The meeting was called to order by Committee Chair Fernando Ferrer at 5:18 p.m.

The following people were present:

**Committee Members:**
- Hon. Fernando Ferrer, Chair
- Hon. Judah Gribetz, Vice Chair
- Hon. Rita DiMartino
- Hon. Ken Sunshine
- Prof. Kathleen Barker, faculty member
- Hon. Chika Onyejiukwa, student alternate
- President Marcia Keizs, COP member

**University Staff:**
- Chancellor James B. Milliken (arrived @ 5:52 p.m.)
- Vice Chancellor Gloriana Waters
- Vice Chancellor Pamela Silverblatt
- University Dean for Recruitment and Diversity Arlene Torres

**Trustee Staff:**
- Interim General Counsel and Vice Chancellor
  Jane Sovern (arrived @ 5:51 p.m.)
- Deputy to the Secretary Hourig Messerlian
- Ms. Doris Wang

The agenda items were considered and acted upon in the following order:

I. ACTION ITEMS:

A. APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 18, 2017 AND FEBRUARY 22, 2017. The minutes were approved as submitted upon motion made by Trustee Rita DiMartino and seconded by Prof. Kathleen Barker.

B. POLICY CALENDAR

1. Approval of the 2011-2018 Agreement with the International Alliance of Theatrical Stage Employees Union (IATSE), Local One, Covering Employees at the Sylvia and Danny Kaye Playhouse at Hunter College, The Brooklyn Center for the Performing Arts at Brooklyn College, The Hostos Center for the Arts and Culture at Hostos Community College, and the Gerald W. Lynch Theatre at John Jay College of Criminal Justice. Vice Chancellor Pamela Silverblatt stated that the University has a group of theatrical and stagehand employees at four CUNY schools. There are about 130 employees altogether but the overwhelming majority of them are part-time. There are only a handful of full-time employees. Although this is a small group at CUNY, it is the same theatrical and stage union that represents employees at Broadway theaters, so they are a powerful group. When CUNY settled with all of the classified staff unions last spring, IATSE did not settle. They wanted to do something slightly different in terms of how they distributed the available money, so it took a certain amount of back and forth and the University has now settled with them, subject to the Board's approval. They are taking five percent in wages and five percent in welfare and annuity benefits. The economic package is consistent with PSC's and the other unions' contractual agreements. Senior Vice Chancellor and Chief Financial Officer Matthew Sapienza's office approved all the costs in advance and this resolution seeks the Board's approval for the Chancellor to execute IATSE’s collective bargaining agreement.

In response to a question from Committee Chair Ferrer on whether the relative distribution is the same size pie:
Vice Chancellor Silverblatt confirmed that it was.

Following discussion the item was approved for submission to the Board as moved by Trustee Ken Sunshine and seconded by Prof. Baker.

4. Naming of the Molly Weinstein '77 Seminar Room at Queens College. Vice Chancellor Gloriana Waters stated that this resolution is a naming opportunity at Queens College that honors an alumna and former instructor, Molly Weinstein. Her son David Weinstein has previously established the Molly Weinstein Memorial Prize for graduating seniors who intend to pursue careers after college in teaching, which is funded annually in the amount of $136,900. In recognition of her contributions to the College and her son's continued generosity, Queens College wishes to name a seminar room in Powdermaker Hall in honor of Professor Weinstein. This matter has been approved and reviewed by the Offices of the General Counsel and Institutional Advancement.

Following discussion the item was approved for submission to the Board as moved by University Student Senate (USS) Chair and Trustee Chika Onyejiukwa and seconded by Trustee DiMartino.

C. CHANCELLOR’S UNIVERSITY REPORT

1. Appointment of Ronald C. Jackson as Vice President of Student Affairs at Brooklyn College.

2. Appointment of Howard Wach as Vice President for Academic Affairs and Provost at Guttman Community College.

3. Appointment of Dana R. Davies as Interim Vice President for Enrollment Management at John Jay College of Criminal Justice.

4. Appointment of Geoffrey Glick as Vice President for Institutional Advancement at Macaulay Honors College.

5. Appointment of Sherri L. Newcomb as Senior Vice President and Chief Operating Officer at Queensborough Community College.

6. Appointment of Timothy G. Lynch as Vice President for Academic Affairs at Queensborough Community College.

7. Appointment of Stephen Di Dio as Vice President and Chief Communication and Marketing Officer at Queensborough Community College.

Prof. Baker stated that as she mentioned to Vice Chancellor Waters last week, the faculty at Queensborough Community College were totally unaware of agenda item I.C.7. She thanked Vice Chancellor Waters for reaching out and providing the requested information; however, the members of the search committee were never announced, and in fact, requests from the University Faculty Senate (UFS) governance leader to the president about this position went unanswered. She added that if she had not contacted the Faculty Governance Leader, the faculty would not have known that this search was underway, nor who was on the search committee. For transparency purposes, the searches should be advertised properly to the community, including after the appointment is approved by the Board.
Vice Chancellor Waters stated that she and Prof. Barker did have a conversation regarding the search committee and she did provide the information on the members of the search committee, and the President assures her that all practices were consistent with what happens at Queensborough Community College, but to Prof. Barker’s point about making things more public and more transparent, she will certainly bring that to the President's attention.

Following discussion items I.C.1 through I.C.7 were approved for submission to the Board as moved by Trustee DiMartino and seconded by Trustee Sunshine.

II. INFORMATION ITEMS

Reappointments with Early Tenure pursuant to §6.2.b.(2) of the Bylaws.

<table>
<thead>
<tr>
<th>College</th>
<th>Name</th>
<th>Department</th>
<th>Rank</th>
<th>Justification</th>
<th>Effective</th>
</tr>
</thead>
<tbody>
<tr>
<td>City</td>
<td>Sebastian Franco</td>
<td>Physics</td>
<td>Associate Professor</td>
<td>Internationally renowned reputation in String Theory NSF grant</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>City</td>
<td>Maria Tzortziou</td>
<td>Earth and Atmospheric Sciences</td>
<td>Associate Professor</td>
<td>More than $8 million in grants from NASA, NSF and European Commission</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>Guttman</td>
<td>Nicola Blake</td>
<td>English</td>
<td>Associate Professor</td>
<td>ACE Fellowship and Fulbright Specialist</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>Hunter</td>
<td>Nebahat Avcioglu</td>
<td>Art &amp; Art History</td>
<td>Associate Professor</td>
<td>Harvard post-doc and Oxford Fellowship</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>Hunter</td>
<td>Carrie Meyer</td>
<td>Art &amp; Art History</td>
<td>Associate Professor</td>
<td>Four one-person art exhibits</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>John Jay</td>
<td>Lawton Brian</td>
<td>Criminal Justice</td>
<td>Assistant Professor</td>
<td>$3 million grant from National Institute of Drugs</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>John Jay</td>
<td>Heath Brown</td>
<td>Public Management</td>
<td>Assistant Professor</td>
<td>Author of four books on federal elections and the U.S. Presidency</td>
<td>9/1/2017</td>
</tr>
<tr>
<td>John Jay</td>
<td>Marie-Helen Maras</td>
<td>Security, Fire &amp; Emergency Management</td>
<td>Associate Professor</td>
<td>Author of seven books on cybersecurity</td>
<td>9/1/2017</td>
</tr>
</tbody>
</table>

B. POLICY CALENDAR, continued

2. Amendments to Guidelines for Presidential Searches. Vice Chancellor Waters stated that this resolution is an amendment to the guidelines for presidential searches. The proposed amendments are designed to make the search process more flexible by allowing the participation of representatives of external constituencies. The amended guidelines permit appointment to the search committee of up to two senior administrators and/or members of external constituent groups so long as there are not more than a total of five appointed trustees and senior level administrators and/or members of external constituent groups. Faculty and student representation in the search process remains the same. The amendments also make clear that elected officials and/or their staff members
may not be appointed as representatives of external constituencies. In addition, these
guidelines now cover the position of Dean at the CUNY Graduate School of Public Health
and Health Policy.

Moved by Committee Chair Ferrer and seconded by Trustee Sunshine the item was
opened for discussion.

Committee Vice Chair Gribetz stated that the Committee should be provided with a
definition of external constituency.

At the suggestion of Committee Chair Ferrer further discussion was deferred until the
arrival of Interim General Counsel and Vice Chancellor (IGC&VC) Jane Sovern.

3. Amendments to the Governance Plan of Brooklyn College. Vice Chancellor Waters
stated that this resolution proposes that the amendments to the Governance Plan of
Brooklyn College be adopted, effective May 2, 2017. The proposed amendments to the
Governance Plan were approved by the College’s Council on Administrative Policy on
May 5, 2016 and by the College’s Policy Council on December 9, 2016, and are
recommended by the College President. The amendments revise language to make it
clear that the schools’ academic deans hold a “discussion” with potential candidates as
part of the faculty promotion and tenure process, but the deans do not “interview”
candidates. They also add an administrative title—associate vice president—to the
Council of Administrative Policy (CAP) and Faculty Council to reflect the creation of this
title and appointment of an administrative official to the position. Lastly, the proposed
amendments incorporate minor editorial changes to clarify the Plan’s provision.

Prof. Barker stated that this plan came before the faculty last year and was modified
slightly. The faculty fully supports this plan. The academic dean is not in the chain of
command with making a decision about tenure and promotion, it is the department. The
amendment is straightforward.

Vice Chancellor Waters stated that the academic deans are key, whether they are the
chain of approval or not.

In response to a question from Trustee Ken Sunshine on whether this procedure is
consistent with other colleges:

Vice Chancellor Waters stated that every college has a different procedure, and most do
not include a Dean.

President Marcia Keizs added that most colleges have this embedded in their
governance plan. As for York College, it is more of a practice, it is not part of its
Governance Plan.

Prof. Barker stated that this is someone who is just an academic dean, not someone who
is running say the CUNY Graduate School of Public Health and Health Policy in the
position of Dean, similar to a President.

President Keizs stated that she certainly understands the use of the word “discussion”
versus “interview” because the “discussion” obviously may come back to the person
about worthiness. The “interview” suggests it is a back and forth dialogue. She added
that it is a good idea to ask for the academic dean’s input, as he/she can provide advice
to the decision-makers.
Committee Vice Chair Gribetz stated that he is not suggesting changing who has the power to vote, but somebody in the hierarchy might have to limit “discussion”.

President Keizs stated that there is a relatively new item in the contract that allows, in other situations, for an academic dean’s input at the third year of movement towards tenure, so this amendment merely follows in that vein. At some point later, should the person come up for tenure or promotion again, there is not a discussion. She added that she supports this resolution.

Vice Chancellor Waters stated that the reason for Brooklyn College’s amendment is to make it a little more consistent with other practices.

Following discussion the item was approved for submission to the Board as moved by Committee Chair Ferrer and seconded by Trustee DiMartino. Committee Vice Chair Gribetz abstained.

III. STAFF DIVERSITY REPORT

Vice Chancellor Waters stated that the last Staff Diversity Report which was reported to the Board in October 2016, was based on CUNY’s 2015 Affirmative Action Plan. Today’s report will reflect data based on the 2016 Affirmative Action Plan.

See attached presentation on the Quarterly Report on Employee Diversity by University Dean Arlene Torres.

In response to a question from President Keizs on when does an individual have the opportunity to self-identify along ethnic groups:

University Dean Torres stated that when an individual applies for a position, they have an opportunity to select. They also have a second opportunity when they accept the position. They are able to go back, at any point, to change the status if they so desire, and the Office of Recruitment and Diversity (ORD) can track the changes through CUNYfirst.

In response to a question from Prof. Barker on which are the campuses that are not conducting exit surveys:

University Dean Torres stated that she would provide Prof. Barker with the campuses that do not conduct the exit surveys, but she noted that since the October 2016 report, a number of colleges have come on board. There are still a few outliers whose participation ORD wants to encourage.

In response to a question from Committee Chair Ferrer on what are the reasons for the outliers:

University Dean Torres stated that some of the campuses engage in their own exit surveys so they have opted not to participate in the exit surveys that ORD provides through ModernThink, and some other campuses have not given a particularly clear rationale as to why they would prefer not to participate.

In response to another question from Committee Chair Ferrer on whether there is anything that can be done to encourage participation:

University Dean Torres stated that in her role, she continues to encourage the campuses to participate in the exit surveys.
Vice Chancellor Waters added that the Office of Human Resources Management (OHRM) has been talking to the HR directors about mandating the campuses to participate in the exit surveys. As University Dean Torres pointed out, they are slowly realizing the value that the exit survey brings. OHRM will be working through campus HR directors and the vice presidents for administration to get them on board on this project.

Prof. Barker stated that encouraging them to adopt a systematic approach that a vendor provides rather than the anecdotal information would encourage some people to provide more data. She added that this is very important work.

In response to a question from USS Chair and Trustee Onyejiukwa on how was the diversity conference:

President Keizs stated that she was a participant, and the Diversity Conference was fantastic. She added that she wanted to congratulate University Dean Torres, Vice Chancellor Waters and all of those who attended for her exposure to some phenomenal faculty and external people.

University Dean Torres added that it was an extremely successful conference. Marybeth Gasman from the University of Pennsylvania gave a keynote address about some of the challenges that higher education faces when it comes to recruitment and retention of faculty. There was also a mid-day panel of black feminist scholars who engaged in critical thinking and commentary on their experiences in higher education, and shared from a very personal perspective and based on some of their own research and participation in committees as administrators in the university context about what it is that they experience as faculty of color. There were twenty-seven panels through concurrent sessions throughout the day composed of four to five CUNY faculty, some graduate students, as well as some undergraduate students, and then a poster session later in the evening. The conference revealed that ORD had, just in that small cohort—and never mind the 450 people who attended the conference—a series of experts in a room who can draw upon their research, scholarship, and experiences at CUNY to give some guidance on how diversity and inclusion might be improved. The conference also indicated that CUNY is engaged in critical conversations. ORD’s challenge is to listen to people who want action and have ideas, and to move forward, transforming their ideas into practices that can make a real positive impact at CUNY.

Committee Chair Ferrer stated that the reason he asked for this information to be presented to this Committee is that by measuring this in a systematic way, the Committee on Faculty, Staff and Administration (CFSA) can begin to see what the issues are and hold each other accountable for achieving goals. This cannot be done without a full discussion of the facts. Hopefully, the Committee will have an opportunity to examine the underlying assumptions of market availability calculations. He added that even though the Committee views these numbers as they are configured every two years, he would like to begin to examine the configurations and the assumptions that underlie them.

University Dean Torres stated that the final version of this report which will be provided to the CFSA will take into consideration the members’ comments and suggestions. It will also include detailed information on market availability as well as the methodology that is employed to come up with these percentages.

In response to a question from Committee Vice Chair Gribetz on whether papers given or notes taken during the Diversity Conference would be useful to the Committee:

University Dean Torres stated that ORD can send Committee Vice Chair Gribetz the program which includes all of the abstracts related to the presentations that were given by each of the faculty members. In addition, the mid-day panel is available for view online as it was live-streamed. Furthermore, ORD can provide him with a summary.
B. POLICY CALENDAR, continued

2. Amendments to Guidelines for Presidential Searches. IGC&VC Sovern stated that the proposed changes are principally designed to make the search process more flexible to allow the participation of representatives of external constituencies. This essentially means that in addition to the faculty, student, presidential, and alumni representation that remain the same, the group of additional trustees and senior level administrators could also include up to two members of external constituent groups. There are also additional editorial changes, in particular, more up-to-date diversity language was included in the proposed revised policy. Another substantive change was to include among the institutions that use this process, the CUNY Graduate School of Public Health and Health Policy, which had a different process, thus allowing for a more mature process as the School has matured to include the same kind of process as the School of Professional Studies, the CUNY School of Law, and the Graduate School of Journalism uses.

In response to a question from Committee Chair Ferrer on what are the proposed changes to the composition of the search committee:

IGC&VC Sovern stated that the change in the composition of the committee is the allowance of the external constituencies. Those are individuals, excluding elected officials or staff to elected officials, but who would constitute individuals who are outside of CUNY employment. In other words, they are not faculty, students, or trustees. They could be alumni, but they are not in the designative alumni position.

Chancellor James Milliken stated that in three years, this is the second proposed amendment that he has come forward with to propose modifications. The first amendment was a change to the composition of the committee, allowing for two internal senior officers, one from the college where the search is being conducted, and one from the outside. The reason for this was two-fold: the demand on trustee time, so it was decided that three trustees, including one who chaired the committee might be sufficient, but it also gave the administration the opportunity to get more senior University leadership involved. The Board adopted that resolution so that it could be five trustees but a minimum of three. This time, with more experience in these searches and dealing with the stakeholder groups at the colleges, alumni and others, it became clear, particularly when the City College search was done, that there were so many outstanding alumni, and the committee was limited to one alumni member and one external member, so in discussion with Board members and others, the chancellery thought why not expand the composition to provide the opportunity for additional external stakeholders. It provides flexibility and keeps the number of representatives other than faculty, students and the president the same, so that there is no shift in the balance.

Committee Vice Chair Gribetz stated that he is concerned with the phrase external constituency so it should be defined a little better.

Chancellor Milliken stated that since he was the one recommending the modifications, he did not give much thought to the definition, but he can suggest it says constituent or non-university employee.

Committee Vice Chair Gribetz stated that one could argue that when the next external constituent was selected it was done because they are a stakeholder. How do we define an external constituent to enlarge the group but also make sure they are a part of the family?
Chancellor Milliken stated that this was certainly his intent and that he likes Committee Vice Chair Gribetz’ suggestion.

In response to a question from USS Chair and Trustee Onyejiukwa on whether having a senior level administrator or an external constituent would not give the college a different college representation to take place in their own search:

Chancellor Milliken stated that the college could already have a situation where you did not have two colleges in representation because you could have five board members appointed under this policy and then there would be no space for the other two, or there could have been four board members appointed and there would be space for one more representative. It might be from the college for which the president is being selected or another one, so it really provides flexibility and a set of options from which two people would be chosen.

In response to a question from President Keizs on whether it was intentional to exclude Macaulay Honors College’s team:

IGC&VC Sovern stated that it was intentional as the other schools have practitioners. She added that these schools will include a member of the school's board of visitors or advisory council and up to two other outstanding figures in the relevant professional community, and Macaulay Honors College did not seem quite to fit with the original.

In response to a question from Prof. Barker on whether external constituents should come from entities where elected officials have the power to appoint officers or which are funded by annual government appropriations and government-backed bonds:

IGC&VC Sovern stated that it was certainly not intended necessarily to do that, but the Office of Legal Affairs will take a look at what the thought was.

Prof. Barker stated that the main concern was who these folks would be because the Chancellor has eliminated the obvious one, but could Chancellor Milliken expand on the inclusionary?

Chancellor Milliken stated that maybe there needs to be a better way to express this. Coming to mind is alumni and community leaders that are connected, and donors to the college that are of significance and who have demonstrated their strong support for the college.

Committee Vice Chair Gribetz stated that he wants to avoid open-ended external constituency. It should be laid out so that everyone is comfortable that the right people are on every search.

In response to a question from Trustee Sunshine to Committee Vice Chair Gribetz on whether he has any objection to the specific categories that were enumerated:

Committee Vice Chair Gribetz stated that he has no objections.

In response to a question from Committee Vice Chair Gribetz on who votes when the search committee makes the recommendation to the Chancellor:
Chancellor Milliken stated that as a general rule, the entire committee votes on the searches but there is a provision that if there is an impasse, the Board of Trustees can make a decision.

IGC&VC Sovorn stated that the Board has the final say. She added that it sounds like there is a very helpful recommendation on the table to have a clearer definition that includes more specifics about the demonstrated commitment to the college and a suggestion of higher education experience.

Chancellor Milliken stated that he is going to object to that one, and that he will not recommend it.

President Keizs stated that if external constituency could be defined with examples without limiting them to alumni and community donors, it would begin to address the fact that the search committees can have external members.

Chancellor Milliken stated that if there is a general agreement with the principle of getting the language right, the Office of Legal Affairs will further work on the resolution and then re-circulate it to the Committee.

Prof. Barker stated that she is a little concerned with the word potential donor, in that the Committee is ushering them into a process where there is money on the line if things go their way.

Chancellor Milliken stated that he talked about people with a demonstrated commitment, and that he was not talking about potential.

Committee Vice Chair Gribetz stated that he does not quite agree with President Keizs' comment about examples.

President Keizs stated that the examples give the sense of spirit of what the University is trying to do; it is not the exact law. There may be some opportunity for interpretation, as we are always interpreting, and that even the laws that CUNY has, that seem to be so clear, continuously change.

Committee Chair Ferrer noted that Chancellor Milliken has indicated that he will offer more precise language.

After further discussion the item was tabled following a motion by Committee Chair Ferrer that was seconded by Trustee Gribetz.

Upon motion duly made by Committee Chair Ferrer and seconded by Trustee Sunshine, the meeting was adjourned at 6:30 p.m.