



FORDHAM UNIVERSITY

THE JESUIT UNIVERSITY OF NEW YORK

Faculty Senate

Joseph M. McShane, S.J., Hon. President	Gregory Acevedo	Dawn Lerman	John Seitz
Eve Keller, President	Dana Alonzo	Patricio Meneses	Falguni Sen
Berish Rubin, Vice President	James Cohen	Haim Mozes	Grace Shen
Patrick Hornbeck, Secretary	Jeffrey Colon	David Myers	Grace M. Vernon
	Stephen Grimm	Francesca Parmeggiani	Lori Wolff
	David Hamlin	Jacqueline Reich	Sarah Zimmerman
	Amir Idris	Diane Rodriguez	
	Judith Jones	Barry Rosenfeld	

Present: Senate President Keller; Senators Acevedo, Alonzo, Cohen, Colon, Grimm, Hamlin, Hornbeck, Idris, Jones, Lerman, Meneses, Mozes, Myers, Parmeggiani, Reich, Rodriguez, Rosenfeld, Rubin, Sen, Vernon, Wolff, Zimmerman

Guests: Jonathan M. Crystal, Vice Provost; Alan Cafferkey, Director of Faculty Technology Services; Steven D'Agustino, Director of Online Learning, Office of the Provost; Fleur Eshghi, Associate Vice President for Instructional Technology–Academic Computing; and Rafael A. Zapata, Chief Diversity Officer, Special Assistant to the President for Diversity, and Associate Vice President for Academic Affairs

Call to Order

At 11:31 a.m. Senate President Eve Keller convened the gathering via the Zoom videoconferencing platform. She provided ground rules for the management of a Zoom meeting.

Invocation

Senator Myers delivered the invocation.

Presentation from the President

Joseph M. McShane, S.J., addressed the Senate.

He thanked Senators and all members of the faculty for their heroic work in making the transition to virtual teaching during the COVID-19 pandemic. Fr. McShane provided the following updates concerning the University's response to COVID-19:

- Fordham is seeking to comply with all governmental mandates, and the University has offered assistance in response to requests from New York State. Fordham has offered to make facilities including the Lombardi Center, Rose Hill Gymnasium, the Westchester campus, and McKeon Hall available for use as temporary hospitals and facilities for healthcare workers. STEM departments have donated equipment.
- Following Governor Cuomo's executive order, nearly all operations are occurring remotely. The very few exceptions include some information technology workers, public safety staff, maintenance and food service to support students who must remain in residence, and laboratories pursuing biomedical research.
- Members of the graduating class of 2020 are being informed that Commencement has been postponed, but a virtual Commencement will take place May 16 on the steps of Keating Hall.

- The University is looking very carefully at budgets for both the current fiscal year and the year ahead.
 - In the current fiscal year, formulas have been established for providing prorated refunds for room, board, and some fees. Events such as Founder’s and Jubilee have been cancelled through June 30.
 - There is much more uncertainty with regard to the coming fiscal year. The University is keeping a careful eye on the applicant flow for the entering class, which may be more locally focused and may include a higher proportion of commuters. Fordham is presently in good financial shape, but there are many variables over which we have limited control, including the size of the incoming class, the proportion of international students, and students’ changing financial aid needs.
 - Responding to a Senator’s question, Fr. McShane said that it is unclear at this time when the University will be able to return to in-person instruction.

- As chair of the Commission on Independent Colleges and Universities, Fr. McShane had played a role in lobbying government officials, including U.S. Senator Schumer, on behalf of higher education institutions. He was pleased that many proposals he had championed appeared in the stimulus bill.

Senators thanked Fr. McShane for his pastoral messages to the University community, asked about contingency plans for the fall semester and the long-term implications of COVID-19 for private higher education in New York State, and encouraged the University to find ways to meet the financial and other needs of students in distress.

Provost’s Report

In beginning his report, Dennis C. Jacobs extended deep gratitude to faculty and noted that, in a city with over 23,000 cases of COVID-19, it is remarkable that there have been none among the 20,000 members of Fordham. He thanked members of the Executive Committee of the Faculty Senate for their assistance in developing the undergraduate policy for pass/fail grades.

Extensions to Tenure Clock: Dr. Jacobs asked for Senators’ feedback on a policy that his office is developing with regard to permitting untenured faculty to petition for a one-extension on the period of time before they are required to apply for tenure. He said that he would be very favorably inclined to grant such petitions.

- Senators uniformly praised Dr. Jacobs’ proposal, expressing a range of views about its details. Several indicated that they would prefer that the policy be “opt-out” rather than “opt-in”, so that untenured faculty would be given the extension by default but have the option to proceed under their usual timetable. It was noted that an “opt-out” system sends an important message of support and concern to junior colleagues.

- Senators also recommended that faculty be given a very extended deadline for deciding whether to opt in or opt out of any such system, as the full implications of the COVID-19 pandemic may not be evident for quite some time. One Senator asked whether, in cases where a junior colleague’s research was especially disrupted, the possibility of a two-year extension might be considered. Dr. Jacobs responded that he would seek to be sensitive to individual circumstances. He noted that, in general, the University’s policy has been not to extend a tenure clock for a total of more than two years.

- Senators asked whether Dr. Jacobs would also consider the possibility that colleagues whose Faculty Fellowships have been disrupted because of COVID-19 might be able to petition for an additional semester of fellowship to complete their research. Dr. Jacobs noted that this had not yet surfaced as a policy issue, that he would need to consider such petitions on a case-by-case basis, and that for faculty who have upcoming Fellowships, deferral might be the most appropriate option.

Faculty Hiring: Senators noted that other universities had adopted hiring freezes and asked Dr. Jacobs whether Fordham would follow suit. He replied that current searches are in the process of wrapping up. For the coming academic year, Dr. Jacobs sees faculty searches, especially those designed to refill vacant lines, as a priority area. There is uncertainty, and it is very unlikely that the University will be able to continue to grow the size of the faculty.

Policy Discussion Follow-Up: Post-Tenure Promotion

Prior to introducing Jonathan M. Crystal, Vice Provost, Senate President Keller reviewed a set of procedural issues about which she had previously communicated with Senators. The Senate’s constitution and bylaws require that Senators be physically present in order to constitute a quorum and, hence, an official meeting. Senate President Keller noted that presently the Senate was not in a “meeting” but an informal “gathering,” which means that the Senate is not able to take votes and adopt resolutions as it usually would. She explained that the Executive Committee, which is empowered to take actions on behalf of the Senate when the Senate is unable to meet, has proposed that Senators participating in the informal “gathering” take straw polls instead of votes, the results of which the members of the Executive Committee would agree in advance to adopt. Senators asked whether the bylaws can be amended to change these provisions, and Senate President Keller said that she expected to announce a proposed bylaws change in advance of the April meeting.

Senators Rubin, Hornbeck, Sen, and Zimmerman, in their role as members of the Executive Committee, each pledged to adopt the results of any straw polls that Senators might take in this informal gathering.

Senate President Keller then introduced Dr. Crystal, who presented proposed statutory language concerning the procedure for assessing applications for promotion made subsequent to applications for tenure. He explained that the proposed language affirms that when a faculty member applies for promotion at around the same time as tenure, the norms for promotion in force at the time of the faculty member’s hire ordinarily apply. For subsequent promotions, the proposal is that faculty be assessed under the standards in place at the time the promotion application is made, unless those standards have changed within the last three years. In such a case, the faculty member would have the right to elect which set of norms should apply.

The Senate took a straw poll, endorsing the proposal unanimously (23–0–0).

Key Conversation: Salary and Benefits Recommendations on Merit and Salary Increases

Senate President Keller introduced Senator Mozes, in his capacity as chair of the Faculty Salary and Benefits Committee. He delivered a presentation on the Salary and Benefits Committee’s deliberations with regard to the allocation of the 3.25% increase in the non-Law faculty salary pool for academic year 2020–2021. By a vote of 7–2, the Committee recommended that a merit increment be available, and by a vote of 8–0, the Committee recommended that 0.4% of the increase in the non-Law salary pool be set aside for merit increments of approximately \$1,020.

Senate President Keller indicated that while the University’s financial situation is likely to be impacted significantly by the COVID-19 pandemic, she and the Senate have been encouraged to move forward

with the usual procedures concerning the allocation of the increase in the non-Law faculty salary pool. A brief discussion ensued, and the Senate took a straw poll with regard to the Salary and Benefits Committee's recommendation to allocate 0.4% of the increase in the non-Law salary pool for merit, with 18 in support, 1 opposed, and 1 Law non-voting.

Senator Mozes then outlined the three proposals that the Salary and Benefits Committee had considered for allocating the 2.85% across-the-board raise for non-Law faculty:

- Traditional method: all faculty in each rank receive an equal raise, calculated by multiplying the average non-Law salary for that rank by 2.85%.
- Straight percentage method: each faculty member receives a raise equivalent to 2.85% of her or his salary.
- Hybrid method: each faculty member receives a raise equivalent to 1.6% of her or his salary (reflecting inflation), plus 1.25% of the average non-Law salary for his or her rank.

The Committee had voted 7–1 for the traditional method, 0–8 against the straight percentage method, and 5–3 for the hybrid method.

Senate President Keller indicated that the question before the Senate is whether to adopt the traditional or the hybrid method. The Senate then took a second straw poll: 16 were in favor of the traditional method, 2 of the hybrid method, and 1 abstained (plus 1 Law non-voting).

Senate President Keller acknowledged and thanked Senator Mozes for his service throughout the year as chair of the Salary and Benefits Committee.

Online Learning Check-In

Senate President Keller introduced Fleur Eshghi, Associate Vice President for Instructional Technology–Academic Computing; Steven D'Agustino, Director of Online Learning in the Office of the Provost; and Alan Cafferkey, Director of Faculty Technology Services. Senate President Keller and Senators offered enthusiastic thanks for the extraordinary work of colleagues in IT during the COVID-19 pandemic. The sense of the Senate was that colleagues in IT have done “jaw-droppingly” excellent work on very short notice. Senators asked about the challenges students and faculty have encountered in the transition to virtual teaching, in particular with regard to the choice between synchronous and asynchronous modes of learning.

Approval of Minutes

Senators expressed their approval of the draft minutes of the meeting of February 28, 2020, taking a straw poll, 17–0–1.

Announcements and New Business

There were no announcements or new business, and Senate President Keller adjourned the gathering at approximately 2:15 p.m.

Respectfully submitted by J. Patrick Hornbeck II, Secretary

Procedural Note:

Due to the outbreak of COVID-19, the Faculty Senate was unable to meet in person on March 27,

2020. The Senate's constitution and bylaws invoke the procedures of Robert's Rules of Order, which prohibits an organization from holding electronic meetings unless its governing documents explicitly allow for that possibility, which the Senate's constitution and bylaws do not. In the absence of an official "meeting," and thus of a quorum, Senators took straw polls. The members of the Executive Committee agreed to enact the outcomes of the straw polls as resolutions, under the Executive Committee's authority to act on the Senate's behalf when it is unable to meet (Bylaws, Article IV, section 5(c)). Appended to this summary are the resolutions that the Executive Committee adopted by unanimous written consent.

**Resolutions of the Executive Committee of the Faculty Senate
March 27, 2020**

By unanimous written consent, documentation reflecting such consent being retained in the files of the Faculty Senate, the Executive Committee of the Senate adopts the following resolutions pursuant to its authority under Article IV, Section 5, of the Senate’s bylaws:

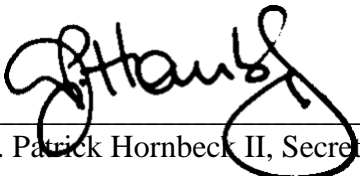
FIRST: Appendix III, section 3e of the University Statutes is to be amended by adding at the conclusion of sub-section 3 the following language:

The standards that are in place at the time of original hiring will also remain determinative for promotion at the time of tenure. For subsequent promotions, faculty will be subject to the standards currently in place, unless such standards have been changed within three years of the faculty member’s application for promotion. In such cases, faculty can fill out a form (available from the Office of the Provost) in which they can choose to be judged against either the current standards or those in place before the recent change was approved. If a candidate for promotion chooses not to submit the form, the current standards will be determinative.

SECOND: For academic year 2020–2021, a dollar amount equivalent to 0.4% of the total salaries of non-Law faculty is to be allocated for the award of merit increments for up to half of the non-Law faculty.

THIRD: For academic year 2020–2021, the balance of the negotiated increase in the faculty salary pool is to be allocated by awarding a salary increase to each non-Law faculty person equivalent to 2.85% of the mean salary of that faculty person’s rank.

FOURTH: The draft minutes of the meeting of the Faculty Senate of February 28, 2020, are approved.

Attest: 

J. Patrick Hornbeck II, Secretary