



**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	
	Hugh C. Hansen	Matthew M. McGowan	

Excused: Senators Cohen and Hansen

Meeting: O’Hare Special Collections Room, 4<sup>th</sup> Floor, Walsh Library, Rose Hill Campus

Guests: Dr. Benjamin C. Crooker, Associate Vice President for Academic Affairs  
Elaine M. Crosson, JD, General Counsel  
Dr. Jonathan Crystal, Associate Chief Academic Officer and Associate Vice President, Office of the Provost  
Kathryn Krasinski, Fordham Faculty United

**1. Call to Order**

The meeting was called to order by Senate President Anne E. Fernald at 12:45 p.m. in the O’Hare Special Collections Room, 4<sup>th</sup> Floor, Walsh Library, Rose Hill Campus

**2. Invocation**

Senator Aimee M. Cox delivered the invocation.

**3. Approval of the Minutes of the Meeting of November 11, 2016**

Senator Vernon moved, and Senator Jackson seconded the approval of the minutes from the November 11, 2016 meeting. The motion carried (16-0-3).

**4. Matters Presented by the President of the University**

Joseph M. McShane, S.J., President of the University, addressed the Senate. Fr. McShane extended his well wishes to the Senators for a happy holiday and restful break and then began his report by addressing the Diversity Task Force’s Action Plan. He stated that there are statutory constraints that prevent him from altering the curriculum. He is, however, seeking the support and recommendations of the Faculty around two primary curricular matters:

1. American Pluralism
2. The One-Credit Freshman Course.

Fr. McShane has asked the American Pluralism committee to work with faculty to adapt the current curriculum to align with the recommendations in the Diversity Task Force’s Action Plan. In regards to the one-credit course, Fr. McShane requests that Faculty, the Division of Student Affairs, and Campus Ministry collaborate to deliver these courses with a clear diversity component.

Fr. McShane then discussed the letter he sent to the University community in reference to undocumented students in light of the incoming Presidential Administration. He told the Senate that the next steps he will take include sharing the Department of Homeland Security's regulations regarding undocumented individuals with the Director of Security, the Director of Counseling, the Campus Ministry staff, and Admissions. The regulations state that no action can nor should be taken by a federal agent in "sensitive locations." "Sensitive locations" include churches, synagogues, schools, and colleges. Fr. McShane stated that the University's Counseling Services and Security should be especially aware of these regulations. In addition to sharing information about the protection afforded to sensitive locations, Fr. McShane will also insure the dissemination of information on agencies where students and their families can turn to for help with immigration status, and legal clinics that provide free and reliable services. Fr. McShane mentioned that it is not in the students' best interest for faculty or staff to identify how many undocumented students there are within the University community because any documentation we have can be used against those students.

The University's General Counsel, Elaine Crosson, JD, stated that her staff will investigate resources for low- or no cost legal services for students seeking help in this new immigration environment. She advised against asking students about their status, noting that not asking students to self-identify is the protocol followed by most other universities. If students do identify themselves as DACA (Deferred Action for Childhood Arrival) students and are traveling abroad, faculty should recommend that they return to the U.S. before January 20<sup>th</sup>, 2017. Those students within 180 days of their status ending, should seek renewal as soon as possible. DACA is an administrative program that can be modified or reversed by the new administration. A senator asked Crosson about what to do in the event that there are students traveling abroad whose status is unknown. Crosson stated that her staff would develop a website to advise students, faculty, and staff on travel protocols for undocumented students as well as more general immigration concerns.

### **5. Report from the Office of the Provost (including a Report from Ben Crooker on the composition of the faculty)**

The Provost, Dr. Stephen Freedman, wished the Senators a happy holiday and thanked them for all they do for the faculty and students. The Provost discussed the work that he and the Deans are undertaking to address the academic aspects of the Diversity Task Force's report including moving ahead with Phase 2 of Strategic Hiring following last year's hiring successes.

Freedman formally announced the Board's approval of the Phased Retirement Plan. Senators asked questions about the impact Phased Retirement might have on the University budget. One Senator asked if the Administration calculated the potential decrease in healthcare costs and another Senator inquired about cost savings that may be the outcome of unexpected retirements and/or retirements that come from schools experiencing financial difficulties. Other questions addressed the Administration's ability to delay retirements for a year for those departments that may have high numbers of retirees, and the ramifications for the faculty lines within those departments.

The Provost stated that it is difficult to know exactly how many people will participate in the Phased Retirement Plan, but he estimates up to twenty faculty members may decide to retire this year as this enhanced plan will only be available this year. The Provost noted that his central objectives are to maintain balance between contingent and full time faculty and to support departments where there might be a large number of faculty retiring. Benjamin C. Crooker stated that budget savings are used to hire contingent faculty to teach courses left uncovered and that there would be no savings in healthcare since those on phased continue to receive benefits. Jonathan Crystal said that the Administration can authorize

searches earlier in those departments where there may be high numbers of faculty retiring and work with Deans to discuss any necessary re-assignments of faculty lines.

Benjamin C. Crooker presented the statutory annual report on the composition of faculty. Crooker noted that in the last few years, the number of faculty departures has increased. He attributes these departures to the upturn of the economy that makes retirement more appealing. In the year 2007-08, there was a jump in hiring. The number of faculty decreased during the market crash of 2008, and then rose again to a high of 598 in 2013. Crooker stated that since 2013, Fordham has been struggling to keep pace with the departures. There are currently twenty-seven faculty searches and three opportunity hires authorized. There are two individuals who will return to the faculty from administrative positions and three hires from last year with delayed start dates. Thus, if all of the searches are successful, we will have thirty-five additional faculty members next academic year.

Crooker opened the floor for questions from the Senators. A senator stated that last year when the University Budget was approved, there was a nearly 6% (5.9% to be exact) increase in salaries. Given the numbers of expected hires, the Senator asked if the 5.9% increase includes the increase in faculty hiring. And, if it does, how does that translate into new lines? Jonathan Crystal responded by stating that the approved budget includes salaries for positions that may not be occupied. The Provost stated that the issue is complicated and may be best addressed in a meeting where Paul Reis can present and explain the data to any interested Senators.

Another Senator emphasized the importance of the previous Senator's inquiry by restating the issue at hand. Are there monies being spent in large amounts on personnel other than academic? Has there been a growth in faculty that warrants the 5.9% increase? This Senator expressed concern over the growth in Administration while the academic components of the University do not receive their share of the budget. He noted that this issue represents a larger troubling trend at Fordham – a stark decrease in the number of tenure-track assistant professors. New tenure-track faculty members bring innovative ideas as well as renewed drive and enthusiasm to campus. A decrease in their numbers does not bode well for the future and growth of the University nor for sustaining Fordham's status as a Research 1 institution. Jonathan Crystal stated that the Phased Retirement Plan should open up space to hire tenure-track faculty. He also noted, in response to the comment on the University's research standing, that the number of Faculty Fellowships are increasing which means faculty are spending more time on research. Ben Crooker pointed out that trends in the number of tenure-track assistant professors now depends in part on historical hiring patterns from 30 years ago as that influences current retirements. He suggested that in analyzing the numbers, we should consider the longer history. Last year the number of faculty dropped by eleven and eleven non-tenure-track faculty were hired to cover the lines, but the goal is to transfer these lines to tenure-track faculty.

The Provost said that his objective is to focus on the academic quality of the institution. He noted that this means that he has to pay attention, for example, to schools and departments that may be experiencing under enrollment and, therefore, where it might be unwise to hire tenure-track faculty. Ensuring the quality of all programs, not just within Arts and Sciences, is a balancing act.

One Senator said that all of the factors mentioned by other Senators and the Provost reflect larger trends in higher education that require further discussion. He suggested a forum be created to address this complicated set of issues. Discussion ensued with senators noting the need to understand the strategy discourse behind hiring so that it does not appear that hiring occurs in an ad hoc fashion. A Senator questioned the possibility of considering revenue in terms of individual faculty productivity, as there is a tremendous amount of individual productivity that supports growth.

Senate President, Anne E. Fernald, responded to the discussion by noting that it is statutorily required for all departments to discuss the appropriate number of non-tenure-track faculty for their unit. She also mentioned the CUSP process as a venue to explore the questions related to tenure-track and contingent faculty as well as the percentage of the budget allocated to academic personnel. The Senate President suggested convening an ad hoc meeting with Paul Reis to include all interested Senators, the Faculty Salary & Benefits Committee, and the Budget Planning Committee. Juliana Krammer and the Senate President will schedule this meeting in January.

## **6. Report from the Faculty Committee on Salary & Benefits**

Senator Clark, in his role as chair of the Faculty Salary and Benefits Committee, presented the committee's report. Senator Clark began by summarizing the most recent Salary & Benefits meetings with the Administration and the Administration's healthcare proposal. The Administration has proposed a plan that would move all employees of the University to UHC's Standard PPO plan on July 1, 2017. The Administration claims that it will save over 7 million dollars by making this change and they have described the proposal as a win. They state that premiums will be reduced for faculty, the faculty will get a one-time payment of \$1000, and \$250,000 will be set aside for faculty for three years to address increased costs by those faculty who incur increased costs from out of network expenses. The Faculty Salary and Benefits Committee and the Executive Committees of Salary and Benefits and the Senate strongly disagree with this proposal and its characterization. The Administration saves 7 million dollars by transferring this cost to faculty and staff. The healthcare changes proposed by the Administration would put the most vulnerable faculty members at even greater risk, raise co-pays, and increase out of pocket expenses. The healthcare consultant to the Faculty Salary & Benefits Committee developed several different potential scenarios for faculty healthcare needs. Through his calculations, he found that faculty members could end up paying between 8k – 50k out of pocket based on the Administration's current proposal. Co-pays will rise from 200-500%. The Standard PPO plan will not only increase out of network costs by raising the out of pocket maximum and decreasing the UCR from 90% to 70%, but also requires a 10% co-insurance for procedures done in network. Senator Clark said that the Administration's proposed plan could bankrupt the most vulnerable, make recruiting new faculty difficult, and undermine the health of the faculty and the future of the institution. The \$250,000 fund is radically insufficient to cover the supposed outliers that would face increased expenses with the change to the Standard plan. The Executive Committee of Salary & Benefits, with tremendous effort by Dr. John Drummond, prepared a presentation to the Administration that showed that costs of faculty healthcare have declined, not increased since the shift to UHC. Senator Clark also underlined the importance of the historic 2014 negotiations that placed into the Statutes the new agreement on health care and these provisions are protected in the Statutes. The Executive Committees, as well as our legal counsel, believe strongly that our health benefits are protected by the Statutes and cannot be changed unless we agree to those changes. The Executive Committees will not accept any proposal that forces faculty to leave their plans and puts them at significant financial risk. The Executive Committees believe that the University needs to cut its soaring administrative costs, raise significantly more money, and reinvigorate its faculty and thus its future with more tenure-track lines, better benefits including housing, and real purchasing power.

When asked by the lawyer for the Faculty Salary & Benefits Committee if a salary offer would be included in their proposed package, the Administration stated that any salary raise would hinge on coming to an agreement on the healthcare proposal.

Discussion after Senator Clark's presentation included strategies to continue to mobilize and educate faculty members around what is at stake with the proposed changes to their healthcare plans, and keep them abreast of the ongoing concerns regarding shared governance and statutory violations.

## **7. Report from Contingent Faculty Representative**

Kathryn Krasinski, Fordham Faculty United (FFU) Representative, presented her report on contingent faculty at Fordham. She discussed the diversity of experience and research interests among the contingent faculty and the varied opportunities they offer Fordham students. Contingent faculty members comprise close to 50% of the faculty and instruct most of the students. Fordham Faculty United was established a year ago to improve working conditions for lecturers, postdocs, and clinical staff. They are asking to be represented and protected. Especially given the isolation of being an adjunct, FFU seeks to share resources and make connections across departments. They launched a union campaign in October to insure good faith bargaining and continued dialogue with the Administration. More than half of the contingent faculty signed the petition within two weeks. FFU would like to have a cooperative relationship with the Administration and work with tenure-track faculty to strengthen both contingent and non-contingent faculty members' positions during negotiations. They would be willing not to unionize if their salary and work life requests were met by the Administration.

Fordham Faculty United is making two requests of the Faculty Senate:

1. Make a public statement in support of their campaign
2. Ask the Administration to remain neutral in FFU's campaign to unionize

## **8. Discussion of President's Report on Diversity**

The Senate President created a document outlining the action items identified in the President's Report on Diversity and requested that Senators consider the best ways for faculty to contribute to implementing the Action Plan. President Fernald emphasized the sections of the document that focus on curricular issues stating that faculty involvement would be especially critical in these areas.

A Senator on the Faculty Senate Student Life Committee reminded the Senate that the Student Life Committee already submitted a report to the Senate that included recommendations for many of the action items listed in the document. President Fernald acknowledged the work of the Student Life Committee and stated that the Committee's report would be folded into the recommendations made by Senators on this current document.

Another Senator inquired about establishing a standing Diversity Committee. President Fernald asked Senators to consider the most appropriate composition of this committee. Should members be elected or appointed? How many faculty members and students should participate? How should this committee work with the incoming Chief Diversity Officer?

The discussion that followed included noting the need for an ongoing dialogue on the optimum strategy for all faculty to be involved in contributing to addressing the diversity needs in the curriculum including the American Pluralism attribute, the one-credit freshman course, and working with the Chief Diversity Officer and the Administration.

By motion of Senator Heyman, seconded by Senator Schwalbenberg, and by unanimous consent, the meeting was adjourned at 3:48 p.m.

Respectfully submitted by Aimee Meredith Cox, Secretary