

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HIGHER EDUCATION

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February 8, 2018
Start: 10:12 a.m.
Recess: 11:27 a.m.

HELD AT: 250 Broadway - Committee Rm.
14th Fl.

B E F O R E: INEZ D. BARRON
Chairperson

COUNCIL MEMBERS: Laurie A. Cumbo
Robert F. Holden
Ben Kallos
Ydanis A. Rodriguez

A P P E A R A N C E S (CONTINUED)

Mahlet Tsegaye, Director
Executive Search and Enrollment Services
City University of New York's Central Office

Karen Christian, Deputy Director
Procurement, Office Budget and Finance
City University of New York Central Office

Fern Chan, Past President
Continuing Education Association of New York

John Adedroumu, University Student Senate
City University of New York
Trustee on the Board of Trustees at CUNY

2 [sound check, pause]

3 CHAIRPERSON BARRON: Good morning.

4 Welcome. Welcome today's oversight hearing on hiring
5 a new chancellor and college president at the City
6 University of New York. I'm Council Member Inez
7 Barron, Chair of the Committee on Higher Education.
8 Witnesses are invited to testify today on this topic
9 include representatives from CUNY, the Professional
10 Staff Congress, student groups, higher education
11 advocates and other interested parties. First, I
12 would like to acknowledge that we're holding this
13 hearing almost four years after this committee
14 previously received testimony jointly with the Civil
15 Rights Committee regarding faculty diversity at CUNY.
16 During that hearing we recognized that while CUNY's
17 undergraduate student body more or less reflects the
18 diversity of the city as a whole, its faculty and
19 academic leadership unfortunately does not. This
20 lack of diversity is even more profound when we look
21 at the top governance of the institution, at the
22 chancellor and at college president levels. For
23 example, according to the most recent studies—recent
24 student data available as of fall 2016, 25% of CUNY
25 undergraduates identified as black; 30% as Hispanic;

2 25% as Asian Pacific Islander; and 15% as white.

3 Yet, all seven chancellors that have served CUNY

4 since 1960 including the current Chancellor James B.

5 Milliken, have been white, and six of them have been

6 men. Out of the 11 college-senior college

7 presidents, six, more than half, are white while only

8 three are black and two are Puerto Rican. Out of the

9 seven community colleges, four, again more than half

10 are white. And finally, all of CUNY's five graduate

11 school deans are white. These numbers beg us to ask

12 what is preventing CUNY from hiring chancellors and

13 college presidents that reflect the diversity of its

14 outstanding student body not to mention that of New

15 York City, and where there are issues in its search

16 and hiring process that prohibit any efforts to do

17 so. CUNY was established with explicit legislative

18 findings that recognize "an imperative need for

19 affirmative action" and that its personnel should

20 "reflect the diverse communities, which comprise the

21 city and the people-which comprise the people of the

22 city and state of New York." Moreover, the intent of

23 these findings "should be evident in all the

24 guidelines established by the Board of Trustees"

25 including specifically hiring. CUNY's Board of

2 Trustees has unfortunately in my opinion instituted a
3 cloak of secrecy around its search committee's
4 solicitation, and consideration of candidates for
5 university chancellor and college presidents.
6 Indeed, the Board's standing policy for presidential
7 searchers and more recently amendments to its policy
8 for chancellor searches approved just this week
9 provide that the work and communications of the
10 Search Committee shall be conducted confidentially
11 with the understanding that committee members are not
12 to reveal any information concerning the identity of
13 candidates, the contents of its deliberation or any
14 other aspect of its work to persons outside the
15 group. In addition, CUNY's Board of Trustees is
16 guided in part by the statement of affirmative action
17 that expressly values "diversity and inclusion" and
18 purports to encourage applications from individuals
19 with disabilities, veterans, women and those from
20 traditionally underrepresented groups." However,
21 standing policy for presidential searchers, and more
22 recently conforming amendments to its policy for
23 chancellor searches approved just this week, chose to
24 single out Italian-Americans as included among the
25 underrepresented groups from which applications would

2 be encouraged while not bothering to mention Blacks
3 and Latinos who comprise more than half of CUNY's
4 undergraduate student body. This reads insensitively
5 especially when—when one considers that of the seven
6 community college presidents, four identify as white
7 Italian-Americans while only one is black. For
8 centuries African-Americans have been excluded,
9 marginalized and locked out of positions of
10 leadership and authority by virtue of the systemic
11 racist policies embedded in institutions and the
12 systems of this country. Too often attempts at
13 affirmative action are challenged, diminished and
14 eliminated, and so the disparity continues and the
15 gap widens. Even today with their policy-written
16 policy for diversity and selection of faculty, we
17 continue to see a trend that has not increased the
18 number of blacks in full-time positions and at senior
19 administrative levels. The old boy network appears
20 to still operate, and blacks are not receiving
21 appointments to professorships and top-level
22 leadership positions. At this hearing I'm interested
23 in learning about the process by which CUNY hires a
24 new college president and University chancellor.
25 With transparency in mind, the committee intends to

2 better understand why CUNY has implemented a policy
3 of secrecy surrounding its search process, and how it
4 seeks community input. For example, the Board of
5 Trustees appointed Vincent Boudreau, a white male as
6 Interim President of City College in October 2016
7 while it conducted a search for more permanent
8 replacement. However, when it became apparent to the
9 surrounding Harlem community that this appointment
10 would be made permanent, there—this disappointed a
11 number of influential and prominent African-American
12 leaders because their insight, their input and
13 influence have not been sought in the search process.
14 Indeed, the Faculty Union PFC similarly expressed
15 concern regarding the secrecy of these searches and
16 the fact that finalists do not even participate in
17 any public meetings with the community, staff or
18 students. And finally, the committee hopes to gain
19 insight into the outreach methods especially as it
20 relates to candidates of color other than Italian-
21 Americans and how CUNY's legislative and policy
22 driver commitments to diversity and inclusion
23 actually play out in the process. I would like to
24 now acknowledge my colleague who is here. This is
25 his first meeting. Council Member Holden from

2 Queens. New members of the City Council we welcome
3 you.

4 COUNCIL MEMBER HOLDEN: Thank you, and
5 thank you to the panel assembled here for today's
6 oversight hearing. I'm honored and privileged to sit
7 on my first committee hearing, and it couldn't be
8 more important—a more important committee to start my
9 term off with. As a former CUNY professor, the
10 oversight authority vested in the Higher Education
11 Committee is of vital importance to—to me. I
12 appreciate all the efforts CUNY has undertaken to
13 provide a quality of education for a reasonable
14 price. I believe firmly in the necessity of higher
15 education, and even more specifically in technology.
16 I taught graphic design and technology at City Tech,
17 which is right across the river here, and I want the
18 next chancellor and president of CUNY to support
19 technology programs in all of the CUNY colleges. The
20 best city in the country should have the best
21 university in the country, and the first steps toward
22 that starts today with this oversight hearing on
23 hiring a new chancellor and college president of
24 CUNY. Thanks, Madam Chair. Thank you so much for
25 the introduction. Thanks.

2 CHAIRPERSON BARRON: You're welcome. I
3 would like to also acknowledge the staff that has
4 worked to put this hearing together, my Chief of
5 Staff Joy Simmons, Mr. Alma (sic) Wally Clay, my CUNY
6 Liaison. Also, N'digo Washington, the Director of
7 Legislation; Chloe Rivera, Community Policy Analyst;
8 Jessica Ackerman, the Committee's Senior Final-
9 Finance Analyst and Mr. Paul Senegal, Counsel to the
10 Committee. At this time, we'll call the first panel.
11 [background comments] And it's going to be the
12 Director, Executive Search and Enrollment Services of
13 CUNY, Mahlet Tsegaye, and you can correct the
14 pronunciation when you come forward. Welcome. If
15 you'd raise your right hand, I'll ask-- You can
16 have a seat.

17 MAHLET TSEGAYE: Okay.

18 CHAIRPERSON BARRON: Raise your right
19 hand and I'll ask Mr. Senegal to swear you in.

20 LEGAL COUNSEL: In accordance with the
21 rules of the Council, I will administer the
22 affirmation to the witness from the Mayoral
23 Administration. Do you affirm to tell the truth, the
24 whole truth, and nothing but the truth in your
25

2 testimony before this committee, and to respond
3 honestly to the Council Members' questions?

4 MAHLET TSEGAYE: I do.

5 LEGAL COUNSEL SENEGAL: Thank you.

6 MAHLET TSEGAYE: Thank you

7 CHAIRPERSON BARRON: If you could pull
8 the mic—pull the mic a little closer. Make sure it's
9 on, and you can begin your testimony.

10 MAHLET TSEGAYE: Thank you. Good
11 morning, Chair Barron and members of the City Council
12 Committee on Higher Education. I am Mahlet Tsegaye,
13 Director of Executive Search and Enrollment Services
14 at the City University of New York Central Office. A
15 major part of my responsibility is to coordinate and
16 assist the university in its executive level searches
17 following guidelines set by the University's Board of
18 Trustees. I am here today to provide you with an
19 overview of the processes and guidelines that are
20 followed when hiring any chancellor and a new college
21 president. The executive search process is conducted
22 in accordance with guidelines and bylaws established
23 by the CUNY Board of Trustees. Over the years, the
24 Board has revised some of these guidelines. Their
25 Office of Executive Search falls within the

2 Chancellery, and is tasked with working closely with
3 the Board Office, the Chair and members of the Search
4 Committees, search firms and CUNY colleges within the
5 purviews of these established guidelines. In
6 addition to myself, there is one additional full-time
7 employee in the Office of Executive Search. The
8 total current year budget for the office including
9 salary and benefits and other than personnel services
10 is \$245,000. The CUNY Board of Trustees had a set of
11 guidelines for the University to follow while
12 conducting chancellor searches, and a set of
13 guidelines to be followed when conducting searches
14 for presidents of CUNY colleges. The latter also
15 includes the search for the Dean of the CUNY School
16 of Law, the CUNY School of Professional Studies, the
17 CUNY Graduate School of journalism, the CUNY Graduate
18 School of Public Health and Health Policy and the
19 Macauley Honors College. For the most part, the
20 language in the guidelines for searching for a new
21 chancellor and that for a new president mirror each
22 other with a few exceptions that I will highlight
23 below. The University partners with search firms
24 when conducting chancellor and presidential searches.
25 I would outline the process undertaken in the

2 selection and hiring of search firms further down in
3 my testimony. The chancellor and presidential
4 searches are chaired by members of the Board of
5 Trustees. In the case of chancellor searches, the
6 board guidelines call for at least five members of
7 the Board of Trustees to serve on the committee as
8 appointed by the chair of the Board. In addition, and
9 I quote "the chair of the Board will serve as the
10 chairperson of the Search Committee and the vice
11 chairperson of the Board shall serve as the vice
12 chairperson of the Search Committee. The guidelines
13 also call for two faculty members including the
14 chairperson of the Faculty Senate, two students,
15 including the chair of the University Student Senate,
16 and alumnus of CUNY and two CUNY presidents for a
17 total of up to 16 committee members. For presidential
18 searchers, which also includes the deans of the
19 various independent schools within the system, the
20 current guidelines call for up to five trustees,
21 three tenured faculty from the college or schools
22 elected as determined by the appropriate faculty
23 governance body, up to two senior level
24 administrators, and/or representatives of external
25 constituents recommended by the chancellor and

2 appointed by the chairperson of the board. The total
3 number of appointed trustees, senior level
4 administrators or external constituent
5 representatives shall not exceed five, two students
6 from the college, an alumnus from the college and a
7 president of another CUNY college. In addition, the
8 search committee for the Dean of the law school, the
9 graduate school of journalism, the graduate school of
10 public health and health policy shall include a
11 member of the school's Board of Advisories-Advisors
12 or Advisory Council, and up two other outstanding
13 figures of the relevant professional community in New
14 York City as appointed by the Chairperson of the
15 Board. A presidential search committee thus consists
16 of 11 to 14 members. Let me outline for you in broad
17 strokes the life cycle of a search and the roles
18 played by the committee, the search firms, the
19 colleges, and the Office of Executive Search. I
20 trust getting an overview of the steps from launch to
21 hire would provide a better understanding of what is
22 involved. The guidelines require that "when a vacancy
23 for the position of president occurs or is certain to
24 occur, the chairperson of the Board of Trustees shall
25 after consultation with the chancellor establish a

2 search committee to seek a new president. For
3 obvious reasons, the guidelines for the chancellor
4 search do not reference consultation with the
5 chancellor. As mentioned above the college's faculty
6 and student governments are tasked with selecting the
7 faculty and student members of these committees
8 following their own governance procedures. The
9 chairperson of the Board and the chancellor consult
10 with the college and select alumni representatives.
11 They also select one president for presidential
12 searches. For chancellor searches, the chairperson
13 selects two presidents one from a baccalaureate
14 granting institution, and one from the community
15 college. For presidential searches, only the
16 guidelines also call for the selection of senior
17 level administrators from other CUNY institutions
18 and/or external constituents. Parallel to the
19 information of the committee, and RFP process is
20 developed and search firms with experience in this
21 particular area. Example: Some search firms focus
22 on community college searches versus senior colleges.
23 Some search firms have more experience working with
24 the law schools, et cetera are invited to submit
25 proposals. Proposals and firms reviewed in various

2 categories including a firm's track record and
3 experience for the particular type of search, a
4 firm's commitment to diversity. Search firms are
5 asked to provide evidence of their dedication to the
6 university in terms of recruiting and building
7 diverse interview tools and placements, the quality
8 and breadth of services provided, their proposed
9 timeline and whether it meets the university's needs
10 and cost and other criteria. Based on these and
11 other criteria, the chancellor and the Board for
12 chancellor Searches selects the search firm. Once a
13 search firm is selected, the Office of Executive
14 Search works with various units within CUNY including
15 the Legal Office and the Budget Office to secure the
16 necessary approvals. The search firm that has been
17 selected for the upcoming chancellor search is
18 Isaacson Miller, a leading national firm with deep
19 experience in conducting higher education leadership
20 searches. The contract between CUNY and Isaacson
21 Miller has been registered by the Office of the State
22 Comptroller, and comes after request for proposal
23 solicitation and evaluation process conducted by the
24 university. All expenses for the chancellor search
25 will be paid with tax state levy funds. No city tax

2 levy funding will be expended for the chancellor
3 search. For presidential searches, the colleges also
4 appoint a search liaison to work closely with the
5 Office of Executive Search for the duration of the
6 search. This individual, this campus space serves as
7 a conduit for all communications from the search
8 committee to the college, facilitates campus visits
9 for the Search Committee and for finalists as needed,
10 works with college constituents to ensure that
11 appropriate protocols are followed in the selection
12 of faculty, student and other committee
13 representatives, and serves as a coordinator of
14 college data and information necessary for the
15 development of the advertisement and position for a
16 file. After the committee has been fully identified
17 and confirmed, typically a joint announced from the
18 chair of the Board and the chancellor for
19 presidential searchers is sent to the college
20 community announcing the launch of the search and the
21 members of the committee. For presidential searches,
22 the Office of Executive Search works with the campus
23 to schedule a kickoff campus visit for trustees on
24 the committee, search consultants and staff. This
25 group meets with the various key constituents

2 including faculty, students, cabinet members and
3 staff. Their visits typically culminate with an open
4 forum where any member of the college community is
5 free to participate. Feedback from the campus visits
6 provides insight into the culture, needs and texture
7 (sic) of the college, and informs the position
8 profile documents and where it's sent. At the very
9 first committee meeting, the chancellor, the
10 university chief diversity officer and the
11 chairperson of the Board of Trustees when schedules
12 allow, charge the committee. They outline their
13 expectations of the committee, an ideal timeline, the
14 needs and strengths of the institution from their
15 vantage point, and the characteristics of the
16 candidates they would like to see in the pool.
17 Typically, two major themes are identified and
18 emphasized at these meetings and throughout:
19 Confidentiality and diversity. Confidentiality is
20 key in this process because many of the ideal
21 candidates are individuals who are currently holding
22 high level positions. If their candidacy becomes
23 known, not only would it jeopardize their position
24 and careers, but would also compromise CUNY's ability
25 to recruit the robust and rich pools of diverse

2 candidates for the search on hand and for the future.

3 Committee members are selected by their constituent

4 groups to be their voice on these committees, and are

5 asked to pledge confidentiality. Regarding

6 diversity, I won't quote the language because the

7 chair has but there is language in the bylaws that

8 address diversity. What I will say is that when a

9 presidential search committee is first convened to

10 receive its charge from the chancellor, the

11 chancellor is also joined by a representative from

12 the Office of Recruitment and Diversity who provides

13 the committee with an overview of the Ethnic and

14 gender breakdowns of individuals holding similar

15 positions at the University and pointing out gaps the

16 committee should try to bridge. The charges also

17 include how to diligently work against unconscious

18 biases and guides—guidance and provides guidance on

19 appropriate and interim (sic) questions, et cetera.

20 Furthermore, the committee and the search resultants

21 are asked to ensure that the job vacancies posted in

22 the wider outlets to be as wide an audience as

23 possible. Throughout the search process the

24 committee continually solicits and welcomes

25 suggestions of potential candidates and nominations

2 as well as for additional outlets in which to post
3 vacancy notices. Going back to the life cycle of the
4 search, the next step is for the Search Committee to
5 develop a detailed search time table including a
6 schedule for future meetings. The Office of
7 Executive search works closely with the Search Chair
8 and the Search firm to develop and facilitate the
9 draft ad, ad placement strategy, position profile, et
10 cetera, and secures appropriate data from the college
11 units (sic) for the development of these documents.
12 Once the committee reviews and finalizes an ad with
13 input from the chancellor and Board of Trustees as
14 required, the Office of Executive Search works with a
15 search firm to have it posted on various appropriate
16 outlets. Increasingly, this is done electronically.
17 The next step is to develop and finalize the position
18 profile, which is a much meatier document and
19 provides an overview of the institution highlighting
20 unique strengths and challenges. It includes
21 demographic and budget information, and is meant to
22 provide potential candidates with a 360-degree view
23 of the current state of the college, and serves a
24 major recruitment tool. In addition to being to
25 potential candidates, presidential position profiles

2 are also sent to the company solicit-solicitation
3 letters from the chancellor or the chairman for
4 chancellor searches to higher education system and
5 college heads nationwide asking them-asking them to
6 identify and nominate individuals they think would be
7 a good fit for the position. Nominations are
8 encouraged from the college and university community,
9 but also from other stakeholders and from the larger
10 community. Applications and nominations are
11 typically submitted electronically. A password
12 protected secure website is created where
13 applications supporting documents and nominations are
14 uploaded. Only committee members and appropriate
15 staff are given access to this site. During the
16 course of the search, the Search Committee holds
17 several face-to-face meetings facilitated by the
18 search consultants who provide critical background
19 information on applicants typically not apparent in
20 the submitted documents. The consultants also
21 provide information on some individuals who are
22 reluctant to formally declare their candidacy and
23 work with the committee strategizing ways to interest
24 such candidates. Some a phone call from a trustee
25 member of faculty colleague might help things along.

2 Through this back and forth, the committee typically
3 identifies 8 to 12 potential candidates for
4 interviews. The committee with the guidance of the
5 search firm develops and finalizes interview
6 questions and fees. Interviews typically take place
7 over one to three days, and in the interest of
8 confidentiality are held at an undisclosed location.
9 Once all the interviews have been conducted, the
10 committee selects typically 3 to 4 finalists. On
11 occasion, and when appropriate, the committee is also
12 tasked with doing some confidential first round
13 referencing on candidates. For presidential
14 searches, the chair of the committee then
15 communicates their decisions with—of the committee to
16 the chancellor. The next stage of the process for
17 presidential searches is for the identified finalists
18 to meet with the chancellor and the chancellery, and
19 to visit the campus where they meet with the various
20 constituent groups. Campus groups are then asked to
21 provide their feedback to the chancellor. However,
22 and I now quote from the bylaws. "After consultation
23 with the search firm, if the chancellor determines
24 that campus visits would inhibit the generation a
25 suitable pool of excellent candidates, the chancellor

2 may with the approval of the chairperson of the
3 board, modify the college consultation process as
4 follows: Each finalist shall meet with a group of
5 representatives of college constituencies including,
6 but not limited to elected faculty and student
7 governance leaders and alumni selected by the
8 chancellor. Following such meetings, these
9 representatives shall meet and provide the chancellor
10 with a report on their views of each candidate.
11 Their work and communication of those groups shall be
12 conducted confidentially with the understanding that
13 the members of each group are not to reveal any
14 information concerning the identity of candidates and
15 content of its deliberation or any other aspect of
16 its work to persons outside the groups. At this
17 juncture, the search consultants and Office of
18 Executive Search finalize the background checks and
19 referencing. For presidential searches, the
20 chancellor then assesses the feedback received from
21 the various sources, engages in negotiations with the
22 candidates and prepares a recommendation to the
23 board. After the board has acted upon the
24 chancellor's recommendation, the chancellor notifies
25 the findings in a formal letter of appointment is

2 issued. For a chancellor search the committee is
3 tasked with identifying approximately seven
4 individuals to interview. Once the committee
5 identifies a small group of semi-finalists, these
6 semi-finalists are interviewed by the full board, and
7 a finalist is selected in executive session of the
8 full board followed by a public announcement. I
9 trust this provides you with a better understanding
10 of CUNY's search process when hiring a new chancellor
11 and college president. Thank you.

12 CHAIRPERSON BARRON: Thank you for your
13 testimony. Would you pronounce your last name for me
14 again?

15 MAHLET TSEGAYE: Tsegaye.

16 CHAIRPERSON BARRON: Tsegaye. Okay, and
17 your title again, and how long you've been in that
18 position and how many searches have you participated
19 in?

20 MAHLET TSEGAYE: My current title is
21 Director of Executive Search and Enrollment Services.
22 I've been in this position since 2009. Regarding
23 your last question, I don't have the numbers off the
24 top of my head--

25 CHAIRPERSON BARRON: [interposing] Okay.

2 MAHLET TSEGAYE: --but I have the number
3 involved in--

4 CHAIRPERSON BARRON: [interposing] 2009.
5 So, you've participated in both presidential and
6 chancellor searches?

7 MAHLET TSEGAYE: Correct.

8 CHAIRPERSON BARRON: Okay. Now, you
9 talked about the search firms that are used, and how
10 you do an assessment as to what their qualifications
11 are. The firm that you used now, can you talk about
12 how they were selected and why they were selected,
13 and what's in their track record that makes you feel
14 confident with these--

15 MAHLET TSEGAYE: [interposing] So, let me
16 just start off by saying that I-I'm not the person
17 who makes the determination of which search firm to--

18 CHAIRPERSON BARRON: [interposing] Okay.

19 MAHLET TSEGAYE: --select, but I know
20 that when they--when the university solicits RFPs,
21 there are certain criteria that the--the search firms
22 are asked to address, and I do have people from the
23 Contract Office who can perhaps answer more detailed
24 question about the process, but what I've outlined is
25 pretty much what I know about this.

2 CHAIRPERSON BARRON: Okay. So, if those
3 persons are here?

4 MAHLET TSEGAYE: Yes.

5 CHAIRPERSON BARRON: Okay. Just come up
6 and have a seat, and I'll ask the attorney to swear
7 you in, and if you could answer those questions, I'd
8 appreciate it.

9 LEGAL COUNSEL: Would you please raise
10 your right hand. Do you affirm to tell the truth,
11 the whole truth and nothing but the truth in your
12 testimony before this committee, and to answer, and
13 to respond honestly to Council members' questions?

14 PANEL MEMBERS: [off mic] I do.

15 CHAIRPERSON BARRON: Thank you. If you
16 would give us your name and then if could answer
17 those questions.

18 KAREN CHRISTIAN: My name is--

19 CHAIRPERSON BARRON: Is your--is your mic
20 on? And, pull it a little closer. Thank you.

21 KAREN CHRISTIAN: My name is Karen
22 Christian. I'm Deputy Director of Procurement out of
23 the Office Budget and Finance at CUNY's Central
24 Office.

2 CHAIRPERSON BARRON: Okay, and so as—in
3 the selection of the firm that you will use in terms
4 of having them participate in the search, what
5 criteria helps you select one firm as opposed to
6 another?

7 KAREN CHRISTIAN: Okay. So, our RFP
8 process was a competitive solicitation, which was
9 open to all executive search firms. We have minimum
10 requirements in terms of certain qualifications that
11 a firm must meet in order for us to consider them as
12 a potential firm for executive search, and those
13 minimum qualification were that they must have
14 completed at least three contracts for executive
15 search and recruitment services with institutions of
16 higher education within the last three years, and
17 they must have then provide an executive search and
18 recruitment services for at least five years prior to
19 the submission of the proposal. Once we receive
20 proposals, we had a selection committee of three
21 individuals representing the Central Office and the
22 colleges, and they each independently reviewed all
23 the proposals that we received. We received a total
24 of eight proposals. They reviewed the technical
25 proposal that was submitted and we had specific

2 questions within the RFP document that they had to
3 respond to, which helped us to further evaluate, and
4 document their capability and experience of an-of an
5 executive search firm. They were then scored, and
6 then there is the cost aspect of the proposal, which
7 we also add that scoring into, and then we have an
8 oral presentation where the firms that have been
9 shortlisted, and the firms are shortlisted based on
10 the combination of their technical and cost scores.
11 And, those that scored like the top four scoring
12 proposals will be brought in for all presentations.
13 The committee has an interview with each one of these
14 proposals, and then they're scored, and then the
15 overall total score, whoever comes in with the
16 highest score would be the firm that the committee
17 would recommend to move into award for these
18 services. What consideration is giving-given to the
19 ethnic competition-composition of these firms? Is
20 that a factor at all? You know, I'm concerned about
21 the old boy network, which everybody knows still
22 exists.

23 KAREN CHRISTIAN: Right.

24

25

2 CHAIRPERSON BARRON: So, what
3 consideration and what criteria is given to
4 evaluating?

5 KAREN CHRISTIAN: Well, we evaluate
6 based—we—it's an open evaluation meaning that any
7 firm can choose to respond, and then we pretty much
8 would evaluate based on the experience and
9 qualifications of the firm. We don't at this point
10 in time look specifically at what their makeup is,
11 but we do have what is called a diversity
12 questionnaire--

13 CHAIRPERSON BARRON: [interposing] Uh-hm.

14 KAREN CHRISTIAN: --form that they have
15 to fill out, which gives us some background into how
16 diverse their firm is, and part of the requirement
17 for this RFP is that when—whichever firm is selected
18 they must provide us with a diverse pool of
19 candidates. So, whichever search can work they'll be
20 conducting for us.

21 CHAIRPERSON BARRON: In terms of the
22 diversity questionnaire--

23 KAREN CHRISTIAN: [interposing] Yes.

24

25

2 CHAIRPERSON BARRON: --can you give us
3 some idea of some of the questions that are asked of
4 that firm that would help you determine their-

5 KAREN CHRISTIAN: [interposing] Sure.

6 Well, the diversity questionnaire it's a standard
7 form that's created I think out of the ESD Department
8 by the State, and it's reviewed and evaluated by our
9 Director of MWBE, and I'm just looking to see if I
10 have a copy of it. Some of the questions that we ask
11 are: Does your company have a chief diversity
12 officer or other individuals whose tasks would supply
13 diversity initiatives? What percentage of our
14 company gross revenues was paid to New York State
15 Certified Minority and Women Owned Businesses? What
16 percentage of your company's overhead or--yeah,
17 overhead was paid to New York State Certified
18 Minority and Women Owned Business enterprises? Does
19 your company provide technical training to Minority
20 and Women Owned Business Enterprises? Is you company
21 participating in the government approved Minority and
22 Women Owned Business Enterprise Mentor Protégé
23 Program? Does your company include specific
24 quantitative goals for the utilization of Minority
25 and Women Owned Business Enterprises? And does your

2 company have a formal Minority and Women Owned
3 Business Enterprise, and does your company plan to
4 enter into partnering or subcontracting agreements
5 with New York State Certified Minority and Women
6 Owned Business? In addition to this, most of our
7 solicitations we require 36% Minority and Women Owned
8 Business participation and SDVOBs participation.

9 CHAIRPERSON BARRON: So, when you say 36%
10 participation--?

11 KAREN CHRISTIAN: 30% for Minority and
12 Women Owned and 6% for service disabled veterans.

13 CHAIRPERSON BARRON: So that's the
14 minimum that you're requesting for the organization--
15 for the companies that are applying?

16 KAREN CHRISTIAN: Yes.

17 CHAIRPERSON BARRON: And so, in terms of
18 the company that you selected, the firm you selected,
19 all of those questions that you--you cited to me, they
20 had a positive answer to all of those questions?

21 KAREN CHRISTIAN: No, not--I can't
22 remember off hand, but I don't think we had positive
23 responses to all of them.

24 CHAIRPERSON BARRON: So, were there other
25 firms that submitted a response to the RFP that might

2 have had a higher score in that area? I'm trying to
3 get to the reason why we don't have blacks in higher
4 positions in CUNY. So, if we have a questionnaire
5 that we send to these firms and we ask them to
6 respond, those firms that have a higher score in
7 terms of the responses to the questionnaire, how does
8 that compare with firms that may not have as high a
9 score in the Ethnicity Questionnaire, the University
10 Questionnaire?

11 KAREN CHRISTIAN: From what I've seen on
12 other RFPs including this one--

13 CHAIRPERSON BARRON: Yes.

14 KAREN CHRISTIAN: --firms tend to not
15 score that high on this questionnaire.

16 CHAIRPERSON BARRON: That's a problem.
17 That's a part of the problem, I think--

18 KAREN CHRISTIAN: [interposing] Right.

19 CHAIRPERSON BARRON: --in our--in my
20 opinion. That's a part of the problem. So, my
21 question then becomes what kind of consideration
22 should be given if we're saying that we have a
23 written policy to improve the number of quote-as-as
24 they say, underrepresented groups without specifying
25 black and Latino. How are we going to address the

2 problem when we're hiring firms that don't in
3 themselves reflect that it is that we want to see?

4 KAREN CHRISTIAN: Okay.

5 CHAIRPERSON BARRON: So, I'm asking you
6 but you're not the person that makes the policy.

7 KAREN CHRISTIAN: Exactly.

8 CHAIRPERSON BARRON: You're the person
9 that's sitting there. Okay. Can you tell me what is
10 the Pre-Search Report? Does that still exist? In
11 the--in the amendments that were voted on this week
12 there--that was deleted, the Pre-Search Report was
13 deleted. So, can you tell me what is the Pre-Search
14 Report? Is it still used, and what the content of it
15 is.

16 MAHLET TSEGAYE: I'm going to speculate
17 here because this revision--this--the--all bylaw, as you
18 know, has been there since 1991--

19 CHAIRPERSON BARRON: [interposing] Right.

20 MAHLET TSEGAYE: --or something and this
21 was--So, I--I believe the Pre-Law Report is probably
22 the announcement. I don't think there's anything
23 beyond that, and I--

24 CHAIRPERSON BARRON: So, that--that
25 doesn't sound to me like a report.

2 MAHLET TSEGAYE: Yeah, I would have to
3 get back to you on that. I'm not sure what that
4 statement is.

5 CHAIRPERSON BARRON: Okay, and how many
6 groups—how many firms submitted—how many groups—firms
7 responded to the RFP for the last announcement, which
8 probably is—would be in City—City College? Do you
9 know how many firms responded?

10 MAHLET TSEGAYE: So, for the City
11 College, I think I'd rather get back to you on that.
12 I'm not 100% sure.

13 CHAIRPERSON BARRON: Okay, so for the
14 City College presidential search do know how many
15 individuals submitted applications for consideration?

16 MAHLET TSEGAYE: I would say well over
17 30.

18 CHAIRPERSON BARRON: Okay, over 30. What
19 is the ethnic breakdown of those applicants that
20 submitted for the City College position?

21 MAHLET TSEGAYE: I don't have that
22 information on me, but we can definitely get that to
23 you.

24 CHAIRPERSON BARRON: Can you tell me
25 where the announcement for City College specifically,

2 since that's the most recent, can you tell me where
3 those announcements were placed?

4 MAHLET TSEGAYE: The—the—where the ads
5 were placed?

6 CHAIRPERSON BARRON: Yes, where the ads
7 were placed?

8 MAHLET TSEGAYE: Okay, bear with me for a
9 second. I'm going to dig through my papers.

10 CHAIRPERSON BARRON: Okay.

11 MAHLET TSEGAYE: So, we had placements at
12 the Association of Asian Studies, Asians in Higher
13 Education, Blacks in Higher Education, Chinese World
14 Journal, Chronicle of Higher Education, the CUNY Job
15 Board, Diverse Issues in Higher Education, Higher
16 Education Recruitment Consortium, Hispanic Outlook,
17 Higher Ed Jobs, Inside Higher Ed, the Isaacson Miller
18 Website, which is the firm that was used, LGBT and
19 Higher Ed, LinkedIn, Monster, the New York Times,
20 Simply Hired and Women in Higher Education, and, of
21 course, the CUNY website as well.

22 CHAIRPERSON BARRON: So, of those that
23 you—that I was able to jot down--

24 MAHLET TSEGAYE: [interposing]

25

2 CHAIRPERSON BARRON: --they were
3 specifically--I--I thought you mentioned two, perhaps
4 several Asians, one Black, one Chinese, the Diversity
5 Issues--

6 MAHLET TSEGAYE: [interposing] Uh-hm.

7 CHAIRPERSON BARRON: --publication, LGBTQ
8 women, and CUNY. So, were there any that were sent
9 to--do you send them--do you send the announcements to
10 Black institutions themselves? Do you send them to--?

11 MAHLET TSEGAYE: [interposing] Well, we
12 sent as part of the solicitation process, we--the
13 Chancellor sends out a letter to the heads of higher
14 education institutions, colleges and universities
15 throughout the nation.

16 CHAIRPERSON BARRON: Okay. So, he sends
17 a letter?

18 MAHLET TSEGAYE: Yeah, and attaches the--
19 the ad--

20 CHAIRPERSON BARRON: [interposing] Okay.

21 MAHLET TSEGAYE: --and ads were
22 implemented from all higher education institutions.

23 CHAIRPERSON BARRON: And I do want to
24 acknowledge that we do have testimony from the
25 Chancellor, which he has submitted for the record.

2 So, I do want to acknowledge that he sent that. I've
3 got lots of other questions, but I'm going to pause
4 now and give my colleague an opportunity to ask
5 questions.

6 COUNCIL MEMBER HOLDEN: The search firm
7 do they actually--besides looking at resumes and, you
8 know, getting the list of people that are applicants,
9 do they actually go out and recruit and actually
10 contact the person that this might be a great
11 candidate and they actually--

12 MAHLET TSEGAYE: [interposing] Absolutely.

13 COUNCIL MEMBER HOLDEN: --and they
14 actually reach out to people of color?

15 MAHLET TSEGAYE: Yes. In fact, many
16 times the people who make the candidates that we look
17 at are not necessarily the people who apply for the
18 positions. They're people who are sort of made to
19 think about this position due to these conversations.
20 So, they are not people who automatically applied.
21 They're people who are happy in their positions, and
22 are reached out to because people feel like they
23 would make a better fit for this position. So, they
24 are actively recruited by the search firm.

2 COUNCIL MEMBER HOLDEN: Okay, on the—the
3 questionnaire for hiring a search firm, do they—does
4 anybody check the questionnaire for accuracy? Like—
5 sort of like a resume. You can put anything on a
6 resume, but if it's not checked, it gets by?

7 MAHLET TSEGAYE: To some degree yes.

8 COUNCIL MEMBER HOLDEN: How?

9 MAHLET TSEGAYE: By their track record.
10 I mean we know what placements they—they had. They
11 will report to the committee on places that they've
12 made placements. So that way we verify their role?
13 Or, are you saying do they—do you have to address—
14 cross-reference every item on their--

15 COUNCIL MEMBER HOLDEN: [interposing]

16 Well, you can't. Obviously, it's difficult to check
17 every item, but the—the items obviously that are very
18 important to a search a fair search we would want to
19 focus on--

20 MAHLET TSEGAYE: Yeah.

21 COUNCIL MEMBER HOLDEN: --and check the
22 company. Actually, I'm not saying we would visit the
23 company, but it could even get to that at a point
24 where let's check these—these answers for accuracy
25 and it's very, very important because, as you know,

2 people do sometimes not tell the truth, or companies
3 do that. So, we need to have oversight on that, and
4 I think that's—is that done from your—in your area
5 extensively?

6 MAHLET TSEGAYE: Not extensively.

7 COUNCIL MEMBER HOLDEN: Okay.

8 KAREN CHRISTIAN: Can I just add to that?
9 Part of the process in selecting firms, we do
10 reference background checks on them. We out to other
11 clients that they've worked with and we ask them a
12 series of questions with regards—regards to the
13 information that they submitted in the proposal to
14 verify that it's true and accurate.

15 MAHLET TSEGAYE: One other question.

16 Let's—let's say one company selected some candidates
17 and—and the search didn't turn out so great. The can—
18 or the candidate that was selected didn't turn out so
19 great. What happens to that search company or search
20 firm? Does that go back into the pool or do we just
21 take them off the list or we do nothing?

22 MAHLET TSEGAYE: So, in the past we have—
23 we—we would probably take that into consideration
24 when we are doing another search, but for the most
25 part, in the contract if a president is appointed by—

2 a search firm helps us place a president and the
3 person leaves within a year, that firm is responsible
4 for doing another search, and that may be not because
5 the president was, you know, it wasn't a bad
6 placement necessarily. Anything could happen.

7 COUNCIL MEMBER HOLDEN: Just, Madam
8 Chair, one other—another question and the search firm
9 this is, um, it's kind of difficult, but I know you
10 said that the search firms do reach out to people of
11 color, and again, how many—we need a—we need a kind
12 of like a list of how many people are actually
13 reached and—and brought in for interview by these
14 search firms. So, we need to know if we're trying to
15 create more diversity, then obviously we want to
16 follow through on this, and—and—and if people aren't
17 applying then we need to go out and find them. There—
18 they exist let's say. We—we know they exist. So,
19 can't we find them?

20 MAHLET TSEGAYE: So, we can share with
21 you ethnic breakdowns of people who are in the pool,
22 people who made it to the level of finalists. Maybe
23 not the names, but we can provide numbers.

24 [background comments, pause]

2 CHAIRPERSON BARRON: Okay. Now, you said
3 that if the—if the person that's selected leaves
4 within a year, that that search firm is responsible
5 to continue to do another search, and does that mean
6 a new contract, new fees, new payments, new—

7 MAHLET TSEGAYE: So, we have negotiated
8 in such a way it's not a new contract, but the fees
9 may be revised. With the payment of a full set of
10 fees, we'd probably adjust the payment for the direct
11 fees that they would encounter as a result of that
12 once it's within the first year.

13 CHAIRPERSON BARRON: What's the average
14 length of time that chancellors have served in their
15 positions, and that we've have some of them? Is
16 there an average that we're looking at?

17 MAHLET TSEGAYE: pause] I'd be
18 speculating, but as you know, Matthew Goldstein
19 served for a very long time before this current
20 president—with this chancellor. So, we can
21 definitely get you the numbers--

22 CHAIRPERSON BARRON: [interposing] Okay.

23 MAHLET TSEGAYE: --but I don't have the
24 numbers off the top of my head.

2 CHAIRPERSON BARRON: Right and—and
3 certainly I want to get the information about the
4 ethnicity of the total pool, the semi-finalists and,
5 of course, the finalists. So, in—in its policy that
6 was adopted this past week: The work and
7 communications of the Search Committee shall be
8 conducted confidentially with the understanding that
9 the numbers of each group are not to reveal any
10 information concerning the identity of candidates,
11 the contents of its deliberations for any other
12 aspect of its work to persons outside the group. How
13 does that improve the process for selecting the
14 Chancellor?

15 MAHLET TSEGAYE: So, I—I didn't write the
16 policy so I'd just be talking—I'm just giving you my
17 opinion. I think that if people are sitting in very
18 high-level positions, they would feel more confident
19 to enter a search process of this magnitude if they
20 know that they are under the veil of confidentiality.
21 I think a lot of high-level people would be reluctant
22 to throw their hat in the ring if they know that
23 there is going to be a very public process where they
24 don't—they're not—they're not guaranteed the
25 position. So, they'll have to—so that's my general

2 opinion of that, but the board came up with that
3 policy. So, I can't say--

4 CHAIRPERSON BARRON: [interposing] But I
5 think the policy speaks to the board not to the
6 candidates. Is the secrecy also required of the
7 candidate? Because it's not stated as such.

8 MAHLET TSEGAYE: I think the secrecy is
9 in protecting the candidate is my interpretation of
10 it.

11 CHAIRPERSON BARRON: Yes, but the policy
12 talks to the--the search committee, and those who work
13 for the search committee.

14 MAHLET TSEGAYE: In serving the
15 confidentiality of the candidates.

16 CHAIRPERSON BARRON: Right, your answers
17 seem to say that candidates might, you know, feel
18 protected by this, but the policy doesn't talk to
19 candidates? Is the requirement for candidates to not
20 discuss what's going on?

21 MAHLET TSEGAYE: No, it's--it--I think my
22 interpretation of it is to basically encourage
23 candidates who might have concerns about their
24 candidacy becoming public. Therefore, to better

2 rapport. (sic) I may not be understanding the
3 question.

4 CHAIRPERSON BARRON: Okay. So, what—we
5 know that with City College the search for the
6 president there was a big outcry from the community,
7 and I believe it put a halt or a pause on the final
8 announcement of who the candidate was. Do you think
9 that it's important that the community have some kind
10 of input or involvement in this process? We're
11 talking—we're in an age now where people are talking
12 about being transparent. That's the big word now,
13 transparency. So, based on the fact that at the last
14 selection of a college president there was a great
15 outcry against the process, and we're talking about
16 process. Do you think it would be important to at
17 some point consider input from the community?

18 MAHLET TSEGAYE: So, you'd—you'd be
19 asking me for my opinion. As you know, I—I don't
20 draft anything so--

21 CHAIRPERSON BARRON: [interposing]
22 Correct.

23 MAHLET TSEGAYE: --I guess there would
24 be—there would be—that would be maybe a good point of
25 it.

2 CHAIRPERSON BARRON: Okay. Well, we'll—I
3 think we'll prepare that as a question to submit to
4 CUNY and ask them to respond because as you say, you
5 just have given your opinion, and I think that CUNY
6 has the result that it has because it has not in my
7 opinion invested enough time and energy. As my
8 colleague has said, there are black candidates that
9 are out there, and for us to have not found them, I
10 think speaks to the fact that CUNY is not being
11 zealous enough to go out and pursue that, and be able
12 to do that. We talked about the Pre-Search Report
13 and you're going to—I would like for you to get back
14 to me and say if, in fact, there still is a pre-
15 search report and what it does and what its
16 intentions are, and I had some more questions about
17 the finances of if I can just find them. Okay.

18 COUNCIL MEMBER HOLDEN: [off mic] Can I
19 just add?

20 CHAIRPERSON BARRON: Sure.

21 COUNCIL MEMBER HOLDEN: Just one other—I
22 have one other question from before that was—you-you—
23 you referenced to hiring the search firm on a point
24 system. They are—you accumulate a point system to
25

2 select the search firm. How often is that the lowest
3 bidder action--

4 MAHLET TSEGAYE: [interposing] Right.

5 COUNCIL MEMBER HOLDEN: --on the--on the
6 like monetary? The lowest bidder comes in, and how
7 often is that firm selected? Would you say half the
8 time, 90% of the time?

9 MAHLET TSEGAYE: I would be speculating,
10 but I would say half the time.

11 COUNCIL MEMBER HOLDEN: So, half the time
12 the lowest bidder. So, and--and but they obviously
13 got the most points? Is that it or the money comes
14 into it--this a lot?

15 MAHLET TSEGAYE: Of course, money plays a
16 role, but it's not the only thing.

17 KAREN CHRISTIAN: It's not the only
18 thing, but it seems to be almost dominant here at
19 this point. So, maybe that could be the problem. If
20 half the time you're going to lowest bidder, that
21 seems to me suspect.

22 MAHLET TSEGAYE: Yes.

23 COUNCIL MEMBER HOLDEN: That--that if you
24 said 30% of the time the lowest bidder got it, then I
25 would feel better.

2 MAHLET TSEGAYE: Maybe you will feel
3 better once I get back to you on that then because
4 I'm not sure.

5 COUNCIL MEMBER HOLDEN: I'm just—I'm just
6 hoping that we pick them based on their talents, and
7 not the--

8 MAHLET TSEGAYE: [interposing] Yes.

9 COUNCIL MEMBER HOLDEN: -the-the price.

10 KAREN CHRISTIAN: So, part of the RFP
11 process involves best value in terms of that's how we
12 would select the vendors. So, it could be based on
13 who can provide the best quality service for the best
14 possible price. So, sometimes it doesn't happen that
15 the lowest cost would be the one that's awarded the
16 contract, but there are times where you would get--
17 the lowest cost would be awarded in the contract.
18 One of the things we do at the end once we've
19 selected a firm is that we negotiate their pricing
20 down to make it more competitive with regards to
21 what's going on around.

22 COUNCIL MEMBER HOLDEN: Yeah, well you
23 often get what you pay for.

24 KAREN CHRISTIAN: Exactly. [laughter]

2 CHAIRPERSON BARRON: Okay. So, we've been
3 talking about the search firms. When a--when the
4 university contracts within an executive search firm,
5 how is a firm paid, and is it based on a particular
6 length of time on its types of services rendered or
7 other factors brought into that consideration?

8 KAREN CHRISTIAN: So, there are three
9 aspects to the payment method for the search firms.
10 There is a fixed fee, which is normally--industry is
11 normally 33% but for this contract it's at 30% of the
12 compen--annual compensation for the proposed position
13 that the candidate is being recruited for. Then you
14 have what is called indirect fees, which is like an
15 overhead cost and then direct cost, which would be
16 costs associated with bringing a candidate back and
17 forth for interviews meeting with the firms for this
18 because the strategy and approach for the search.

19 CHAIRPERSON BARRON: So, what was the
20 dollar amount for this contract, for the last
21 contract that was given?

22 MAHLET TSEGAYE: [off mic] The chancellor
23 survey?

24 CHAIRPERSON BARRON: No, the last--the
25 president.

2 MAHLET TSEGAYE: The president of the
3 City College?

4 CHAIRPERSON BARRON: Right.

5 KAREN CHRISTIAN: I'll have to get back
6 to you on the precise numbers.

7 CHAIRPERSON BARRON: And what is it for
8 the Chancellor's position?

9 KAREN CHRISTIAN: So, under this contract
10 the firm we negotiated a fixed direct fee of \$150,00.
11 That would be the firm's fee, and then the added cost
12 would be the indirect fee, which would be a
13 percentage of the direct fee and then the direct
14 cost.

15 CHAIRPERSON BARRON: Okay, what—what are
16 the funding sources that contribute to the costs of
17 identifying a chancellor and are they covered through
18 tax levy funds, through state resources or other
19 sources of funding?

20 KAREN CHRISTIAN: This search, it's going
21 to be strictly tax levy funding.

22 CHAIRPERSON BARRON: City tax levy
23 funding?

24 KAREN CHRISTIAN: State Tax Levy.

2 CHAIRPERSON BARRON: State. No, city
3 funds involved?

4 KAREN CHRISTIAN: No city funds.

5 CHAIRPERSON BARRON: And—and, um, once an
6 individual has accepted the—the position of college
7 president or chancellor, then you see the formal
8 letter, and it delineates the terms and conditions of
9 employment. At that time, is a severance package
10 talked about? Is that part of the contract?

11 MAHLET TSEGAYE: The negotiations take
12 place outside my office. I have no idea what's
13 involved.

14 CHAIRPERSON BARRON: But as a Search
15 Committee, would you know? You wouldn't know whether
16 or not the severance package is a part of that
17 contract that's offered?

18 MAHLET TSEGAYE: So, no salary—no—no
19 part. The Search Committee is not involved in the
20 negotiation with salaries or with those
21 conversations.

22 CHAIRPERSON BARRON: Who would do that?

23 MAHLET TSEGAYE: The chancellor or the
24 chairman, or if there's a chancellor search I don't
25 know.

2 CHAIRPERSON BARRON: Okay. Do you have
3 any information about the former chancellor's
4 severance package, which I think gave him his salary
5 for a year, and then gave him an opportunity to do
6 some perhaps research and then gave him \$300,000 for
7 the next five years? Do you have any information
8 about that?

9 MAHLET TSEGAYE: No.

10 CHAIRPERSON BARRON: Okay. I've heard of
11 golden parachutes. That one I think qualifies as
12 platinum. Oh, here it is. It's in my notes. Just so
13 we have it in the record. CUNY offered a severance
14 package to Dr. Matthew Goldstein full salary of
15 \$490,000, five years including six months of
16 retirement leave and an annual salary of \$300,000 for
17 the position of Chancellor Emeritus. So, is that a
18 new position or is that just a title or is it work
19 that goes with that or--? You don't know.

20 MAHLET TSEGAYE: No.

21 CHAIRPERSON BARRON: Okay. Thank you.
22 [background comments] So, the CUNY workforce
23 demographics issued most recently for 2017 indicates
24 that there is one Hispanic/Latino person in the
25 Chancellery Executive Compensation Plan. So, what

2 are the titles that go with that? Would you know?

3 Does it include the president the deans, the vice

4 presidents are all of those the titles that fall

5 within the Executive Compensation Plan? [pause] Oh,

6 okay. Alright. So then, those questions won't be

7 asked. [background comments, pause] Okay, Council

8 Member, any further questions?

9 COUNCIL MEMBER HOLDEN: Not at this time.

10 CHAIRPERSON BARRON: Okay, good. If we

11 have further questions, we'll put them in writing and

12 we'll submit them to you. We do thank you for

13 coming, and offering your testimony.

14 MAHLET TSEGAYE: For sure. [background

15 comments]

16 CHAIRPERSON BARRON: Okay, good. In

17 terms of the search for the president at Kingsborough

18 Community College, so, President Herzek retired June

19 2017, and there has been a person appointed as

20 interim president, and he's been the Vice President

21 of Student Affairs since 2014, Mr. Peter Cohen and

22 he's served in a number of student service

23 capacities, and it says in the manual, the general

24 manual that an interim president may not serve longer

25 than one academic year. So, if the search is not

2 completed within one academic year, how do you fill
3 the position? Do you extend his time of the interim
4 or do you put another interim president in?

5 MAHLET TSEGAYE: So, I'll be speculating
6 again. I'd suspect that there might that there might
7 be the chair, chancellor and the chair might ask-
8 might-might get an extension on that, but I'm not
9 certain.

10 CHAIRPERSON BARRON: And-and then also
11 according to the Manual of General Policy it says
12 that there are exceptions to the guideline for the
13 presidential search process allowed in special
14 situations, and it says that there can be a shortened
15 process. What would be eliminated from the normal
16 process that would shorten it? Do you know what
17 steps might be skipped?

18 MAHLET TSEGAYE: No, I do not.

19 CHAIRPERSON BARRON: Okay. So, we could
20 send that question always, and then I'd like to-we'll
21 also send it to CUNY. We would like to know what are
22 the retention rates of college presidents. So, we'd
23 like to have that disaggregated by senior and
24 community colleges and by racial ethnicity. Okay, I

2 want to thank you so much for coming, and giving your
3 testimony. Thank you.

4 MAHLET TSEGAYE: Thank you. [background
5 comments, pause]

6 CHAIRPERSON BARRON: Thank you so much,
7 and we'll call now our next panelist, and that person
8 is Fern Chan from Continuing Education Association of
9 New York. [background comments, pause]

10 CHAIRPERSON BARRON: Thank you. If you
11 would raise your right hand, the attorney will swear
12 you in.

13 LEGAL COUNSEL: Do you affirm to tell the
14 truth, the whole truth and nothing but the truth in
15 your testimony before this committee, and to respond
16 honestly to Council members' questions?

17 I do.

18 LEGAL COUNSEL: Thank you.

19 CHAIRPERSON BARRON: Thank you. You may
20 begin.

21 FERN CHAN: Oh, okay. [laughs] Yes.

22 Good morning Council Members, esteemed colleagues and
23 members of the public. My name is Fern Chan. I am
24 the immediate Past President of Continuing Education
25 Association of New York. I appreciate the

2 opportunity to address you today about hiring a new
3 chancellor and college president of the City
4 University of New York. We are a non-profit
5 organization dedicated to the promotion and support
6 of quality programs of public continuing education in
7 New York State. The association is comprised of
8 continuing education departments across CUNY and SUNY
9 schools, and serves as an advocate for the post-
10 secondary adult learner, and to encourage the
11 professional development of our members. We were
12 established in 1972, and over the 46 years we have
13 seen the growth and importance of continuing
14 education across the state, and how it impacts the
15 lives of adults and the community. Within the CUNY
16 schools, the continuing education departments across
17 18 campuses serve over 275,000 adults a year. The
18 role of continuing education and the impact it has on
19 our constituents cannot be understated. Beyond
20 preparing adults to obtain high school equivalency
21 diplomas, we also provide workforce development
22 training in key sectors such as healthcare,
23 education, hospitality, manufacturing and IT among
24 others. Continuing education not only creates a
25 pipeline into college, but most importantly responds

2 to market needs with short-term training, building in
3 industry recognized credentials and certifications.
4 We engage with employers to fill in skills gap for
5 the incumbent workers as well as train for new
6 merging needs and evolving workforce. Continuing
7 education departments are essential to the colleges.
8 We are the entrepreneurial arm of the college, self-
9 sufficient departments funded through grants,
10 contracts and tuition based non-credit training
11 programs. Not only do we provide a service to the
12 community, we also give back to the administration to
13 support the mission of our colleges. It is our hope
14 that the future chancellor and any CUNY College
15 president will recognize continuing education as an
16 integral part of the city university system our role
17 in their vision for the upward mobility of the
18 disadvantaged of the city of New York. Making
19 industry connections with employer, being aware of
20 market demands, and forging partnerships benefits the
21 academic side of the college. It also provides the
22 adult learners who make up a significant portion of
23 the workforce with continuing education primarily,
24 which transforms them from minimum wage to middle
25 wage income earners, provides that bridge to college

2 for those seeking to further their academic pursuits,
3 and enhances the skills of working professionals to
4 boost their earning potential. We are seeking new
5 leaders of our university who understand the
6 essential role of continuing education in the growth
7 of the university, and the economic development of
8 New York City. Workforce training and continuing
9 education are the engines of economic development for
10 the university, and the city and we look forward to
11 working with the new leaders of the university.

12 [pause] Thank you.

13 CHAIRPERSON BARRON: Thank you so much.

14 Council Member, do you have any questions?

15 COUNCIL MEMBER HOLDEN: And—and I—I know
16 the importance of continuing ed. I don't think, and
17 I want to get your opinion.

18 FERN CHAN: Uh-hm.

19 COUNCIL MEMBER HOLDEN: Do you think the
20 University actually promotes it enough? Do you think
21 they respect it enough?

22 FERN CHAN: So, my opinion would be--

23 COUNCIL MEMBER HOLDEN: [interposing] In
24 the past?

2 FERN CHAN: Not to the level that we
3 would like. So, I think we lack the administration's
4 support. It has come a long way. We have seen a
5 shift, but it would be nice to, you know, turn that
6 tide of it now that we have an opportunity to bring
7 in a new chancellor to include us in that vision,
8 which is we've always been somewhat, I wouldn't say
9 marginalized, but not included as such. So, it would
10 be nice to have that recognition, and also have a
11 more collaborative effort, right, between the
12 college, the academic side versus the non-credit
13 programming.

14 COUNCIL MEMBER HOLDEN: Yeah, so many
15 times especially I was at a college of technology--

16 FERN CHAN: [interposing] Yes.

17 COUNCIL MEMBER HOLDEN: --and it was so
18 important in our area to bring some of the employees
19 from businesses that the technology has kind of left
20 them behind. They needed to get an education and not
21 a particularly expensive education. They didn't want
22 to invest the time that academics require. So, they
23 had to learn the technology and they'll--they'll
24 certainly advance in their job that's so important,
25 and yet I don't think we promoted it enough. So, I

2 think we need to do that, and I think—I hope the new
3 chancellor—I agree with 100% that the new chancellor
4 should recognize the importance of continuing ed.

5 Thanks so much.

6 FERN CHAN: Thank you.

7 CHAIRPERSON BARRON: Thank you for your
8 testimony, and I also understand the importance of
9 continuing ed especially in light of the age of
10 technology that we're living in. So, we do want to
11 thank you.

12 FERN CHAN: Thank you.

13 CHAIRPERSON BARRON: [pause] And our next
14 panelist we're going to call at this time John
15 Aderounmu from the University Student Seat—Senate.
16 Good morning. If you'd raise your right hand, the
17 attorney will swear you in.

18 LEGAL COUNSEL: Do you affirm to tell the
19 truth, the whole truth and nothing but the truth in
20 your testimony before this committee, and to respond
21 honestly to Council members' questions?

22 JOHN ADEROUNMU: I do.

23 CHAIRPERSON BARRON: Thank you. You may
24 begin.

2 JOHN ADEROUNMU: Good morning Chair of the
3 Higher Education Committee, Council Member Inez
4 Barron, members of the City Council, and interested
5 committee members. My name is John Adedrounmu. I'm
6 the Chairperson of the University Student Senate of
7 the City University of New York. I was elected and
8 charged to represent the interest of over 500,000
9 students at CUNY, and by virtue of position sitting
10 as a Trustee on the Board of Trustees at CUNY, whose
11 responsibility is to govern the university, review
12 its policy and do its best for the interest of the
13 university. The changes in the Chancellor Search
14 Policy was announced as a calendar item of the full
15 Board meeting for Feb-February 5th with one hearing
16 the previous week, of which its location was
17 announced at the very minimum required by law in the
18 Central Office of the City University of New York as
19 opposed to the regular location at Baruch College for
20 this very hearing of the Board. It was also
21 scheduled for the first week day of classes in which
22 was a vital part in turnout as students will have had
23 more pressing concerns as they know it's a calendar
24 item—even if they had known it was a calendar item in
25 the first place. I have concerns with the

2 construction (sic) of the calendar item, the
3 chancellor search policy revisions. Firstly, the
4 University Student Senate was not provided with an
5 opportunity to review the policy, and make
6 recommendations prior to the policy being added to
7 the board calendar. This is not the first time this
8 issue has been raised, and it's my understanding that
9 our current Board Chair William Thompson was—assured
10 my predecessor that policies would not be brought to
11 the board without provide trustees and USS advanced
12 notice to review the policy and provide feedback.
13 Secondly, this—this policy was not considered
14 approved by any board committee of the board. It has
15 been common—common practice that the calendar items
16 be reviewed and recommended by the committee before
17 receiving full board consideration. This ensure that
18 the policy has been entirely vetted and received
19 support from several board members. This policy has
20 also lacked any involvement of faculty representation
21 because they did not have a say on the full board
22 meeting. So, when policies circumvent the committee
23 process, it deprives faculty members of the right to
24 vote on a policy, and I believe it's in the best
25 interest of the university to continue the shared

2 governance and inclusivity of the respective
3 stakeholders. It's what makes CUNY the greatest
4 urban university in the world. The university is
5 house to the most diverse student body in the world—
6 in the world, but it—that is not reflective of
7 executive positions, presidents and even professors
8 at the university. Today, only four of the current
9 presidents that have black presidents. Only—that is
10 only 16% of the systems' institutions. This
11 certainly is not reflective of the ethnicity of the
12 student population, which is 25% black, 30% Latino
13 and white—and while only 24% white or identify as
14 white. I quote this now on the testimony you—you
15 gave. You were unable to give to the—to the board on
16 that very day as you were held down—not held down but
17 delayed from coming up until the testimony was
18 finished. Nearly 65% of all CUNY staff under the
19 Executive Compensation Plan identifies as either
20 white or Italian-American. The language of the
21 policy, as you correctly put in your testimony
22 particularly for Section 2.3 and which I quote, "is a
23 non-course and on clear def—definitive statement that
24 specify—specifically identifies blacks and by
25 extension by Latinos as groups that are in college to

2 apply. To the contrary, it singles out Italian-
3 Americans and encourages them to apply, but the
4 University Chancellor's mandate in 1976, the Italian-
5 Americans are designated and offered official
6 affirmative action category within CUNY in addition
7 to black, non-Hispanic African-Americans, Hispanics
8 and all the traditionally underrepresented groups.
9 However, the act as amending in this section single
10 out Italian-Americans in this way bridge (sic)
11 insensitively especially in 2018 when 65% of the CUNY
12 student body is black and Latino. When I request
13 that both the chair of the board and the general
14 counsel the reasons for the changes to the policy, I
15 was told that it is to reflect the recent updates of
16 the presidential search policies. I was surprised
17 that a policy that with such great impact on the
18 future of the city was hurriedly changed without the
19 what I would consider due process. It was not
20 mandated by law to be-to be changed, and-and the
21 reason-and the strong reasoning for which was the
22 main factor was that subordinated policies were
23 changed in previous years. It does not make any
24 sense to me as to why the changes are being made in
25 general. The last time these changes were being made

2 in the mid-90s, and I understand that that's probably
3 outdated, but you don't make up a generally policy
4 overnight because you haven't them in two decades.
5 You still give it as due process. You do not make
6 drastic changes to policies or laws in form of
7 government simply because someone feels two decades
8 is too much of a time to keep the single taxes low
9 with that being changed by—with that argument. All
10 those that have been changed with that argument.
11 This is the argument that I think is not very
12 feasible as to which many other changes in the
13 university has been made, and I will definitely be
14 coming back to the City Council to testify about
15 that. As of yesterday, I was appointed to the
16 Chancellor's Search Committee by the Chair or the
17 Board as required by the current university bylaws by
18 virtue of my position as Chair of the University
19 Senate—the University Student Senate. Thank you for
20 this opportunity to present these highlights to you.
21 I offer my testimony of these, and if you have any
22 questions I will answer—answer them.

23 CHAIRPERSON BARRON: Thank you for
24 coming. Congratulations on being named to the Search
25 Committee. We're pleased that there will be someone

2 with a different kind of bent or understanding as to
3 how we should proceed. We know that you'll be sworn
4 to secrecy, but we look forward to you having your
5 input in that important selection of chancellor, and
6 as you indicated in your testimony, I do feel this
7 country, the bedrock documents of this country are
8 what still governs this country, and those bedrock
9 documents do not treat African-Americans as full
10 people. We're three-fifths. They never changed.
11 So, it's still in there, and I think that the
12 policies and practices at institutions and system
13 still implemented today reflect that. So, we're
14 looking to have a chancellor that understands the
15 importance of a CUNY education. I'm a CUNY graduate,
16 a proud CUNY graduate of Hunter Class of January
17 1967, majored in physiology, minored in psychology,
18 and it was the best education. Of course, at that
19 time it was free, which was the other piece that's
20 added on. I just had to make sure I could get the 15
21 cents to get the token to get to-to college, and it
22 was a struggle, but we know that CUNY is a great
23 institution, has great potential and it has a great
24 responsibility to make sure that it provides a great
25 education to all of those who come through its doors.

2 And we've got to make sure that we pay faculty
3 adequately, and that they can be compensated at a
4 rate, which allows them to live in this great city
5 and to do the great work that they do. Council
6 Member Holden. Oh, and I see—I'm sorry. We've been
7 joined by Council Member Cumbo. I didn't know that
8 you were coming. Thank you.

9 COUNCIL MEMBER HOLDEN: First of all, I
10 want to thank you for your service and thank you for
11 your involvement. It's great to see students
12 involved. What would—what's the single most—what's
13 the step that you would take to increase student
14 involvement in the selection of the chancellor? One-
15 one thing?

16 JOHN ADEROUNMU: Make it open to the
17 public, and make sure we have public hearings on this
18 matter as to what the students would like to see in
19 the chancellor process.

20 COUNCIL MEMBER HOLDEN: Not to increase
21 more—like let's say more students on the Search
22 Committee?

23 JOHN ADEROUNMU: That too, but--

24 COUNCIL MEMBER HOLDEN: [interposing]
25 Okay.

2 JOHN ADEROUNMU: --so it's actually-

3 COUNCIL MEMBER HOLDEN: [interposing] I
4 asked you for one, but I-I [laughter]

5 JOHN ADEROUNMU: So, actually that-at
6 this-at this moment I guess it would be very
7 difficult to-to push for especially with the way this
8 policy in the first place was made.

9 COUNCIL MEMBER HOLDEN: Yeah, well there
10 might be let's say a student from the community
11 colleges and a student from the senior colleges
12 selected.

13 JOHN ADEROUNMU: There's one other student
14 selected and was appointed by the chair of the board-
15 -

16 COUNCIL MEMBER HOLDEN: [interposing]
17 Right.

18 JOHN ADEROUNMU: They'll be serving on.

19 COUNCIL MEMBER HOLDEN: Okay, great.
20 Okay.

21 CHAIRPERSON BARRON: Council Member
22 Cumbo.

23 COUNCIL MEMBER CUMBO: Thank you, Chair
24 Barron. This question might have already been asked
25 and answered, but wanted to ask you or perhaps Chair

2 Barron if this question was asked. Has there ever
3 been a CUNY graduate who has served as the chancellor
4 of CUNY?

5 JOHN ADEROUNMU: Well, that's not
6 something I'm very familiar with.

7 COUNCIL MEMBER HOLDERN: Goldstein.

8 JOHN ADEROUNMU: So, I'm--so the previous
9 chancellor from what I'm just hearing [laughter]
10 served--

11 CHAIRPERSON BARRON: [interposing] He was
12 at CUNY.

13 JOHN ADEROUNMU: Yes.

14 COUNCIL MEMBER CUMBO: As a graduate?

15 JOHN ADEROUNMU: As a graduate at CUNY.

16 COUNCIL MEMBER CUMBO: Okay, thank you.

17 CHAIRPERSON BARRON: Thank you to the
18 committee and thank you to the panelists for coming,
19 and to the audience if there are no other persons
20 interested in presenting testimony, this hearing is
21 now closed. Thank you. [gavel]

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1 COMMITTEE ON HIGHER EDUCATION

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 15, 2018