

Report to the Lehman College Senate from UFS Plenary

The University Faculty Senate of CUNY met on Tuesday April 24 at CUNY Central office.

I. Update on Pathways Assessment

David Crook, University Associate Provost for Academic Affairs,
Lucinda Zoe, University Dean for Undergraduate Studies,
Martin J. Burke, Professor and At-Large Member of the UFS, Executive Committee

A detailed presentation of data from the four year review of Pathways.

Main points were these:

- Graduation rates are up across CUNY, but it is not clear that is may be attributed to Pathways or other initiatives across the university
- No significant change in the subject areas that students took in their first year
- Fall 2017 saw a significant increase in the number of students transferring *with* an Associate's degree
- The main impetus for Pathways originally was to help students graduate with a reasonable credit accumulation and prevent credit duplication across the system. No data was presented that address credit accumulation and number of credits earned by graduating students.

<http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/undergraduate-studies/pathways/YEAR-FOUR-updates-2018-04-17-revised.pdf>

Next Steps:

- The Office of Academic Affairs will publish annual data tables
- OAA intends to evaluate the following in the coming years:
 - college option, especially, how many students are transferring across senior college
 - Major Gateway courses
 - Overlays such as WI or Diversity that exist at many colleges
 - SUNY/CUNY articulation across our Gen Ed.
- Six Year Review takes place 2019-20

II. Budget Committee

John Verani, chair of the budget committee summarized the Budget Workshop that was offered to a sold-out audience of faculty and students on April 13 which went over the various CUNY Budget elements such as state, tax levy and non-tax levy and funding differences between the 2-year and 4-year colleges. He also reminded faculty at CUNY By-law 8.7c requires that President's budget submission should show evidence of consultation with elected faculty and student representation.

III. Academic Affairs Committee

Martin Burke reported that the NYSDOE has put a halt to all joint degree programs. No programs will be rescinded, but no new joint degree programs will be entertained. DOE objects to students being enrolled in 2 programs, potentially at 2 different institutions at the same time. A dual degree program should mean that a student is enrolled in a single program and that both degrees are awarded at the same time at the end, not in succession.

OAA will also be tracking the AP course acceptance rates in the disciplines to see if there are discrepancies between or outliers in acceptance levels.

IV. Status of the Faculty

Ben Franz reported on proposed changes that his committee is working on regarding CUNY ByLaw 9.6c (Draft resolution circulated before May 15 meeting) and there was discussion of the COACHE survey: the committee voted to press the university to include adjuncts in the next survey and they would like to see the action items that came from the last survey before starting another one.

V. Student Affairs

Kimora reports that their committee is seeking more information about FIRE (Foundation for Individual Rights in Education); Alerted us to proposed changes to the policy on Sexual Misconduct and they put forward a resolution that was passed by the UFS body calling for the Board of Trustees to table the proposed motion to change CUNY policy on student activity fees when it is brought to them in June.

VI. Enrolment Management

Kathleen Barker reports that the new extended 21 day reporting period for Verification of Enrolment will continue next year.

VII. Chair's Report

Kay Conway reports that there will be a meeting with campus safety representatives to learn the process of security on our campuses; the proposed CUNY Policy on cloud computing received 160 responses and a committee has been formed to look at and re-write the draft policy with faculty representatives.

New Items since the meeting:

Draft resolution to be presented at the next plenary from the committee on Higher Education in the Prisons regarding directive 4911a:

<http://www1.cuny.edu/sites/cunyufs/2018/05/08/for-your-consideration-a-resolution-from-the-ufs-committee-on-higher-education-in-the-prisons/>

Next meeting: May 15, 6:30pm CUNY Graduate Center

Respectfully submitted

Janette Tilley

Associate Professor, Music, Multimedia, Theatre, and Dance

Informational Item:

FORTHCOMING CHANGES TO THE POLICY ON SEXUAL MISCONDUCT

April 13, 2018

The current Policy on Sexual Misconduct was adopted by the Board of Trustees in October of 2015. Since that time, there has been a New York State audit by the State Office of Campus Safety of CUNY's compliance with the State "Enough is Enough" statute ("EIE audit") and also changes in federal requirements, specifically the Clery Act and Title IX guidance from the Office for Civil Rights of the U.S. Department of Education ("OCR"). These developments require changes to the current Policy. The Office of General Counsel is finalizing a draft and will begin the consultative process the week of April 9, so that a revised Policy will be presented to Board Committee on Student Affairs and Special programs, Committee on Faculty, Staff and Administration (for information) and the full Board at their respective June meetings. Because these revisions do not involve Board Bylaw changes, the Board can update the Policy in a single meeting.

Explanation: The great majority of changes in the forthcoming draft are necessitated by OCR guidance changes and EIE audit findings, or strongly urged by the State. Many of those are changes in definitions and wording to conform more precisely to EIE and the Clery Act, or to clarify rights of complainants and respondents. This includes changes to the definition of affirmative consent, the Student Bill of Rights, and the listing of possible interim and supportive measures. The EIE Audit findings also mandated:

- a requirement that all incoming students complete training on sexual misconduct, including CUNY's policy and how to report allegations, as well as many other topics;
- an appeals process for interim measures for both respondents and complainants;
- an appeals process when either the respondent or complainant believes that there is a conflict in either the investigation or the adjudication process;
- a written policy specifying the factors to be considered when a complainant does not want to participate in an investigation, including determining whether a respondent is a continuing threat to the safety of the campus; and
- that student disciplinary hearing procedures, which are found in the Board of Trustees Bylaws Article XV, or other separate documents, be copied and included within the Policy.

The revised draft includes two non-mandatory changes in response to revisions in OCR guidance to align CUNY with practices at other institutions and to facilitate additional resolution options as well as thorough investigations and reports. The first is to provide a clear informal resolution process for cases other than sexual assault, when all parties consent and the campus approves. The other is to change the time frame for completion of investigation and report of complaints from 60 days to 90 days.

There will be a robust consultation process, notwithstanding that the revisions to the current Policy are necessitated or strongly urged by the State EIE Audit or federal law and guidance, beginning the week of April 9, to allow for consideration of a revised Policy in June. The draft revised Policy will be provided to the State Office of Campus Safety for their comments, and will be widely disseminated to campus constituencies,

including student and faculty governance bodies, campus presidents and administrators, and the PSC.