

CUNY BOT Testimony 4-1-24

Board of Trustees Public Hearing

Testimony by Penny Lewis, Secretary, Professional Staff Congress

In early March CUNY leadership announced its intention to rush through dramatic changes to the university bylaws, proposing to shepherd these through you, the BOT, so that the changes would be enacted in the June meeting. The Chancellor communicated to CUNY presidents on Friday at 5 that the university would wait till fall to introduce changes to you, citing the reaction of UFS leaders to the rushed and sloppy process already undertaken thus far—rushed and sloppy are my words, not of course yours, Chancellor. And despite not being cited as a cause for your pause, the union of course also has raised objections to the bylaw changes, first in labor management, then at the table, and shared with our members.

It's good that the university is appearing to listen to those who have pointed out some of the many problematic issues within the proposed changes. Colleagues have reported that among the issues raised by governance leaders and department chairs is the obvious point that the proposed changes infringe directly on contractual terms and conditions as laid out in the PSC CUNY contract. Shockingly, something that is so clear to faculty across CUNY is apparently a surprise to CUNY. It's hard to understand how. When the university finally brought bargaining proposals forward in August, among them was the proposal that department chairs be removed from the bargaining unit. The university has also proposed various changes to observations and evaluations at the table. Yet suddenly the university is apparently proposing to deal directly with faculty senators over the work performed by department chairs, and to make changes to the observation and evaluation processes? The Provost even went so far as to repeatedly use the phrase “negotiate with UFS” at a meeting with hundreds of chairs last week. Everything in here that touches on the terms and conditions and contractual language must be negotiated with the union, in addition to whatever process is in place to create consultation with our expert and responsible governance leaders. It is highly disappointing that the leadership of the university no longer seems to know that this is the case.

Beyond the troubling particulars of the proposals, the trajectory of their overall effect is as disturbing. From our read, CUNY leaders are seeking to turn the bylaws, which state principals that have successfully guided shared governance for decades, into a constrained and corporate set of personnel guidelines that strip college presidents of their core academic role, and degrade and constrain the academic judgement and roles played by faculty and department chairs. As written, they undo procedural rights of faculty in reappointment, promotion and tenure, and directly conflict with the Presidents role itself as it is stipulated in the contract in addition to the bylaws.

Ultimately, it's our contention that it's not enough to delay the Board's vote till Sept, the proposed changes should be withdrawn and solutions to any underlying problems be pursued through genuine and respectful collaboration with faculty through negotiations and governance, respectively.