



**FORDHAM UNIVERSITY**  
THE JESUIT UNIVERSITY OF NEW YORK

**Faculty Senate**

Tania Tetlow, Honorary President

John Drummond, President

Ralf Hepp, Vice President

Christopher GoGwilt, Secretary

Andrew Albin

Binta Alleyne-Green

Ida Bastiaens

Michael Baur

Thomas Beaudoin

Jeffrey Colon

Christopher Dietrich

Lauri Goldkind

Amir Idris

Judith Jones

Sharif Mowlabocus

Haim Mozes

Giorgio Pini

Tamique Ridgard

Berish Rubin

Aditya Saharia

Falguni Sen

Henry Schwalbenberg

Grace Shen

Grace M. Vernon

Ian Weinstein

Lori Wolff

**Present:** Senate President Drummond; Senators Albin, Baur, Beaudoin, Colon, Dietrich, GoGwilt, Hepp, Idris, Mowlabocus, Mozes, Ridgard, Saharia, Schwalbenberg, Sen, Vernon, Weinstein, Wolff

**Attending via Zoom:** President Tetlow; Senators Alleyne-Green, Bastiaens, Jones, Rubin, Shen; Ji Seon Lee, Associate Provost for Faculty Affairs (Guest)

**Excused:** Senators Goldkind, Pini

**Guests:** Dr. Dennis Jacobs, Provost and Senior Vice President for Academic Affairs; Dr. Jonathan Crystal, Vice Provost; Dr. Ji Seon Lee (attending via Zoom)

**Call to Order**

Senate President Drummond called the meeting to order in the Bateman Room 2-01B, Law School, LC, at 11:35 a.m.

**Invocation**

Senator Dietrich delivered the invocation at 11:36 a.m.

**President’s Report and Q&A**

President Tetlow gave an update on the negotiations with adjunct faculty. The union leadership has accepted the administration’s request for a federal mediator. Although the administration had hoped they were close to an agreement, there are complications posed by the fact that the members of the union are differently situated – the union leadership represents both part-time and full-time teachers who are also teaching in different colleges and in different situations. In the last round of negotiations, three and a half years ago, the focus was on part-time adjuncts at Arts & Sciences struggling to cobble together a career from working at multiple institutions. Then the focus was to raise their pay to 7,000 per course. In addition to part-time adjuncts at Arts & Sciences the unions also represent part-time and full-time adjuncts who teach in the professional schools. They get paid according to the rather different marketplace demands of their disciplines. So the union leadership is grappling with how to prioritize part-time in relation to full-time teachers; how to look at pay in general, for everybody. There’s also a desire, especially on the part of adjuncts in GSSS, to address pay equity even although the market doesn’t pay GSSS instructors what it pays A&S instructors. The negotiations have been lengthy (there have been 23 negotiations since last March) and the union’s views have shifted over time. It is not easy for union leadership. It is not easy for the administration. On the health care front, the average cost for our health care plan is almost 27K per employee. To offer that to part-time folk would be backbreaking for the university. The administration has tried to find a way to create some kind of less expensive, more affordable plan for them, but according to the legal requirements set by ERISA (The Employment Retirement Income Security Act), it’s not possible to create something for one group

separate from the overall plan. Union leadership has stopped raising healthcare as an issue, although it's understood as a key concern for their members. The President concluded her update on union negotiations with an invitation to work collectively on viewing all of the complicated issues linking the question of pay with questions of shared governance and the different status and titles accorded to people teaching at Fordham (part-time and full-time). She emphasized that the current market of higher education is deeply unfair, and expressed sympathy for the difficulties facing lecturers and adjuncts. While referring to a possible world in which all faculty make exactly the same, she noted that we exist in a higher education market that dictates different levels of pay and it is difficult to step outside of that market. She connected this to ongoing discussions about the budget and to proposed discussions about shared governance. She noted that we stretch our compensation over the different markets for faculty salaries and we do it with the constrained resources of a university almost entirely dependent on student tuition. Higher education is hitting the limits of what American families can afford to pay, and we have to do better in constraining our own costs. Addressing the surge in enrollment over the past few years, acknowledging the link between that and the increase in dependence on contingent faculty, she indicated that the aim for the coming year was a normal size entering class.

In the Q&A after the President's presentation, one senator asked if there was any way a consortium of adjuncts at various universities might be able to develop their own insurance pool. The President said she didn't know if such a thing were possible, but would be happy to have the suggestion circulated.

Another senator expressed concern about a narrative that seems to be emerging, one that explains the ballooning of adjunct and part-time contingent faculty as a consequence of the university's investment in research. Noting that this oversimplifies the various motivations that have led to an increased reliance on contingent faculty over the past twenty years, they added that it positions two groups of faculty against each other: research-focused versus teaching-focused faculty.

The President responded by saying she did not want to divide faculty, but that it is the market that has created this division. She claimed it was a fundamental factor of mathematics that the university cannot cover the number of courses per full-time tenure/tenure-track faculty without turning to contingent faculty. Linking the university's investment in research to a reduction of teaching load from a 4/4 load (the current expectation for full-time non-tenure/tenure-track instructors), she indicated that the choice to reduce a tenured/tenure-track faculty member's expected course load even by a single course entails the hiring of contingent faculty to cover the teaching. Any further reductions quickly extend beyond the means of the budget, which is 90% tuition driven. She said that pointing this out is not intended to divide faculty, but rather to explain the constrained resources within which the market of higher education operates. The investment of money and time for the salaries of one group of faculty (tenure/tenure-track research faculty) necessarily means making up for that investment in the setting of salaries for another group of faculty (contingent teaching faculty).

### **Provost's Report and Q&A**

At approximately 12 noon, Senate President Drummond invited the Provost to address the Senate. Provost Jacobs began by clarifying the projected targets for undergraduate enrollment referred to in President Tetlow's presentation. For the current semester, the census is 2594; going back 12 months it was 2848. Now the target projected for fall 2023 is 2335.

The Provost gave an update on the search for a new Dean of Gabelli, noting that the committee had brought four finalists to campus and that next week would be compiling all the feedback from those visits. The Provost and the President would then confer to reach a decision and secure an appointment immediately. He thanked all those involved for the expertly conducted search.

The Provost then brought the Senate's attention to the University's recently developed policy on recording classes. (A description of this policy was circulated via email to all senators. See Appendix I for the text of this policy.) He noted that the issue had come to the fore during covid times with the demand for some flexibility in offering students access to class material. It was up to faculty to decide whether or not to record classes for students in quarantine. The decision was the instructor's, but if a class is recorded, it falls under certain protections under the Family Educational Rights and Protections Act (FERPA). So, for example, recordings are not to be shared outside the course without the written permission of all involved. In the university's policy, students may not themselves record or distribute recordings of classes. Violations would subject students to student conduct proceedings. The University cannot make recordings available for any purpose other than classroom use (e.g. not for evaluation of instruction, nor for investigating allegations of misconduct). The intention is to make sure we respect the FERPA rights of students; and the rights of faculty members to privacy in the classroom.

The Provost gave a quick update on the Center for Educational Innovation, an initiative born from committees working over the past year on how to support faculty across a wide range of teaching modes (in-person, online, hybrid, whatever it may be). The Provost has been working with Facilities and IT on both campuses to identify locations for the CEI. For example, at Rose Hill, we plan to co-locate CEI and the Faculty Technology Center (FTC) with [LITE](#) (Learning, Innovation, Teaching Environment), housed in the basement of Walsh library. The Provost invited faculty to visit the LITE facility. A search committee for a director of CEI will be assembled early in the spring semester.

The Provost then spoke about plans to form a working group to discuss principles of shared governance and how to operationalize those principles. The idea is to bring together a group of approximately half a dozen faculty and the same number of administrators, representative of core constituents. President Tetlow has expressed willingness to participate in this working group. He turned to Senate President Drummond to say more about this from the faculty side. Senate President Drummond said the idea was to use the Executive Committee of the Senate as a fairly representative group, with the addition of a representative of the Business faculty: Senator Sen has been asked, and has agreed, to join this working group. So then the six faculty representatives would be joined by a similar number of senior administrators to address how we think shared governance should work at Fordham.

Discussion following the Provost's presentation returned several times to the policy on recording classes. One senator asked about the liabilities for faculty given the fact that they may have limited control over what students do anonymously in disseminating classroom recordings and other materials. Another senator noted that material posted to Blackboard is easily downloadable, but recordings made using Panopto, and posted as embedded files on Blackboard, are much more difficult to disseminate. There was some additional discussion about the possible liabilities of violating HIPAA (Health Insurance Portability and Accountability Act) rights; but a senator from the Law School noted they did not believe HIPAA applied to third party disclosures. At several moments during these discussions, the Provost noted that the University was in a much better legal position now having a policy than it would be otherwise. One senator asked if the Provost was aware of any evidence of the activities of conservative right-wing groups (professor watch lists) on campus; and, if so, whether the policy would help to guard against such groups. At a later moment, one senator said that the conservative group Turning Point USA does indeed have a presence at Fordham. It was suggested that the Provost might proactively seek to meet with such groups to explain the consequences of violation of the policy on recording. Other senators suggested the university might strengthen the policy by adding additional guidelines explaining the policy and articulating how it protects faculty against politically-motivated harassment of faculty.

Another topic of discussion was the proposed working group addressing shared governance issues. One senator asked whether Admissions and Enrollment services would be involved. The Provost noted that some domains of interest were more directly affected; and the Senate President added that what was envisaged was a multi-step process that could involve the input of more groups as needed during the process. Another senator noted that it

would be very important for the working group's deliberations to be more than discussions of principles of shared governance; that there would be considerable disappointment if there were no concrete results from those deliberations or if they were not realized in practice. Another senator asked if the agenda for the working group would include discussion of expanding governance to contingent faculty. Senate President Drummond indicated that such a discussion would likely come later, since the statutes are fairly explicit in excluding contingent faculty from governance; and including them might jeopardize their union position.

In other matters, one senator asked if the Provost had any sense of the extent to which absenteeism from classes was an issue university-wide. The Provost and Vice Provost said there is no data on that, but suggested they might find out. One senator also wanted to inform faculty of a [Worldwide Climate Teach-in](#) March 29.

**Faculty Composition Report and Q&A:** Dr. Ji Seon Lee, Associate Provost for Faculty Affairs

At approximately 12:40 pm, Senate President Drummond welcomed Dr. Ji Seon Lee, Associate Provost for Faculty Affairs, to present a report on the composition of the faculty. In his introductory remarks, he noted that the data she was sharing would be put on the agenda for the Senate's January meeting as well, and said it would be fruitful if we could also at that time get information about part-time and contingent faculty, to get a sense of how the ratio of full-time tenured/tenure-track to contingent faculty has changed over the years.

Dr. Lee presented a slide show, "Faculty Composition Report" (Appendix II), to supplement the data that had been circulated earlier amongst senators (see Appendix III). She noted at the outset that her report would be focusing only on full-time faculty (both tenured/tenure [T/TT] and non-tenured/tenure-track instructors [NTT]). She explained that this data was focused on the headcount of faculty and since the data on part-time adjunct faculty is gathered according to sections taught rather than numbers of instructors, to compare those figures would be to compare apples and oranges.

In the Q&A following this report, a senator asked whether there was data on the replacement for faculty going on phased retirement. There was some discussion of the difficulty in tracking that data (there is some ambiguity about whether those on phased retirement are included in the numbers of departing faculty). The Provost noted that out of the total number of phased retirements the actual number of those who have departed is approximately a third, given that most faculty who enter phased retirement do not fully retire until three years later. In response to a question about whether there is a rule as to when a hire can be made to replace someone on phased retirement, the Provost reiterated a point made at the last Senate meeting: there is no automatic assumption about replacement of tenure lines, although if a department has, say, 2 people on phased retirement, the need to cover teaching for those people may certainly be included in the justification for a hiring request.

In response to a question about data on the movement of faculty from tenure track to tenure, especially considering issues of gender and race, Dr. Lee noted that this data is indeed tracked. The Provost observed that Fordham's gravest risk of attrition was not at the moment of tenuring, nor from those granted tenure, but from early pre-tenure departures.

One senator asked how our ratios compared to those of other schools. Dr. Lee said she did not have the statistics, but doubted they would be useful.

One senator, thanking Dr. Lee for the presentation of data, addressed a comment to the Provost, wanting to note for the record that the number of NTT instructional staff in 2015 was 103 and is now up to 136. In 2013 and 2014, the numbers of T/TT faculty was 598 and 595 respectively. The number is currently 565. There has, in other words, been a significant shift to reliance on using contingent faculty. The Provost did not dispute the numbers and cited President Tetlow's account of the discrepancy between different groups of faculty teaching at different levels; and her emphasis on the need to optimize the situation given the financial constraints we face. Dr. Lee responded by

noting that this particular year was especially challenging for various reasons, including the fact that faculty who became ill suddenly led to an emergency need to hire part-time instructors to cover classes.

One senator asked if it might be possible to have a more integrated study of the data that includes all the various categories of instructors discussed throughout the meeting. The Provost noted that this was a perfectly appropriate request. He elaborated on Dr. Lee's point that the data on part-time instruction is gathered according to sections taught, whereas the data on full-time instruction is gathered according to individual instructor headcount. Because of the imperfect, inconsistent practice of tracking the instructor of record for courses, it is a laborious process of filtering, scrubbing, and cleaning the data to arrive at a fuller account of the ratios of different kinds of instructor teaching courses. This is complicated all the more by the fact that the practice of how courses are recorded has morphed over the years. It is hoped there could be a more integrated study of comparative data at a later Senate meeting.

Much of discussion focused on the wider framework within which to situate the data on faculty composition. One senator expressed disappointment that discussion was so much focused on the trade-offs between different kinds of faculty, rather than considering the broader tradeoffs between instructional and non-instructional expenses. They suggested that the narrow focus on the relative expenses in considering ratios of different instructional staff missed the bigger picture of expenses. In response to this, the Provost mentioned the relevance of the President's pie charts and data, shared at the employee town hall meetings.

One senator asked the Provost if there are concerted deliberations taking place in the administration about recalibrating the ratio of tenure/tenure track faculty to contingent faculty. Given the trends in higher education, and given the reduction at Fordham in the number of tenure/tenure-track faculty and their replacement by contingent faculty, and given the discussions that have taken place today in terms of the desire to treat adjunct faculty better and fold them more fully into the faculty, is the administration planning to change the university's emphasis (for example, from a research-focused to an undergraduate teaching-focused university)?

The Provost responded by noting that higher education institutions across the nation are struggling to find a model of the research university that is financially sustainable. Some institutions have built up very strong endowments (e.g. Columbia, Harvard, Yale, Stanford). Other major institutions have either come to rely on state funding, or have decided to scale classes to very large sections, or use graduate students and adjuncts to cover courses that might have historically been taught by full-time faculty. The question is where does Fordham stand? Over the past decade, the average net tuition per first-time undergraduate student has risen each year approximately 2.2%. Because average faculty compensation increases (salary + benefits) have grown consistently at higher rates, Fordham has not been able to maintain the same faculty/student ratio over this period. At the end of the day, we have to work within the realities of our fiscal constraints. What President Tetlow has asked us – and asked the Deans – to do is to think creatively about how to identify resources beyond the current trajectory. Is it desirable to have a greater percentage of full-time tenure/tenure-track faculty teaching? Absolutely. But we all have to think how we can afford that. President Tetlow has told us that higher education is coming up against a ceiling – what families are able to pay. The era of significantly higher tuition increases is not coming back; so we need to think differently.

This response solicited the further comment and question: All our conversations are about being tuition-driven, student-driven, teaching driven. Yet we like to position ourselves as a research institution. Are we a research university?

Another senator said that Fordham had been through exactly the same kind of situation before: facing, that is, a model that was unsustainable. At that time, Fordham brought in Peter Stace who ratcheted down tuition discounting. Fiscally, we did much better, but over time tuition discounting was ratcheted up again, and now it is

something in the neighborhood of 50%. This senator said Fordham now faces a similar decision. The Provost, in response to this point, said that the Senate would have an opportunity at its January meeting to hear from the Enrollment team; and to hear about the complicated market within which Fordham has been working to make itself a more racially and social-economically diverse institution while maintaining its ability to attract academic talent and get the highest net tuition. As a follow-up comment to their question, the senator said they would like to see the administration's plan for where we would be in 5 years.

Noting that constrained choices are planning choices, one senator wondered whether data would be forthcoming for other sectors of the university besides the kind of breakdown of ratios of faculty presented today. The Provost answered in the affirmative and indicated that President Tetlow has engaged all the vice presidents collaboratively in developing a financially sustainable future for Fordham.

Noting that the entire discussion so far had been about one side of the budget (revenue from tuition), a senator said they would love to hear about what vision there was for raising funds, raising the endowment, and raising Fordham's profile. The Provost responded by saying that it takes a while to move the needle significantly on this; but that Fordham was doing better now than at any other stage in its history.

Another senator asked whether there is a similar kind of focus on creative ways to rethink the ratio of investment in administrative positions as what we've been discussing in terms of ratios of different kinds of faculty. Has there been discussion about streamlining and cost-cutting in administration? In response, the Provost noted that all the VPs have been given deadlines for submitting such proposals.

Another senator asked if the Provost could affirm that he was able to advocate in deliberations both for the faculty side of the academic budget and for the overall academic side over against other parts of the university's budget. In response the Provost said that the support for the university's academic mission is as strong as it has ever been. He will have more to say over the next 1-2 months about the process President Tetlow has set in motion to engage all sectors of the university; but he was able to affirm that across the Cabinet the academic priorities are at the top of the list.

### **Salary and Benefits Committee**

At 1:37 pm, Senate President Drummond invited Senator Hepp, Chair of the Salary and Benefits Committee, to offer a brief update on negotiations with the administration. Senator Hepp noted that the first meeting is scheduled in 2 weeks time to discuss the ground rules for negotiations to come. He has been in conversation with Joshua Jordan from FFU (Fordham Faculty United) and has been listening to concerns from faculty coming from the town hall meetings. He noted that the administrative team for negotiations includes Kay Turner (VP for Human Resources), Nick Milowski (VP for Finance), Kamal Joshi (Associate VP, Human Resources), Ji Seon Lee (Associate Provost for Faculty Affairs), and Nancy Hark (Assistant VP, Human Resources).

In discussion concerns were raised about the existing health care plan and about fears that the administration is signaling they want further cuts. It was noted that, given the recent change in health care plans, and given the benefits the university should have accrued from that, health care should be off the table for negotiations.

At approximately 1:50 pm, Senate President Drummond asked the Senate to approve the two sets of minutes from November, while the ballots were being prepared for the UTRC election.

**Approval of minutes**

**On a motion from Senator Beaudoin, seconded by Senator Dietrich, the Senate approved the minutes from the November Senate meetings, the Special meeting (#497) of November 9<sup>th</sup> and the meeting (#498) of November 11<sup>th</sup>. The minutes were approved by a vote of 18 – 0 – 1.**

**University Tenure Review Committee (UTRC) Election**

**Ballots were distributed for election of four new members to the University Tenure Review Committee (UTRC) and there was a brief discussion of those up for election. Following a tally of the ballots (both from those present in person and from those voting via Qualtrics over Zoom), it was announced that the Senate had elected the following four new members to the University Tenure Review Committee: Christine Hinze, Christina Greer, Navid Asgari, and Akane Zusho.**

**New Business**

While the ballots for the UTRC election were being tallied, a senator raised concern about the use of the WEX cards that are part of the new health insurance plan.

**A motion to adjourn (from Senator Saharia, seconded by Senator Hepp) was unanimously approved.**

The Senate adjourned at 2:03 pm.

Respectfully submitted by Christopher GoGwilt, Secretary