

BROOKLYN COLLEGE  
 OF THE CITY UNIVERSITY OF NEW YORK  
 FACULTY COUNCIL

December 6, 2016

(6315) Call to order

The fourth meeting of Faculty Council for the 2016-2017 academic year was called to order at 3:30 pm in the Woody Tanger Auditorium by Professor Langsam (CIS).

(6316) Roll call

The roll call was taken at the door. Department Chairs and Representatives: Basil (Biology), Ciszkowska & Dowd (Chemistry), Balk (H&NS), Adams (SEED); School Delegate: Sowers & Vitale (Humanities & Soc Sci.), Crump, Hardin & Jones (Nat. & Bev. Sci.) were absent (-10); Williams (Business), Fox (Humanities & Soc Sci) were excused (2); Administrators: Sillen, O'Reilly, Carey, Gilbert, Fitzgerald, Hewitt, Gold & Ali were also absent and excused. All other members were present.

(6317) Minutes of November 8, 2016

The minutes of November 8, 2016 were approved unanimously.

(6318) Steering Committee

Professor Langsam read out the following statement for a moment of silence on the death of Professor Yaffa Eliach (Judaic Studies):

*"Born in a village (shtetl) in Jewish Lithuania, Yaffa Eliach survived the horrors of World War II. After a brief respite in Israel, she came to the United States in 1954. Determined to make up for lost time, she learned English, and went to Brooklyn College, earning her BA in 1967 and her MA in 1969. From there it was on to obtaining a PhD from CUNY in 1973.*

*"In 1969 she joined the newly formed Department of Judaic Studies , and remained there until she retired in 2002. She was always a popular teacher as well as a popular public speaker.*

*"One of the pioneers of Holocaust Studies, she published Hasidic Tales of the Holocaust. Determined to give the victims of the Holocaust their dignity and a voice, when she was appointed to President Jimmy Carter's Commission on the Holocaust, she created the "Tower of Faces" for the new United States Holocaust Memorial Museum in Washington, D.C. She also wrote other works, including There Once Was a World: A 900-Year Chronicle of the Shtetl of Eishyshok with the same objective in mind. A world-renowned personality, she received all kinds of awards and recognition, including Alumna of the Year here at Brooklyn College.*

*"Unfortunately her later years were unhappy ones in terms of health. She died on Tuesday, Nov 9, in her home, at the age of 79. She is survived by her husband, Dr. David Eliach, her two children, and numerous grandchildren. May her memory be a blessing."*

Professor Langsam then moved to the election of two members for the Committee on Committees to replace Professors Shortell (Sociology) and Elizalde-Utnick (SPCL) whose terms have expired. Professors Shortell and Elizalde-Utnick were nominated. The Secretary of Faculty Council cast one vote for the nominations. The

full committee was then charged to convene at the end of the meeting to elect and report back on the chair for Committee on Committees.

Professor Shortell made a motion to amend the agenda. The chair of Master Planning agreed to postpone the presentation of their report to the February 14, 2017 Faculty Council meeting. In its place would be a resolution under New Business on sanctuary status at Brooklyn College. The motion passed with a vote of 76 yeas, 5 nays, and 1 abstention.

(6319) Communications from the Administration

President Anderson reported that CUNY would likely issue a statement for the whole university that week on the subject of sanctuary campuses and, therefore, asked college presidents not to do anything before CUNY had an opportunity to speak on the matter. The management consultancy firm McKinsey & Company that is working with CUNY was moving forward with its plan delineating responsibilities that the Central Office should have and those that should be handled locally at the campuses, and rationalizing processes across CUNY. This would probably impact our HR, procurement and facilities offices. President Anderson addressed an incident of concern to many in the college community: ceiling material falling on an adjunct faculty member a few days previously. The College is taking this very seriously and conducting a multipart investigation. She presented the facts they had at this point and the measures being taken to ensure that such an incident does not recur. They hoped to finalize a report soon. In the meantime, President Anderson underscored that any leaks should be considered an emergency situation and reported to AVP Francis Fitzgerald, the President, or others in the administration. AVP Fitzgerald wants to be contacted if anyone has submitted a facilities work order that hasn't been responded to. The College is working with the Facilities Committee of the Faculty Council, the Facilities Infrastructure Committee of the Policy Council, and hopes through these committees to engage faculty in more deliberative work on facilities at the beginning of the spring semester. President Anderson then turned to the Inspector General's report. She presented the timeline: On October 7, the City College President's resignation, and by October 9, the CUNY Board of Trustees was asking for an inspection by the IG of CUNY; five colleges were chosen at random and Brooklyn College was chosen as the representative college for the borough, with the intent to look closely at the related 501(c)(3)s and other non-tax levy accounts that each of the campuses have across CUNY. About a month into the investigation, the IG issued an interim report on November 15 that CUNY had not had the opportunity to see or respond to before its release. November 16 Governor Andrew Cuomo called for changes of leadership at CUNY, a review of all senior leadership at CUNY, and gave CUNY and its Board of Trustees 30 days to respond to the findings and recommendations in the interim report. Shortly thereafter, CUNY's General Counsel announced his retirement, and the Vice Chancellor for Government and Media Relations moved from CUNY Central to Queens College. Other moves at CUNY Central suggested that there were substantial changes in leadership. The Monday after Thanksgiving, Brooklyn College received additional requests from the IG. It was important to note that the investigation was ongoing and that they might be other findings related to Brooklyn College as a result. President Anderson then addressed the two major problems associated with Brooklyn College

that had been mentioned in the IG's interim report: the housekeeper at the Brooklyn College residence and the former president's retirement party. She explained that CUNY college presidents were given either a housing allowance of \$60,000 per year or a residence. President Anderson's contract required her to live in the Brooklyn College residence. Each CUNY college residence has a housekeeper paid either through non-tax levy funding or on regular tax levy as a campus custodial employee. Brooklyn College's use of non-tax levy funds for the position dates back to President Kimmich, and the current housekeeper has worked there more than seven years. When President Anderson took the position in August, she scaled back the housekeeper's hours substantially, and now anticipated fundamentally changing the arrangement in January 2017. The use of non-tax levy funds for the retirement party for the previous president was allowable for social events under CUNY guidelines. It was a stewardship and fundraising event that raised \$55,000 for a student travel fund in honor of her service. President Anderson stressed that the College took this process very seriously, was being entirely forthcoming with the IG, and was now working to enhance oversight and internal controls. The College was looking in-depth at all non-tax levy accounts, including those not associated with 501(c)(3)s, and running all discretionary non-tax levy spending through the President so that she could get a sense of the whole. The College was developing a committee of BC Foundation trustees and our Finance Department to inspect that any expenditures from any grants effectuate donor intent and comply with all Brooklyn College and CUNY regulations and best practices. Finally, the College was setting up a longer-term process to review all donor agreements. There are some 700 scholarship agreements and 280 other restricted accounts that need to be reviewed. The President was then asked what she thought the results of the investigation and the McKinsey report would be for CUNY. She had no answer except that in response to various findings, CUNY would continue to repair and improve. For President Anderson, the situation has given her an opportunity to engage in a thorough vetting earlier in her presidency than she might have ordinarily at this point. Other questions concerned the issue of measuring educational value while ignoring the issue of morale, and whether these investigations would negatively impact the budget in the short term. In response to a question about whether the College was taking steps to deal with the public relations fallout, the President recognized that while CUNY has been mostly silent, this process has damaged Brooklyn College and that there was a need, therefore, to mitigate that. The College did, within two days, meet in an emergency meeting with the Foundation board members to try to ensure their confidence in the work the College is doing, and show that the College was responding aggressively to enhance our own internal controls and oversight. Where there were errors, the College was dealing with them. President Anderson clarified that McKinsey was hired by the Chancellor and Board of Trustees before the current Board changes and were contracted to make their recommendations to the Chancellor and Board. There are various committees with administrators and staff across CUNY consulting with them. A question was asked about the injured adjunct and whether the College was doing all it could. Professor Robin (Political Science), who was the chairperson for that adjunct's department, reported that the adjunct was due to return to class that Monday and that they did not anticipate a problem in helping her to finish out the semester. Finally President Anderson, when asked

about the search for the new position of Vice Chancellor for Institutional Development, reported that the search was on hold.

Provost Tramontano thanked Professor William Childers (Modern Languages) for his work on the new general education courses. Brooklyn College submitted 66 courses to the Common Core Course Review committees at CUNY. They would be reporting back between December 9-12 as to which courses would be accepted into the general education curricula. He also thanked Lea Honigwachs and Associate Provost Stuart MacLelland. Provost Tramontano announced that Middle States committees need to be formed by early 2017. Associate Provost Jo-Ellen Asbury and Professor Jeremy Porter (Sociology) were serving as co-chairs of the Middle States Committee. He encouraged faculty to take part in this effort.

(6320) Committee on Committees

(6321) Liaison with the University Faculty Senate

Professor Shortell announced that there were no updates.

Professor Queneau (Business Management) reported on the University Faculty Senate (UFS) meeting of November 29, 2016. Chancellor James Milliken gave an update on the Inspector General's investigation. Because the report is on-going, he couldn't say much, but the Chancellor expected the Inspector General would provide CUNY with guidance on use of non-tax levy funds across the system. Chancellor Milliken made the decision that from now on non-tax levy monies would not be used as salary supplement for new presidents and university deans. He also announced that memoranda of understanding (MOUs) would be under review for possible re-evaluation and changes to compensation plans that govern salary and benefits. CUNY had two presidential searches ongoing for City College and John Jay College. McKinsey & Company was making progress in identifying processes and functions which would be better centralized and which decentralized, anticipating that any savings could be reinvesting into the academic area. The new strategic plan, entitled Connected CUNY, was being rolled out, along with the 2016-2020 Master Plan. Some highlights: CUNY's role in k-12 education focusing on improving college readiness; increasing CUNY graduation rates; increasing experiential learning opportunities at CUNY; and helping students get good jobs. Chancellor Milliken then turned to the post-election climate. He stated that CUNY would honor its commitment to more than 6,000 undocumented students as well as 500 Deferred Action for Childhood Arrivals (DACA) students. The next speaker was President Richard Rothbard of the Research Foundation (RF). He presented details of the structure and functioning of the RF. In response to a question, President Rothbard explained that under the Chancellor's new policies, non-tax levy funds that had been used in the past for lobbying could no longer be used for that purpose. Senior Vice Chancellor and Chief Financial Officer Matthew Sapienza was the final speaker. He spoke about the request for renewing the predictable tuition policy (\$250 per year increase for the senior colleges and \$100 for the community colleges). The City of New York has put aside \$35 million towards a 3-credit reduction of the teaching workload, as outlined in the new PSC-CUNY contract. He reported that 2/3 of undergraduate students at CUNY pay no tuition.

(6322) Degree Lists

Professor Bowdoin (Library) reported that the Committee on Review of Student Records had reviewed the lists, and they were in order. Degree Lists 2017/6 and 2017/7 were approved with a vote of 91 yeas, 1 nay, and 0 abstentions.

(6323) Report of Standing Committees

Committee on Undergraduate Curriculum and Degree Requirements: Professors Cohen (Music) and Childers presented Curriculum Document 384. Professor Childers explained that the entire Undergraduate Bulletin would have to be gone through carefully and the General Education Committee would work with departments to help make the required changes. Professor Langsam reiterated the Provost's commendation of the committee for its extraordinary work for the general education curriculum. Professor Cohen remarked that FINC 5102 had been withdrawn from the document. Provost Tramontano raised some concern that KINS 3001 was a one-semester course replacing the standard 2-semester anatomy and physiology sequence. It was explained that this change would help cut down on the number of students taking the course at other campuses through e-permits and it would also help the physical education teacher majors. Professor Cohen explained that while it would be too late after the December Faculty Council meeting to get a new course into the Chancellor's University Report so it could appear in CUNYfirst for Fall 2017, departments could work around this deadline by scheduling the course as a special topics course in the fall and later putting the new course in once it passes and move the students into it. Curriculum document 384 was approved by a vote of 83 yeas, 2 nays, and 0 abstentions.

Committee on Graduate Curriculum and Degree Requirements: Professor Evans (Library) presented Curriculum Document 237. The Conservatory of Music was withdrawing its proposal in Section A-III to make some changes. Professor Marsh (Theater) was concerned that the Theater Department was not asked for clearance for TVRA 7731 (Section A-IV). The Department of Television and Radio agreed to withdraw the course proposal until Theater had a chance to look at it. Curriculum Document 237 was approved with a vote of 92 yeas, 1 nay, and 0 abstentions.

(6324) New Business

Professors Aja (PRLS) and Muñoz (Sociology), to support undocumented students, and joining Governor Cuomo and Mayor DeBlasio, and other CUNY schools such as, Borough of Manhattan Community College, City College, John Jay College, and LaGuardia Community College, presented the following resolution:

***Resolution on Sanctuary Status at Brooklyn College***

*Whereas Brooklyn College has, "Throughout its history, been a place that has welcomed students excluded elsewhere, including those from lower socio-economic backgrounds, those who are first in their families to attend college, and immigrants from around the globe" (Anderson, Nov. 15, 2016):*

*Whereas upon the electoral victory of Donald Trump, Governor Cuomo stated "So let me be absolutely clear: If anyone feels that they are under attack, I want them to know that the state of New York – the state that has the Statue of Liberty in its harbor – is their refuge" (Nov 12);*

*Whereas the City University of New York (CUNY) has reiterated its unwavering support of*

*immigrants as core to CUNY's mission (Milliken Nov 18);*

*Whereas Brooklyn College, CUNY students have already expressed to faculty, staff, administrators, student organization and club officers and representatives, their heightened fear and anxiety about the future, based on President-elect Trump's plan for building walls, increasing deportations, initiating a Muslim registry and repealing DACA (Deferred Action for Childhood Arrivals);*

*Whereas a petition is already circulating with over 400 signatures expressing support for urgently declaring our university, a sanctuary space, one where we limit cooperation with federal immigration authorities so as to shield our students, staff, and faculty from detainment and deportation;*

*Whereas sanctuary status would include a commitment not to share records with Immigration and Customs Enforcement (ICE) that may identify the immigration status of students or campus workers, prevent campus police and security from acting on behalf of federal immigration authorities, and prohibit these authorities from entering campus without a warrant;*

*Be it resolved that the Faculty Council of Brooklyn College requests the college administration to immediately declare Brooklyn College a "sanctuary campus" and to exercise its authority to the extent allowed by law to protect our students, staff and faculty from intimidation, investigation, surveillance, deportation and other attacks while on campus;*

*Be it further resolved that we urge the University Faculty Senate (UFS) to adopt a resolution making the entire university a "sanctuary campus" system; and,*

*Be it further resolved that we call on President Anderson to urge Chancellor Milliken to strengthen his public statements advocating for immigrants at CUNY by declaring the entire CUNY system a sanctuary.*

A number of faculty members thanked Professors Aja and Muñoz for bringing the resolution to the floor. After much discussion supporting the motion and clarifying the issues involved, the resolution was passed with a vote of 80 yeas, 5 nays, and 2 abstentions.

(6326) Adjournment

Professor Langsam wished everyone happy holidays. The meeting was adjourned at 4:36 pm.

Respectfully submitted,

Yedidyah Langsam  
Chair

Sharona A. Levy  
Secretary