students, staff, and administrators on establishing a more inclusive and affirming community. Fr. McShane stated that curricular changes are where the University would spend most of its time in the coming years and that addressing diversity would require the dedication of all members of the University community.

Fr. McShane distributed a copy of the U.S. News and World Report National University Rankings. In the category of National Research Institutions, Fordham moved from a ranking of #66 last year to a ranking of #60 this year. Fordham ranks #5 in the state of New York, #5 among Catholic Universities, and #3 among Jesuit Universities. Fr. McShane noted that some of the schools in Fordham's category use strategies such as not reporting lower SAT scores and delaying the admission of lower performing students until the Spring semester so that students' lower SAT scores are not recorded as part of the fall data that goes into the calculations used to generate the rankings. Fr. McShane emphasized that Fordham has always told the truth even it may do harm to the University's rankings. He also mentioned that it is unfortunate news that Yeshiva University, which has historically been ranked in the 40s dropped to #66 this year, due to tremendous financial stress.

Responding to questions from Senators, Fr. McShane said he would need assistance from faculty in determining what safe space means at Fordham. He noted that safe space encompasses our stance on academic freedom in the classroom in addition to issues of culture, diversity, and the climate for all students on campus. In regard to diversity and climate specifically for students, Fr. McShane stated that Fordham will not tolerate any attacks or incidents of the nature that occurred last year, and that the University community will need to have more conversations about what diversity means intellectually, in

terms of campus culture, and in the context of what is happening nationwide. Fr. McShane said he would discuss diversity at Convocation on September 19th.

In response to a Senator's request to immediately circulate a draft of the Diversity Task Force's report to all faculty prior to October so that it could support the faculty searches occurring across departments, Fr. McShane agreed to release the report as soon as possible. He also thanked the Senator for raising the issues, as hiring emerges as an important area of concern in many sections of the Diversity Task Force's report.

As there were no more questions from the Senate, Fr. McShane concluded his remarks by stating that there were only two recommendations in the report that he did not agree with. The first is the placement of the Diversity Officer and the second is establishing a junior college.

5. Matters Presented by Dr. Stephen Freedman, Provost

Dr. Stephen Freedman stated that he would yield his time. Dr. Freedman thanked the Senate for inviting him and said that he looks forward to talking in the future about priorities for the year and the challenges the institution is facing.

6. Discussion of Senate Response to Administration's Statutory Violation

Senate President Fernald offered a brief overview of the situation regarding the imposition of an unnegotiated raise on the faculty in June, 2016. Senate President Fernald framed the goals for the year in light of the Administration's statutory violation. She addressed the Senate's goals, the actions that have been taken over the summer, and other things that can be accomplished. President Fernald said that the most important item in need of discussion was whether to file grievances with the Hearing Committee because such a filing is time sensitive and the Senate would need to determine whether or not to file.

Over the summer, the Executive Committee of the Faculty Senate and the Executive Committee of Salary and Benefits generated a the letter in response to correspondence sent to faculty and staff by Martha Hirst, the Chief Financial Officer, with three broad goals. 1. Demanding an acknowledgement of the statutory violations last year and getting a commitment from the Administration that this type of violation of the Statutes will not be repeated. 2. A Multi-Year Salary Agreement. 3. Transparent access to the University's budgets, including faculty salaries, before overall university budget preparation takes place, not afterwards. Senate President Fernald continued by identifying the actions that have been taken and that are in process. These include arranging the visit by Howard Bunsis, AAUP representative, on Friday September 23rd and restarting the AAUP chapter at Fordham. She also mentioned that two Senate delegates will attend an AAUP session in Washington, DC at the end of September.

Senate President Fernald clarified that there are four separate grievances, each directed at a different aspect of the violation. She emphasized the necessity of working within our own internal processes and channels prior to possibly filing a claim with AAUP or pursuing a lawsuit.

Discussion ensued. One Senator said he wanted to continue to set the stage for the importance of filing the grievances, and implored the Senate to consider the violation of the Statutes as foreshadowing of violations that may come in terms of the rolling back of faculty healthcare and other benefits. This Senator also mentioned that Fordham faculty salaries are being compared to faculty salaries in places with considerably lower costs of living. The Senator highlighted the Senate's mandate as an advocating body for faculty to uphold our responsibility to advocate on behalf of all faculty.

A member of the Salary and Benefits Committee reminded the Senate that our contract with United Health Care expires in December 2017 and that an RFP will have to go out this year for new health care coverage. It was noted that if the faculty do not protest the violation of the Statutes, the Administration might try to reduce the nature of the faculty's health care coverage.

The discussion continued with Senators stating the need to file the grievances and challenge the Administration's violation of the Statutes. Senators also considered the potential downside or possible retaliations that might be incurred for filing. The majority of Senators agreed that if the Senate does not challenge the violation of the Statutes by the Administration, the Statutes become meaningless.

Senate President Fernald noted that the discussion regarding the grievances appeared to come to a close and that a motion should be made.

The Senate took a five-minute recess while the ballots for the motion were counted.

The Senate approved (22-0-1; Cohen/Baumgarth) the following motion:

The four grievance documents prepared on behalf of the Faculty Senate against Fr. Joseph M. McShane, S.J., University President; Martha Hirst, Senior Vice President, Chief Financial Officer, and Treasurer; Dr. Stephen Freedman, University Provost; and the members of Fordham University's Board of Trustees shall be submitted to the Faculty Hearing Committee.

A Senator thanked the two Executive Committees for the amount of time and effort put into responding to the statutory violations and called for a round of applause.

7. Senate President's Report

Senate President Fernald listed several possible actions that could be taken in addition to filing the grievances in response to the statutory violations by the Administration. Discussion ensued. Senators discussed interventions and boycotts that would be understood as a protest on principle, and how to mobilize the Faculty Senate as a unified network. Several Senators emphasized the need to educate the faculty on matters related to salary and benefits as well as the violations to shared governance. Maintaining clear and consistent communication with faculty from the Faculty Senate was a theme that continually emerged throughout the discussion. Communication and outreach, it was noted by several Senators, should immediately focus on encouraging faculty to attend the Howard Bunsis presentation on Friday, September 23rd. Additional discussion focused on continuing to think strategically about the next steps to be taken.

Senate President Fernald thanked the Senators for their contributions and mentioned other agenda items that the Senate should not lose sight of in the midst of the ongoing salary and benefits concerns. The four items mentioned were: 1. Working on the internal workings of the Senate to insure that the Senate is doing its part in upholding the governance structures of the University; 2. Faculty development and working with the new Chief Research Officer; 3. Diversity as an issue of concern and ongoing commitment on the part of the Senate; 4. The relationship between contingent faculty and tenure and tenure track faculty.

8. New Business

Senate President Fernald stated the Statutes that deal with the employment of the Lecturers need to be revised, particularly as they relate to the process for appointment and reappointment. She called for the establishment of a working group to work with the Deans and the Provost's office to consider how to change the Statutes so that the hiring and reappointment of the Lecturers is more efficient. Senators Vernon, Clark, and GoGwilt volunteered to participate in this working group. Senator Clark asked that all Chairs who manage more than one lecturer be invited to volunteer to join this working group. Senate President Fernald agreed.

Senator Clark, as Chair of the Faculty Salary and Benefits Committee, mentioned that there are still problems with United Health Care specifically in regard to prescription coverage. The Administration is aware of these issues and is working with the Salary and Benefits Committee to try and resolve these matters .

Senator Clark indicated that the Salary and Benefits Committee will be contacting the attorney who is suing various Universities, on behalf of the faculty, for having mis-managed 403(b) retirement plans.

A Senator raised the question of whether or not the phased retirement plan/proposal went before the Board of Trustees for approval. Senator Clark stated that he would ask the Provost about the status of the phased retirement plan. Dr. Clark informed the Senate that salary adjustments to address the salary compression issue were made to faculty whose salaries were grossly compressed.

9. Announcements

There were no announcements.

By unanimous consent, the meeting was adjourned at 3:29 p.m.

Respectfully submitted by Aimee Meredith Cox, Secretary,