

# **The City University of New York**



**Testimony of Interim Executive Vice Chancellor and University Provost**

**Julia Wrigley**

**The City University of New York**

**New York City Council Committee on Higher Education**

**“Can CUNY’s Pathways Program Help Improve Graduation Rates?”**

**February 25, 2014**

Good Morning Chairperson Barron and members of the Higher Education Committee. I am Julia Wrigley, Interim Executive Vice Chancellor and University Provost at the City University of New York. Thank you for this opportunity to speak with you today regarding what has come to be known as the Pathways initiative. In its simplest terms, this initiative was created to make it easier for students to transfer among the CUNY colleges.

Why does transfer matter? Around the country, the traditional model of students attending one college from orientation to Commencement has given way to a new pattern, one in which many students change colleges at least once as they pursue their degrees. These newer patterns frequently make the route to a degree more of a “swirl” than a straightforward, linear path.

This pattern is even more pronounced at CUNY than it is at the national level, due to multiple factors. First, CUNY is a single, large, integrated system that contains both community colleges, which confer degrees at the associate level, and baccalaureate-granting institutions. The fact that our colleges are located in a concentrated setting with an extensive public transit network also leads to larger-than-typical transfer flows.

In 2010-11, for example, more than 20,000 students transferred within CUNY. These students transferred in every direction, but the largest number of students transferred from community colleges to senior colleges; that same year, more than 12,000 of these transferring students moved from our community colleges to our senior colleges. In this trajectory, the students epitomize the University’s crucial access mission. Many of these students are low-income and began at community colleges because they demonstrated remedial needs when they matriculated. They achieved academic proficiency and raised their sights toward the senior colleges. It is notable that two-thirds of the bachelor’s graduates at CUNY entered as transfer students.

While the largest transfer paths are from the community colleges to the senior colleges, many students also transfer from one senior college to another or within the community college or senior college sectors. These shifts occur when students move from one borough to another, find new work that makes another college more convenient, or change their academic focus. CUNY’s colleges have their own academic specialties, with John Jay, for example, particularly known for its criminal justice programs, City College for science and engineering, and Baruch for business. CUNY students therefore have many reasons for transferring and they do in many directions.

But again: Why does this matter so much? Why did CUNY establish the Pathways initiative? The truth is that transfer can complicate a student’s progress toward a degree. For decades, CUNY struggled to offer its students an efficient transfer system. But in practice, individual students bore the risks and burdens of trying to make the transfer process work. They had to present their credits for evaluation and hope that they would be accepted. They had to endure unaccountably long evaluation processes. They had to attempt to make sense of conflicting decisions and credit awards made by different CUNY colleges for similar, if not identical, course work. Because the CUNY colleges granted transfer credits based on what is called “course equivalencies,” students who took courses at one college with no clear analog at another were sometimes at a particular disadvantage.

The college's general education programs created some particular obstacles because the programs differed across the colleges. This variation encompassed both curricular content—what students needed to study—and size, in terms of the portion of a student's program that was dedicated to general education courses. This meant not only that a student might transfer into a new CUNY college and find that courses previously taken for general education credit no longer counted as such, but also that more extensive, expansive general education requirements—in some cases, far above national norms—awaited fulfillment at the new college. Beyond the discouragement and frustration that ensued, students in these situations found themselves needing to spend further resources as their path to a degree was delayed.

After decades in which no progress was made to fix this broken system, CUNY undertook the Pathways initiative. The basic premise has been to ease transfer by creating a common framework across CUNY's colleges. Most importantly, there is now a 30-credit Common Core of general education at all of CUNY's undergraduate colleges. Students in both community colleges and senior colleges take Common Core courses. In addition, senior colleges require an extra 12 credits of general education, with those 12 credits called the College Option.

Breaking with the dysfunctional course-equivalency model, the Common Core is divided into eight areas. Two courses are required in English Composition, one course in math, and one course in life and physical sciences. In addition, students must take six courses across thematic areas.

Just which courses "count" in any of those areas is a matter that rests with the colleges. Each CUNY college decides which of its courses belong in the different areas of the Common Core. The Common Core is designed in such a way that colleges can emphasize their own academic priorities. If they particularly value foreign languages, they can ensure that students take foreign language courses. If they want students to take American history, they can ensure this, or if they want students to take two science courses, this can also be required. All courses that the colleges choose to include in the Common Core are submitted to a University-wide course-review committee that is composed entirely of faculty. This committee reviews each course to ensure that it meets the appropriate learning outcomes.

It is worth noting that special provision is made for math and science courses in the Common Core. Courses in these fields may be more than the standard three credits. CUNY colleges offer 500 such special math and science courses. They make up two-thirds of the total courses offered in the three areas of the Common Core that focus on math and science. Any student may take one of these courses, which means that all CUNY students have a rich variety of laboratory courses available in the sciences and also have many intensive courses in math available to them.

In addition to the Common Core, senior colleges have an additional 12 credits of College Option courses to further bolster their general education requirements. College Option courses are developed entirely at the discretion of individual colleges and requirements can focus on any academic areas.

Students benefit in many ways from this general education framework that applies across the University. Most importantly, students can now be confident that courses they have taken in the Common Core or College Option will meet general education requirements across every undergraduate college at the University. Fulfillment of general education requirements is noted on their transcripts and carries over to any new college. For instance, if a student meets the Mathematics and Quantitative Reasoning requirement at BMCC, this is noted on her transcript, and the student will not be asked to take an additional course to fulfill Mathematics and Quantitative Reasoning at another CUNY college. Students can complete their general education requirements at their original college, or the college to which they transfer, or they can do some of the requirements at each—in any of these cases, they can be confident that they will not lose time or credits. The same holds true with College Option courses.

Although the Common Core framework and general education have received the lion's share of attention when it comes to Pathways coverage, the initiative includes another key component that merits attention. Another common scenario at CUNY involves students who begin studies in associate programs with plans to transfer to senior colleges and hopes of getting a timely start in the subject area they plan to major in, fulfilling pre-requisite or introductory courses.

Prior to Pathways, however, taking such courses could be risky. Community-college students couldn't be sure that the courses they took with the idea that such coursework would count toward an English or biology major would transfer as such upon arrival at a senior college, for all of the reasons that were outlined earlier. Yes, in some fields, and between some colleges, the process worked smoothly. But in too many cases, it worked far less well.

To address this problem, the Pathways initiative called for faculty members from the senior colleges and the community colleges in the largest transfer majors to convene, deliberate, and select at least three courses, called "gateway courses," that students could take with confidence that they would be counted toward the major or, in some cases, toward pre-major requirements. The process wasn't always easy, but it marked an important step for CUNY, one in which difficult issues of defining fields and the best preparation for them were addressed. The intellectual debates over which courses were most important and what they should cover were conducted by faculty members as they worked toward selecting at least three gateway courses. Students entering the largest transfer fields are now far better equipped to select academically sound paths leading to the fulfillment of their academic and professional goals.

In short, with the Pathways initiative, CUNY as a university has removed some of the burden of transfer from its students and cleared what were stubborn obstacles to student success. The clear and comprehensible curricular structure and the guidance it provides are especially crucial because students in CUNY's community colleges have sufficient obstacles to overcome without having to navigate a confusing curricular system. I have already alluded to the remedial needs that many of these students present upon admission. Many are also the first in their families to attend college. They often have family responsibilities and need to work to support themselves while in college. They cannot afford the psychological and practical burdens of taking courses that do not advance them toward their degrees. These are students who, in many cases, enhance the diversity of CUNY's senior colleges. They need

support, clarity of requirements, and confidence that they have chosen the right path and that they are making progress toward their degrees without unnecessary anxiety and risk. Pathways provides all of these things.

As is the case whenever a large system undertakes an ambitious program, we knew that Pathways would require careful attention and tweaking throughout its implementation. For this reason, a review process was built into the Pathways initiative from the outset. The Board resolution that established Pathways specified that the initiative must be evaluated each year in its first three years and every third year thereafter. To our knowledge, such an inbuilt review process is a first for CUNY, but we think it is important as a means of improving the initiative and making it work well.

With this in mind, Interim Chancellor Kelly convened this fall a faculty group that recommended three changes in Pathways, each of which has been adopted. The three changes are: 1) restrictions on the hours of Common Core courses have been lifted;; 2) colleges are reminded that they can seek waivers in cases where high-credit programs cannot readily accommodate the 30-credit Common Core due to licensing requirements or the demands of intensive programs; and 3) faculty members selected to serve on the CUNY Common Core Course Review Committee will be chosen through regular college governance processes.

We are pleased that Pathways has been implemented smoothly. Two years after the Board resolution was approved—two years filled with preparations of countless sorts—CUNY students began coursework within the Pathways framework. We are currently in our second semester of offering instruction within this framework. Generally speaking, colleges have found that the registration process has gone well and that entering students have signed up for Common Core courses without difficulty.

We know that change is not always easy, and that not everyone has embraced Pathways. We believe, though, that the best interests of students have been served. The University has addressed a very difficult set of problems that students once had to face themselves. We also believe that Pathways is characterized by a flexibility that means that the individual colleges have retained many important prerogatives in developing general education requirements that fit their particular goals and academic priorities. The dire predictions issued by some have not come to pass. We have not seen layoffs of adjuncts. We have not seen a significant diminution of the number of foreign language courses taken by students.

CUNY as an institution has stepped up to help students deal with a problem that has bedeviled their earlier peers for decades. We would be the first to acknowledge that Pathways is likely to need further adjustments. This has already happened under the first year's review as specified in the Board resolution. Let's go forward, and see how it works, and fix it where necessary. But we are confident that these changes will prove their value. We are proud to be able to offer all New Yorkers our trademark high-quality education—now with improved pathways toward degrees. Thank you once again for inviting us to speak today.

Pathways Testimony, February 25, 2014—City Council Hearing

Good morning – my name is K. E. Saavik Ford, and I am an Associate Professor at Borough of Manhattan Community College. I am also a member of the CUNY Graduate Center doctoral faculty, a Research Associate at the American Museum of Natural History and a Kavli Scholar at the renowned Kavli Institute of Theoretical Physics, University of California, Santa Barbara and home to 3 Nobel laureates. I am a member of an instrument team on the successor to NASA's Hubble Space Telescope, JWST, and I have published in the most prestigious journals in astronomy and astrophysics. I have taught at public and private universities across the country and have collaborators at universities around the world.

So when I offer my professional opinion on teaching, astronomy, and physics, I know whereof I speak.

We are required by Pathways to include a lab in our science classes – an essential component of any rigorous science course – but are given only 3 hours (and 3 credits) per week with our students. Current national best practice is a 4-credit laboratory class, meeting for at least 5 hours per week, for non-science majors. We invite national ridicule—not to mention transfer problems—by shortening our courses at the expense of understanding. In our increasingly scientific and technical world, when people must be scientifically literate to participate in many of our political discussions – cutting time on science leaves our students disenfranchised as citizens of the future.

I can cite statistics: At BMCC, pre-Pathways, our liberal arts majors took 2 science courses, each with a rigorous lab, each for 5 hours per week. Now they take

2 science courses, only one with a lab, each meeting for only 3 hours per week. Our students deserve more than three-fifths of a science class.

But more important than the numbers are the students. I want to share a story with you from my first semester teaching at BMCC. I wanted to discuss magnetism with my astronomy students, and I began by asking them to recall an experiment they would have done in middle school. They would have made a magnet, using a battery, a bolt and some wire. I got a blank stare. I waited. Finally a brave student at the back of the room raised his hand and said, 'Ma'am, we went to New York City public schools. We didn't have fancy equipment like that.'

A battery. A bolt. And some wire. And now they get three hours of college science, plus maybe a 'scientific linguistics' class, and they're educated?

Many 'adjustments' have been made to Pathways to correct the worst absurdities – in my own field, we're asked to design co-requisite science courses, meeting for 6 hours per week, worth 6 credits. This is pure credit inflation, sure to embarrass CUNY on the national stage. Given CUNY's long, proud history as a leader in science, and the fact that this is the CUNY Decade of Science, I implore you to let the faculty fix the transfer situation—without diminishing the scientific rigor of a CUNY degree. No one can know yet whether Pathways will improve graduation rates, but we know now that it will devalue a CUNY degree for those who earn one.

New York City Council Committee on Higher Education  
City Hall

Tuesday, February 25, 2014

FOR THE RECORD

Statement on Pathways

I want to thank the City Council Committee on Higher Education for this opportunity to address and review the validity of the Pathways initiative that the faculty and students at CUNY have been dealing with over the past few years.

The Pathways initiative approved by the CUNY Board of Trustees needs to be revoked immediately for its harmful damage to the general education curriculum at CUNY campuses, and for not sufficiently addressing the issue it was intended to address, internal transfer credits between CUNY institutions. I am fairly certain that the committee members have received the results of a PSC-CUNY poll where 92% of the faculty have demonstrably rejected Pathways. What is essential here is to note that Pathways needs to be revoked first and foremost because it does harm to all the undergraduates at CUNY in the name of seemingly increasing graduation rates at our campuses. Diluting the standards the faculty have established at our campuses in regards to general education, for example, by not making the study of a foreign language a requirement and by cutting back the number of hours in reading, writing and Math, clearly points to the direct influence of austerity education policies.

The unilateral manner in which this effort displaced CUNY bylaws itself in bypassing faculty governance bodies to vote on and approve this initiative is reprehensible and, to our minds, illegal. All curriculum is approved and safeguarded by the secure and nurturing hands of faculty. Curriculum is the very heart of all we do in higher education and for a group of Trustees to take that away from us is tantamount to a ~~unethical~~ <sup>unethical</sup> act, if not, an infringement of academic freedom. The lawsuits that the PSC have submitted in response to Pathways clearly lay out why and how the CUNY Board of Trustees went too far, and overshot, their mission. In line with providing faculty with the provision of being responsible for curriculum, bypassing faculty governance bodies the voice to weigh in on this initiative is equally problematic and goes against the mission of our public institution. We are here to serve our students, to provide them the best possible education they can receive, to inspire them and provide them with the necessary skills and knowledge to compete and survive, to become critical thinkers and active national and global citizens. The standards as laid out by Pathways fall short of these goals.

The biggest misconception of Pathways is two-fold. First, it does not address transfer credits. That is how it was first sold to us and what it does not do. Second, graduation rates are not connected to general education credits, but rather, in line with research completed by PSC members, falls under the rubric of credits in the major. I strongly urge the committee members to seriously continue with this effort beyond this hearing to understand why it is that the union, and the vast majority of its membership, have stood up to the powers that be to say we give priority to our students by rejecting Pathways



outright. Say no to Pathways. Say yes to our students and say yes to our PSC-CUNY faculty who believe in the transformative power of access and education for all.

Professor George Emilio Sanchez  
Chairperson of the Performing and Creative Arts Department  
Vice-Chair of the Executive Committee of the College Council  
Chapter Chair of the PSC  
College of Staten Island

Good Morning Chairperson Barron, and honorable members of the Higher Education Committee ,

My name is Washieka Torres I am a proud graduate of the CUNY's College of Staten Island, president of my graduate student government at Brooklyn College, and a Vice Chair of Disability Affairs for the University Student Senate (USS), which is a lobbying organization for the over 450,000 students that attend the City University of New York. However, today I am not here to talk about myself. I am here today to tell you a story, a story of a single mother with two children who got her GED and then made her way through Bronx Community College to eventually graduate from Baruch in the summer of 1996.

My mother was and remains to be one of the greatest influences in my life especially when it comes to education, but her story of triumph did not come without a considerable setback. After she transferred from BCC she was told that most of her credits would not transfer to Baruch but would be instead considered "electives". As a result of Baruch College not accepting

many of the credits she earned at BCC, it took her an extra year to earn her Bachelor's Degree. As I have said I am not here to represent myself I am here to represent my mother, an archetype for non-traditional students who are forced to delay their graduation by retaking classes and applying for loans because TAP will not pay for classes they took before.

I am here to represent students with disabilities who without a reliable and affordable education have little hope of escaping the high unemployment rate they face that makes them tax consumers receiving disability benefits and not tax contributors with gainful employment. I am here to represent the over 60 percent of students who are transfers within the CUNY system.

I am here to represent the end of generations of the disenfranchisement of students who transfer from one college to the next to better themselves and their families only to find out later that their GPA may have earned them a spot at a senior college but that their classes will simply count as "electives", resulting in loans they worry about repaying when they look for

work upon graduation. I am here to look at the end of an era of grave injustices to our students, and more importantly I am here to welcome a new era, of cohesion and transparency. I am not here for myself I am here for Pathways, I only wish it could have come sooner so it could have been there for my mother.

# SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. ANIL C. SINGH  
SUPREME COURT JUSTICE  
*Justice*

PART 61

Index Number : 151021/2012  
BOWEN, BARBARA  
vs.  
CITY UNIVERSITY OF NEW YORK  
SEQUENCE NUMBER : 001  
OTHER RELIEFS

INDEX NO. \_\_\_\_\_

MOTION DATE \_\_\_\_\_

MOTION SEQ. NO. \_\_\_\_\_

The following papers, numbered 1 to 3, were read on this motion to/for \_\_\_\_\_

Notice of Motion/Order to Show Cause — Affidavits — Exhibits \_\_\_\_\_ No(s) 1

Answering Affidavits — Exhibits \_\_\_\_\_ No(s) 2

Replying Affidavits \_\_\_\_\_ No(s) 3

Upon the foregoing papers, it is ordered that this motion is *decided in accordance with the annexed memorandum opinion.*

**DECIDED IN ACCORDANCE WITH  
ACCOMPANYING DECISION / ORDER**

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE  
FOR THE FOLLOWING REASON(S):

Dated: Feb 21, 14

ACC, J.S.C.

HON. ANIL C. SINGH  
SUPREME COURT JUSTICE

- 1. CHECK ONE: .....  CASE DISPOSED  NON-FINAL DISPOSITION
- 2. CHECK AS APPROPRIATE: ..... MOTION IS:  GRANTED  DENIED  GRANTED IN PART  OTHER
- 3. CHECK IF APPROPRIATE: .....  SETTLE ORDER  SUBMIT ORDER
- DO NOT POST  FIDUCIARY APPOINTMENT  REFERENCE

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 61

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PROFESSIONAL STAFF CONGRESS/CUNY,  
LOCAL 2334, AFT, AFL-CIO, BARBARA  
BOWEN as President of the  
Professional Staff Congress/CUNY,  
SANDI E. COOPER as Chair of the  
University Faculty Senate, and  
TERRENCE MARTELL as Vice-Chair of  
the University Faculty Senate and  
Chair of the Baruch College  
Faculty Senate,

Index No. 151021/2012

Plaintiffs,

-against-

CITY UNIVERSITY OF NEW YORK, and  
the BOARD OF TRUSTEES of the City  
University of New York,

Defendants.

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**Hon. Anil C. Singh:**

Defendants, the City University of New York (CUNY) and the  
Board of Trustees of the City University of New York (Board),  
move for an order either converting this action to an Article 78  
proceeding or dismissing it, pursuant to CPLR 3211 (a) (1), (5),  
and (7), CPLR 7803, and CPLR 7804 (f).

**Background**

This is a breach of contract action commenced by plaintiffs,  
the Professional Staff Congress/CUNY, Local 2334, AFT, AFL-CIO  
(PSC), the bargaining unit representative for CUNY's faculty and  
professional staff at over 20 campuses; Barbara Bowen, PSC's  
president; Sandi E. Cooper (Cooper), the chair of CUNY's Faculty

Senate (Faculty Senate), the faculty governance body in academic matters concerning the entire university system; and Terrence Martell, the Faculty Senate's vice-chair and the chair of Baruch College's own faculty senate, against CUNY and its Board. CUNY is a public university comprising eleven senior and six junior colleges and several graduate schools, and serving more than 240,000 students.

Pursuant to the legislature's intent, CUNY is required to "remain responsive to the needs of its urban setting and maintain its close articulation between senior and community college units." Education Law § 6201 (2). In light of the proximity of the various CUNY entities, each year a large number of its students transfers between those entities. Because each CUNY institution had reserved the right to create its own general education and major requirements, and to evaluate whether courses taken at other CUNY institutions were deemed equivalent, transfer students were often denied credit for courses and had to take additional classes. This situation was further complicated by the fact that the colleges had varying requirements as to the number of necessary general education credits. All this led to increased costs to students, longer times to obtain degrees and enter the workforce, and to students leaving CUNY without obtaining their degrees.

According to CUNY websites, to which defendants' memorandum of law (at n 4, 5) directed this court, these problems were

longstanding, and although recognized for many years, remained unresolved. See Board's minutes of June 27, 2011 meeting contained on CUNY's website. In an effort to remedy the situation, the Board proposed a transfer structure, the Pathways to Degree Completion Initiative (Pathways Initiative), which involved the creation of a set number of general education credits which would be required of all CUNY undergraduate colleges and which would be transferable among those entities. While it is not exactly clear when this initiative was commenced, it apparently began at least by October 2010, when meetings, ultimately numbering about 70, were held between CUNY's central administration and the campus community, including the Faculty Senate. *Id.* CUNY created a public Pathways Initiative website and kept the university community updated and informed through it, newsletter articles, and a webinar open to all. *Id.* Also, there were numerous consultations and discussions with members of the CUNY community. *Id.* The foregoing resulted in some modifications of the initial proposal and the drafting of a proposed resolution, which was discussed at a public hearing on June 20, 2011. See also Defendants Memorandum of Law, n 3 (which provides the website where the Board's bylaws were set forth) and Board bylaw § 1.9 (b) (which indicates that, at a public hearing held before the Board's regular meeting, persons could speak and submit written statements, summaries of which would be provided



to the Board before its regular meeting).

The Board then held its regular meeting with respect to the proposed resolution on June 27, 2011. Public notice of that meeting and its agenda were required to be given in advance, including to the colleges, any educational organization which requested notice, and to any collective negotiation representative. *Id.*, Bylaw § 1.1 (c). CUNY's website contains a June 8, 2011 notice of that board meeting, which notice attached a copy of the agenda, and indicated that the meeting would be telecast live on-line, on cable television, and on the CUNY channel. The Board passed the resolution at its meeting, after Cooper presented the Faculty Senate's opposition to it. See Minutes of June 27, 2011 meeting on CUNY's website. The resolution was characterized by CUNY's Executive Vice Chancellor and Provost, Alexandra Logue (Logue), as "historic" and by the Board's Chairman, Benno Schmidt, as a "momentous resolution," which would create "a coherent unified University in which students c[ould] navigate across campuses." Minutes of June 27, 2011 Meeting. Under the Board's bylaws (§ 1.1 [d]), a summary of any resolution and the board's action at a regular meeting had to be posted on CUNY's website within seven days of the meeting and remain there for at least 10 years.

The resolution's preamble affirmed CUNY's commitment to academic excellence and indicated that the faculty's

responsibility for curriculum and courses was integral to the resolution. The resolution set forth the timeline and means for creating an efficient transfer system, which was to be operational in the Fall 2013. That resolution provided for a general education framework, which included the set number of core general education credits common to all CUNY colleges and of college option general education credits specific to the baccalaureate colleges, which credits would be required of all CUNY students and which would be transferable among the CUNY undergraduate campuses. It was further resolved that CUNY's chancellor, in consultation with various groups, including the Faculty Senate, would create a task force, predominantly of faculty, to recommend, by December 1, 2011, a structure for the common core. The task force was to develop the areas making up the common core as defined by learning outcomes. The task force was also to indicate how many of the set number of credits would be allocated to each area. Additionally, the task force could make more specific recommendations as to technical degree programs, such as in science and math. After the task force made its recommendations, and the chancellor approved the common core's structure, each college was to specify the courses for that core which would meet the specified learning outcomes. Then a CUNY-wide committee, appointed by the chancellor, would review the courses proposed and, if appropriate, approve them. Each college was, by April 1, 2012, to provide the chancellor with its

plan for the general education framework. It was also resolved that, after implementation, all of the policies and processes would be evaluated, at first yearly, starting in 2013, so as to make any needed modifications.

Following the 2011 resolution's passage, the chancellor created the task force, seeking nominations from the Faculty Senate, among others. See Pathways Initiative website, August 25, 2011 "Dear Colleagues" letter from Logue. By letter dated September 6, 2011 to the CUNY Faculty, the task force's chair, Michelle Anderson (Anderson), updated the faculty on the progress of the Pathways Initiative and advised that the task force was working to complete, by November 1, 2011, its draft of its recommendations and that, on that date, the draft would be posted on the Pathways Initiative website to get feedback from any individual or group, so that the task force could make any needed revisions in time to submit the report to the chancellor by the December 1, 2011 deadline. *Id.*, Anderson letter of September 6, 2011. The task force, on November 1, 2011, issued common core guidelines and sought comments from the CUNY college presidents by November 15, 2011. After receiving those comments, the task force, on about December 1, 2011, issued a final set of common core guidelines, which were adopted by the chancellor on December 12, 2011.

On March 20, 2012, the plaintiffs commenced this action,

which alleges two breach of contract causes of action, which seek, as the sole relief, an order vacating the 2011 resolution and permanently enjoining CUNY from implementing it. In essence, the complaint alleges that, in 1997, the defendants, in an unrelated Article 78 proceeding, *Matter of Polishook v City Univ. of New York* (234 AD2d 165 [1<sup>st</sup> Dept, 1996]), signed a settlement agreement and a resolution. In the 1997 resolution the Board, among other things,

"in the exercise of its authority to govern and administer the University pursuant to N.Y. Education Law § 6204[1], in connection with the Board's making educational policy, recogniz[ed] and reaffirm[ed] that the faculty, in accordance with CUNY bylaw § 8.6, shall be responsible, subject to guidelines, if any, as established by the board, for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curriculum, awarding of college credit, [and] granting of degrees; that this responsibility is to be exercised through the college faculty senates pursuant to Board Bylaws or college governance plans approved by the Board, or the University Faculty Senate in accordance with CUNY Bylaws §8.13, which states: 'There shall be a university faculty senate, responsible subject to the board, for the formulation of policy relating to the academic status, role, rights, and freedoms of the faculty, university level educational and instructional matters, and research and scholarly activities of university-wide import. ... and that such policies will then be considered by the board or its appropriate committees in making policy decisions relating to educational matters.'"

According to the complaint, this resolution and bylaw §§ 8.6 and 8.13<sup>1</sup> did not permit the Board to formulate its own policy

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<sup>1</sup> These bylaw sections have subsequently been renumbered as 8.5 and 8.10, but, in this action, the parties are using, for

on educational issues, but, instead, required that educational policies be formulated, in the first instance, by the college and faculty senates for consideration by the Board. Complaint, ¶ 34. The complaint further alleges that the passage of the 2011 resolution constituted a breach of the 1997 settlement agreement and resolution, and was a violation of bylaws §§ 8.6 and 8.13, because the 2011 resolution was not based on policy formulated by the faculty; changed, without properly including the faculty in the process, the course and credit degree requirements and the requirements for transferring credits among CUNY colleges; established a task force to perform the Faculty Senate's duties; gave that task force the faculty's duties; and failed to properly include the faculty in the implementation of the 2011 resolution. Complaint, ¶¶ 45-51. The first cause of action alleges that the Board's passage, approval, and implementation of the 2011 resolution and its approval and implementation of the task force's proposal constituted breaches of the settlement agreement. The second cause of action alleges that, because the settlement agreement amounted to a contractual commitment to comply with bylaw §§ 8.6 and 8.13, and because the 2011 resolution was inconsistent with those bylaw provisions, the "passage" of the 2011 resolution constituted a breach of contract. *Id.*, ¶¶ 59, 63.

#### **The Instant Motion**

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these two bylaws, the numbers set forth in the 1997 resolution.

Defendants move for an order dismissing the action for failure to state a cause of action, based on the documentary evidence, and because the action is time-barred, or, alternatively, converting this action to an Article 78 proceeding. They urge that the settlement agreement and 1997 resolution contain no contractual provision requiring them to comply with bylaw §§ 8.6 and 8.13, that the Board simply reaffirmed those bylaws, and that neither of those bylaws, nor the 1997 resolution, requires academic policy to originate with the faculty or Faculty Senate.

Since there was no such contractual provision, defendants urge that the action must be dismissed, and that, because plaintiffs were alleging bylaw violations and a challenge to a university's internal decision, plaintiffs' claims should have been brought as an Article 78 proceeding against the Board, as a state body. Defendants further contend that, because the Board had the authority to independently formulate policy regarding CUNY's governance and establish the Pathways Initiative, plaintiffs' claims fail as a matter of law. Defendants also maintain that, because CUNY's senior colleges are state entities, and the state has, as is applicable here, only waived its sovereign immunity for breach of contract actions principally seeking monetary damages, which actions must be pursued in the Court of Claims, the instant action cannot be maintained as such against CUNY.

Moreover, since the resolution establishing the Pathways Initiative was passed in June 2011, and this action was commenced on March 20, 2012, defendants assert that this action is barred by the four-month statute of limitations applicable to Article 78 proceedings, because plaintiffs, who are alleging that the passage of the 2011 resolution was inconsistent with the bylaws, were aggrieved when that resolution was passed. According to the defendants, that the 2011 resolution required additional steps to implement the Pathways Initiative, did not toll the statute of limitations, since the resolution provided for a definite plan of action.

In response, the plaintiffs, who "do not ask this court to pass on the wisdom of the Pathways [Initiative]" (Plaintiffs' Memorandum of Law, 7), contend that the 1997 settlement agreement and resolution's provision relating to bylaw §§ 8.6 and 8.13, extracted a contractual obligation from the Board that the Faculty Senate would, in the first instance, be responsible "for the formulation of policy relating to curriculum, the awarding of college credit, the granting of degrees, academic status, and university level educational and instructional matters." Plaintiffs Memorandum of Law, 5, 38. Only after the Faculty Senate has formulated any such policy, can the Board consider it in making their own policy decisions. *Id.* While plaintiffs concede that the 2011 resolution gave faculty members a role in developing and implementing the Pathways Initiative, they assert

that the initiative violated the settlement agreement because the Pathways Initiative was not based on policy formulated by the Faculty Senate. *Id.* at 12. Thus, this action's "nub" is whether the settlement agreement permitted the Board, in formulating academic policy, to ignore the Faculty Senate. *Id.* Plaintiffs contend that, because the 1997 settlement agreement and resolution extracted from the Board a contractual promise which it breached, plaintiffs are entitled to maintain this matter in the form of an action rather than through an Article 78 proceeding. Further, plaintiffs assert that the settlement agreement and 1997 resolution would be rendered meaningless unless their interpretation governs. Additionally, plaintiffs apparently take the position that, irrespective of the 1997 settlement agreement and resolution, in adopting bylaw §§ 8.6 and 8.13, the Board ceded its power to initiate academic policy to the Faculty Senate. *Id.*, 37.

Plaintiffs also claim that, were this matter to be converted to an Article 78 proceeding, it would be timely. In this regard, they observe that the first cause of action contains an allegation that the defendants' approval of the task force's guidelines violated the settlement agreement, and assert that, since the chancellor approved that proposal on December 12, 2011, fewer than four months before this action was commenced, all of plaintiffs' claims are timely, because before then, all that the



2011 resolution proposed were goals, rather than a final determination. Therefore, plaintiffs urge that any potential injury to plaintiffs may have been ameliorated before the chancellor approved the task force's proposal. Finally, plaintiffs contend that CUNY has no sovereign immunity because the Court of Claims lacks jurisdiction for cases where monetary damages are not being sought, and because CUNY waived any immunity by entering into the settlement agreement and agreeing that only the Faculty Senate was responsible, in the first instance, for formulating academic policy.

#### **Discussion**

On a motion to dismiss a complaint for failure to state a cause of action, "facts pleaded in the complaint must be taken as true and are accorded every favorable inference.... However, allegations consisting of bare legal conclusions as well as factual claims flatly contradicted by documentary evidence are not entitled to any such consideration...." *Maas v Cornell Univ.*, 94 NY2d 87, 91 (1999) (internal quotation marks and citation omitted); *Gertler v Goodgold*, 107 AD2d 481, 485 (1<sup>st</sup> Dept 1985), *affd* 66 NY2d 946 (1985). "A motion to dismiss based on documentary evidence pursuant to CPLR 3211(a)(1) may be appropriately granted 'only where the documentary evidence utterly refutes plaintiff's factual allegations, conclusively establishing a defense as a matter of law' (*Goshen v. Mutual Life*

*Ins. Co. of N.Y.*, 98 NY2d 314, 326; see *Norment v. Interfaith Ctr. of N.Y.*, 98 AD3d 955, 955-956)." *North Shore Towers Apts. Inc. v Three Towers Assoc.*, \_ AD3d \_, 2013 NY Slip Op 01812, \*2 (2d Dept 2013).

Plaintiffs' position, that bylaw §§ 8.6 and 8.13 and the 1997 settlement agreement and resolution constituted a contractual commitment that only the faculty and the Faculty Senate could initiate academic policy, is devoid of merit. Bylaw §§ 8.6 and 8.13 do not provide that the faculty and Faculty Senate have the exclusive right to formulate academic policy. They simply, respectively, permit faculty to formulate certain academic policy, subject to board guidelines, and the Faculty Senate, subject to the Board, to formulate policy on certain academic matters of university-wide import. That only the faculty, through the Faculty Senate, could have initiated the academic policy at issue here is undercut by Board bylaw § 11.2 which pertains to the chancellor's role. In this regard the chancellor is appointed by, and reports to, the Board and is CUNY's chief executive, and educational and administrative officer as well as the chief educational and administrative officer of the senior and junior colleges. Board bylaw § 11.2. He or she is charged with implementing the board's policies, and with initiating, planning, developing and "implement[ing] institutional strategy and policy on all educational and

administrative issues affecting the university, including to prepare a comprehensive overall academic plan for the university, subject to the board's approval, and to supervise a staff to conduct research, coordinate data, and make analyses and reports on a university-wide basis." *Id.* The chancellor also presents the Board with any of his or her recommendations on important plans, reports, or recommendations submitted by faculty, a college president, or any governance body. *Id.* Thus, while the chancellor can recommend to the Board any important policy formulated by the faculty or the Faculty Senate, the chancellor can also initiate academic policy.

Further, that the Board is permitted to initiate academic policy is evident from Education Law § 6204 (1), which provides that the Board "shall govern and administer the city university. The control of the educational work of the city university shall rest solely in the board of trustees which shall govern and administer all educational units of the city university." See also Education Law § 6206 (7) (Board required to "establish and conduct courses and curricula; prescribe conditions of student admission, attendance and discharge"). The Board's power to initiate academic policy is supported by this judicial department's case law. Specifically, in *Matter of Polishook v City Univ. of N.Y.* (1996 WL 34478650 [Sup Ct, NY County 1996]; *mod* 234 AD2d at 167) the petitioners, including the PSC president

and Cooper, urged before the lower court, among other things, that, since three of the Board's long-range resolutions concerning academic matters did not relate to financial exigency, the Board, in adopting those resolutions, could not ignore its own rules and bylaws, which allegedly dictated that such matters first be addressed by the college senates and governance councils. The Board asserted that it acted lawfully in passing the resolutions. The lower court held, among other things, that the board's adoption of these three resolutions was arbitrary and capricious because the respondents were silent as to the connection of these matters to financial considerations and why there was a need to circumvent ordinary governance plans involving this type of decision. The Appellate Division, First Department in *Polishook* (234 AD2d at 167), overturned the lower court's determinations, except as to one of the three long-range resolutions, because the First Department could not perceive the rational basis for Long Term Initiative 27, which reduced the number of credits required for a degree. Significantly, in modifying the lower court's determination and upholding the propriety of the Board's passage of the other two long-range resolutions, the First Department, citing Education Law § 6204 (1), held that the bylaws "d[id] not require the Board ... to consult with the senior college faculties prior to implementing" those resolutions. *Id.* at 166-167.

In light of the foregoing, it is evident that bylaw §§ 8.6 and 8.13 do not limit the initiation of academic policy to the faculty and the Faculty Senate, and that the Board has the power to initiate academic policy. Therefore, by merely recognizing and/or reaffirming bylaw § 8.6, the 1997 resolution did not create a contractual right in that bylaw section nor did it in any way amend that section, or bylaw § 8.13, to limit the Board's power to initiate academic policy. Since the *Polishook* petitioners urged in the lower court that, under the bylaws, only it could initiate such matters, a claim, which was firmly rejected by the First Department, if what those petitioners truly desired was a resolution limiting the Board's powers, the parties, if they were amenable, could easily and clearly have so provided in the 1997 resolution. Petitioners' claim that, without such an interpretation, the resolution would be meaningless, is unavailing, because the only issue remaining on CUNY's appeal was the First Department's finding of a lack of a rational basis for Long Term Initiative 27, and the petitioners, stipulated that there was a rational basis for that determination, in exchange for the Board's resolution to clarify and set forth the circumstances under which CUNY would grant waivers from the requirements of that initiative. See 1997 Resolution, 3-4. Because the 1997 resolution created no contractual obligation with respect to the bylaws, and neither

that resolution, nor bylaw §§ 8.6 and 8.13, limited the formulation of academic policy to the faculty through the Faculty Senate, plaintiffs' breach of contract claims and action must be, and hereby are, dismissed. Because plaintiffs have no valid breach of contract claims, it is immaterial whether sovereign immunity bars such claims against defendant CUNY.

Further, in view of the absence of any valid breach of contract claim, the complaint effectively urges nothing more than alleged bylaw violations, and, accordingly, this matter should have been brought, if at all, as an Article 78 proceeding. See *Maas v Cornell Univ.*, 94 NY2d at 93-95; *Wander v St. John's Univ.*, 99 AD3d 891, 893 (2d Dept 2012); *Gertler v Goodgold*, 107 AD2d at 487. However, conversion is inappropriate here because, aside from the fact that respondents did not violate bylaw §§ 8.6 and 8.13, any such Article 78 proceeding would be time-barred (see CPLR 217 [1]) ("proceeding against a body or officer must be commenced within four months after the determination to be reviewed becomes final and binding"). *Gertler v Goodgold*, 107 AD2d at 487; *Silverman v New York Univ. School of Law*, 193 AD2d 411 (1<sup>st</sup> Dept 1993) (conversion of action to Article 78 proceeding not warranted when matter barred by four-month statute of limitations). An administrative determination is final and binding when it is complete and administrative remedies have been exhausted. *Walton v New York State Dept. of Correctional Servs.*,

8 NY3d 186, 194 (2007). "First, the agency must have reached a definitive position on the issue that inflicts actual, concrete injury and second, the injury inflicted may not be ... significantly ameliorated by further administrative action or by steps available to the complaining party." *Id.* at 194 (internal quotation marks and citations omitted).

In the instant case, the four-month statute of limitations began to run, not when the chancellor adopted the task force's guidelines, but, rather, when the Board adopted the 2011 resolution. *Matter of Gach v City of Long Beach*, 218 AD2d 801 (2d Dept 1995); *Matter of Douglaston & Little Neck Coalition v Sexton*, 145 AD2d 480, 480-481 (2d Dept 1988) (statute of limitations runs from the adoption of resolution). This is so because, the complaint alleges that only the faculty and Faculty Senate could formulate policy, and that the plaintiffs were aggrieved when the Board, without the proper input from the faculty and Faculty Senate, formulated policy by crafting and creating the Pathways Initiative, via the 2011 resolution. As for the complaint's allegation that plaintiffs were further aggrieved because the 2011 resolution violated the bylaws by establishing a task force to perform the Faculty Senate's duties, plaintiffs were well aware when the Pathways Initiative was passed that the Board had provided for the establishment of a task force which would also formulate policy. The Pathways

Initiative was not merely an abstract, nonconclusive proposal (see generally *Matter of Edmead v McGuire*, 67 NY2d 714, [1986]) or a proposal for a course of action on a trial basis (*Matter of Seniors for Safety v New York City Dept. of Transp.*, 101 AD3d 1029, [2d Dept 2012]), but was instead one integrated plan which embodied a firm commitment to create, within a precise time frame, an efficient transfer system. It was the sine qua non of all that followed. That some details were left to be resolved is inconsequential, since they would not have affected the Pathways Initiative's alleged infirmity - namely, that, upon the passage of the Pathways Initiative, policy was formulated and firmly set to be formulated by those other than the faculty and the Faculty Senate. In any event, I also note that, evidently after nominations were sought from the Faculty Senate, the task force was established more than four months before this action was commenced. Plaintiffs' amelioration claim, that the task force may have recommended that the development of a student transfer structure be submitted to the Faculty Senate, is without merit, since that was not within the scope of the task force's assigned duties. Similarly, plaintiffs' assertion that the chancellor could have declined to have adopted the task force's recommendations as to the broad disciplinary and interdisciplinary areas comprising the common core, would not have alleviated the problem of someone other than the Faculty



Senate having been charged with initiating academic policy, since presumably, the chancellor could either have made his own decision or directed matters back to the task force for additional input from it. Further, that would not have alleviated the alleged problem of the Board having, in the first place, formulated the Pathways Initiative without properly including the faculty and Faculty Senate in the process. Also, tellingly, the complaint seeks an order vacating the 2011 resolution.

In conclusion, it is

ORDERED that defendants City University of New York and the Board of Trustees of the City University of New York's motion to dismiss the complaint herein is granted, and the complaint is dismissed in its entirety as against said defendants, with costs and disbursements to said defendants as taxed by the Clerk of the Court, upon submission of an appropriate bill of costs; and it is further

ORDERED that the Clerk is directed to enter judgment accordingly.

Dated Feb 21, 14

ENTER:

Rec 2

J.S.C.

HON. ANIL C. SINGH  
SUPREME COURT JUSTICE

City Council Higher Education Committee  
Testimony about Pathways, Tuesday February 25, 2014  
Sigmund Shen, Associate Professor of English, LaGuardia Community College

Thank you to the Higher Education Committee, and especially Chair Inez Barron, for looking past the marketing speak into the real Pathways. We hope this is just the beginning of a fruitful discussion of public higher education for all the people of New York City. My colleagues at the PSC and I believe that a university performs its most important work for society when it supports rigorous research, open debate, and transparent governance, without fear of political reprisal. For some reason, CUNY officials have taken great pains to circumvent such debate by conjuring up new “committees” where Robert’s Rules and the open meetings law simply do not apply; and by menacing and threatening to fire untenured faculty for voting their conscience. Although the new year has barely started, at my campus, LaGuardia, they have already begun to renege on their placating promises of last year. We see one example of this in English 101, the research and writing course that is required of all majors to graduate. After spending much of 2012 and 2013 trying to reduce our commitment of contact time with our students by 25%, from four hours per week to three, they are now renewing their efforts to designate that fourth hour in a separate and vulnerable category.

This grand, sweeping move by the Chancellor and the Board of Trustees is not just a random power grab. It has nothing to do with pride or egos or “face-saving.” This move has its own logic and its own historical context. CUNY was founded as a free university for all. Over the years, the political appointees who sit on the Board of Trustees have incrementally raised tuition so high that many of my students are now forced to work two jobs and raise children while attending class, with barely ample time to sleep, let alone focus on their studies. This gradual dismantling of the CUNY mission is part of an anti-intellectual agenda that has crippled universities across the country. The results of this agenda look like something out of dystopian science fiction. The U.S. falls in 48th place worldwide in science and math education. Fewer than one in five Americans can speak more than one language. Less than half of Americans know what the Bill of Rights is. Before Hurricane Sandy, less than half of Americans believed in climate change. And employers in almost every field share one thing in common: they want to hire competent writers and independent, critical thinkers. In this dangerously anti-intellectual climate, Pathways sells the even more dangerous lie that there is nothing at all ridiculous about a college degree that requires less writing, less history, less foreign language and little or no science lab experience to graduate.

As a troubling contrast, consider the University of Minnesota, where foreign language and history are among the minimum requirements for graduation. I tried to explain to their English chairperson the point of view of our local administrators, namely the alibi that they are only trying to ease transfer for students within CUNY. She found it ironic that “transfer” has mutated into such a mind-erasing buzzword for us, because in Minnesota, the latest buzzword is “transfer evaluation.” They are evaluating these amazing shrinking courses of ours, and they are not likely to be taken in by our excuses for them. One of LaGuardia’s senators reported last year that Skidmore College already

walked out of an articulation agreement with us because of the Pathways attempt to reduce time for writing instruction.

As word continues to spread about CUNY's watered-down so-called college curriculum, our transfer students will run into closed doors, or have to repeat courses. We are expected to not talk about this. We are expected to be too distracted by the exhilarating rush of big system-wide change. Like black holes theorized to bridge impossible distances, promising to put some new Earth within our reach so we don't need to worry about the old Earth anymore, CUNY administrators are working hard to sell us a fantasy that online "innovations," micromanagement, and the occasional coercion will somehow reduce a college degree to a size where it can be swallowed with a glass of water after breakfast. That's the sell, anyway. What they're really trying to do is drown it in a bathtub.

If we bowed to Pathways, we would be telling our disciplinary colleagues at SUNY and at other universities across the country that we believe such a pathetic standard deserves to be the new normal. And implicitly advising our own students, students who look to us for guidance and trust our expertise, that there's nothing wrong with watering down their college education.

We believe that CUNY students are not "customers" to be enticed in by artificially inflated graduation rates and then sent on their way with a piece of paper. We believe that CUNY students are an investment. They are the creators and leaders of our shared future, and ought to have the most well-rounded, rigorous education our faculty can provide.

I graduated a semester late from Queens College, because I found out too late that even though I was an English major I was still required to take a science with a lab. It was a tough course and I got my first B+ in three years. But I could never have learned to respect the scientific method if I hadn't been pushed outside of my comfort zone. My wife gave birth to our daughter last June. When I look into her trusting eyes, the future has never been more real, the long-term consequences of my every action never more palpable. Eighteen years from now, my incoming students will be her age. I will not be asking, how fast can they graduate? What is the minimum they need to know? I will be asking, how rich, how well-rounded, how rigorous of an education do they deserve. Will they get the experience of a real world lab in Biology 101, or will they be fed elaborately justified and grandly titled excuses for an increasingly meager education where curricular decisions are carried out under threat and administrative fiat? Will I be able to tell my daughter that I am proud of where I work, or will I have to tell her, honey we shrunk the curriculum? Please stand with the 92% of CUNY faculty who voted to preserve the richest college education we can provide to the people of New York City.

**FOR THE RECORD**

Every student at the City University of New York is entitled to a curriculum that is both intellectually enriching and offers the courses that would enhance their marketability in the business world after they graduate. The students are also entitled to a broad range of electives and core courses from which to choose, which would in turn offer them a true Liberal Arts education, which the City University of New York, in theory at least, champions. With the enactment of Pathways, students have less courses within the Liberal Arts from which to choose and less a range of electives, thereby diminishing the enrichment and quality of their education. When a course like Speech Communication is no longer a core course, students lose out on an important skill which will make them more marketable in a workplace that still places a great deal of emphasis on oral communication and the ability to convey cogent ideas. After receiving a Bachelor's Degree from the City University of New York, the students should be able to demonstrate a diverse group of learned and applied skills that will help them achieve and succeed in today's competitive world. This ideal is unfortunately compromised with Pathways, disenfranchising both students and teachers alike.

Thank you very much Chair Barron and members of the Council Higher Education Committee for hearing us today.

I've been associated with quite a few institutions in my career, and when I first learned about Pathways it seemed to me CUNY was about to make biggest mistake of any institution I have known. I still think so. Yet it has been very difficult to get across to the public the magnitude of the harm being done. We so welcome your independence and bravery in taking the time to learn more and not simply being snowed by the very effective branding and 'message' managing job the CUNY leadership has done.

Yesterday was my birthday, and three things, all directly related to Pathways impact made it stink.

I heard a student say that as long as he pays attention in class, he can get an A or a B; he said, "I don't have to do the reading."

On the subway, as I made my way home, a young man asked for money on my subway train saying that he was a college graduate, had the papers to prove it, and had been looking for a job all morning. He said, "The system did not work for me," and I suspect he attended a for-profit college. I say that Pathways would only make that the case for CUNY students as well. Graduating them without the tools they really need.

Yesterday a judge made an unfortunate but wrong decision, suggesting that Trustees were not taking over the essential responsibility of designating what students need to learn to graduate. I hope you will understand better. When the Trustees voted to change both the number and the kind of classes graduates would be required to take, they sweepingly cut to about 1/3 the expectations for students.<sup>1</sup> Some highly praised colleges now require students to major in different divisions – like math and humanities major<sup>2</sup>; soon CUNY will be (theoretically) graduating computer science majors who choose to take only courses related to computing.

I am an adjunct professor who is especially moved by the fact that adjunct instructors have to decide every day whether we continue to abide by our inner voice of integrity – holding our students to high standards and helping them along, or preserving our jobs by entertaining them and rewarding them with easy grades. The faculty I know have integrity, but the new CUNY Pathways general education structure puts a different priority in the drivers' seat: **many students' desire to minimize the time they spend on classes.** This is a CUNY-wide problem. I know it at John Jay College of Criminal Justice, where I think the consequences are especially severe.

Our students have incredible demands on their time. They work for pay more, are poorer, and travel further than even other CUNY students. When it is time for them to choose

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<sup>1</sup> Pathways' General Education plan asks for only 40% of what the separate colleges did before. Instead of getting direction for 60 of the units they choose outside their majors, students will truly be guided for only 24 units.

<sup>2</sup> See Loren Pope and Hilary Oswald, Colleges that Change Lives

courses, many of them will choose the courses that ask them to do the least outside of class, like reading and writing. So homework disappears.

By increasing the proportion of electives, Pathways removes requirements that can spur excellence.<sup>3</sup> Good teachers know that without some pushing, we all tend to remain insulated in our own time and space – the opposite of education.<sup>4</sup>

CUNY Pathways' new common core enshrines a **market mechanism**. In this market, students "buy" classes by paying with their time. Cheaper courses are the ones which demand less time. Students will get more actual time if they simply choose easier courses.<sup>5</sup> The course market will respond by providing easier courses and unavoidably nudge out rigorous ones. How can it not?<sup>6</sup> Gone will be the required courses that limit the impact of the course market, providing a bulwark against our 'lesser angels.'

But even valuable courses without significant homework demands are will be missed by our students. A CUNY trustee, no less, said of speech courses, "No one will take a speech course, if they are not required to, and nothing is more important to one's future." Due to Pathways, John Jay College has eliminated its speech requirement.

This market mechanism will have greater impact because the Pathways curriculum asks less. Only 4 courses will truly be required. Undeniably, the "flexible core" has appealing values, and new courses designed for it reflect some great thinking.<sup>7</sup> And John Jay's college options are meaningful. **Motivated and self-disciplined students can soar within Pathways.** But rigorous classes are only going to continue to exist if our time-strapped students choose them. The flexible core is so loose that the market mechanism will reign supreme.<sup>8 9</sup>

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<sup>3</sup> Pre-pathways requirements didn't constrain choice. I found, at the first college I looked at closely (Baruch), students could choose more than 12 million different ways to meet their current requirements independent of their choice for language study.

<sup>4</sup> In June, 2011 City College President Coico emphasized that CUNY students "want the most rigorous education that they can get" because of the competition they will face when they graduate. I know her remarks are 100% accurate for the significant minority of our students who are self-starters.

Unfortunately, many of our students were not provided a secondary education that permits them to grasp what rigor is, and what skills sets they are up against. It is a natural, recently scientifically documented, human tendency to interpret situations in ways that make us most comfortable. All of us humans truly do the hard things when we are pushed to do them. Even when we know our futures will benefit, that alone is often not enough of a spur.

<sup>5</sup> CUNY students frequently juggle as many as 3 jobs and familial responsibilities – shockingly high demands on their time.

<sup>6</sup> My concern for letting the market determine what's available grows out of my doctoral research. Undeniably, removing restrictions on the sale of sexually explicit materials, "smut," led to their proliferation.

<sup>7</sup> I wish that more of the committee that revised the general education requirements for the university as a whole had recent experience teaching it. My understanding is that few of them did.

<sup>8</sup> The Pathways core designates 2 English, 1 science and 1 math course; the flexible core has only one subject specificity, a course in art, music or drama. Even though the college options will also be 4 courses, the CUNY-wide rules adopted allow students to graduate without a single other humanities course, foreign language or social science.

<sup>9</sup> Nationally, market pressure makes colleges act like degree-issuing businesses, lowering achievement across the country. Yet here, in the Pathways gen. ed. plan, we give the market growing impact.

For several semesters now, professors have been increasingly aware that their popularity, **enhanced by easy grades**, may be their only job security.

In June, 2011 CUNY trustees noted that other universities have lower gen. ed. requirements. But those were false comparisons. CUNY students have uniquely difficult time pressures.<sup>10</sup> They face higher food costs and rent than anywhere else. They spend more time travelling to school, too. Will most students struggling to make ends meet choose difficult courses? Would you or I, in our youth, if by a few keystrokes we could learn which courses were the easiest?<sup>11</sup>

Writ large, student choices will pressure on whole departments to 'dumb down.'<sup>12</sup> The courses and departments that survive in this market will be those that help students follow the path of least resistance. Please encourage CUNY to amend the general education changes so that rigor and breadth will remain a hallmark of its education. We want students to follow their long term, not their short term, interests.<sup>13</sup>

Whatever you can do to direct the University to restore to faculty the direction of our students, and the greater security of their future would be appreciated.

Elizabeth Hovey, Ph.D.  
History Department  
John Jay College of Criminal Justice

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<sup>10</sup> My students regularly describe the demands of one and two jobs, 20-40 hours per week.

<sup>11</sup> Information about the easiest courses, and the time consuming ones to avoid, is instantly available through social media. It will be very easy to be guided by one's short-term priorities.

<sup>12</sup> The faculty union launched an anti-Pathways lawsuit to protect shared governance and academic freedom. Chief Justice Earl Warren first identified academic freedom's Bill of Rights protections in an opinion that, ironically, singled out the social sciences for "particular" protection. However, Pathways exposes ALL CUNY social science classes to market pressures.

<sup>13</sup> Restoring the level to at least 48 units makes sense. It would allow CUNY to still stand for breadth and some depth.

**PATHWAYS – COMMENTS TO THE HIGHER EDUCATION —  
COMMITTEE – CITY COUNCIL OF NEW YORK, FEBRUARY 25,  
2014**

***Sandi E Cooper, Professor of History, CUNY at Staten  
Island and The Graduate School Former chair, University  
Faculty Senate, CUNY (1994-98, 2010-2012)***

**AS A HISTORY PROFESSOR FOR OVER 55 YEARS, MOST OF  
THOSE AT CUNY, I SPEAK AGAINST CUNY'S IMPOSITION OF  
PATHWAYS, A LOW GRADE EDUCATIONAL PROGRAM FOR OUR  
UNDERGRADUATES BASED ON FLAWED STATISTICS.**

**TWO YEARS AGO, OUTGOING CHANCELLOR MATTHEW  
GOLDSTEIN APPOINTED A SUBORDINATE TO CUT DOWN ON  
UNDERGRADUATE REQUIREMENTS. STATISTICS WERE  
PRESENTED TO SHOW THAT OUR EXISTING SYSTEM FORCED  
THOUSANDS UPON THOUSANDS OF STUDENTS TO TAKE MORE  
THAN 4 YEARS TO FINISH. WHEN FACULTY STATISTICIANS  
REVIEWED THESE CLAIMS, THEY FOUND ENOUGH HOLES IN**



**THEM TO DEMONSTRATE THAT THE MOTIVATION WAS NOT TO HASTEN GRADUATION – BUT TO REDUCE FACULTY AUTHORITY OVER CURRICULUM. PEOPLE IN ADMINISTRATIVE OFFICES WHO HAVE NOT BEEN IN CLASSROOMS FOR DECADES – SOME OF WHOM SNEER AT FACULTY AS SELF CENTERED EGOISTS – PLAYED STUDENTS OFF AGAINST FACULTY. STUDENTS WERE PERSUADED THAT FACULTY REQUIREMENTS WERE EXCESSIVE, THAT FACULTY WERE PREVENTING THEM FROM GRADUATING QUICKLY. STUDENTS WERE NOT TOLD THAT MOST OF THOSE WHO TOOK MORE THAN FOUR YEARS TO GRADUATE HAD CHANGED THEIR MAJORS OR DROPPED OUT FOR FINANCIAL REASONS.**

**CUNY CENTRAL AUTHORITIES WON THE P. R. GAME IN THE PRESS BUT HAVE MADE US THE LAUGHING STOCK NATIONALLY. STANDARDS HAVE BEEN LOWERED TO THE POINT WHERE AN UNDERGRADUATE CAN FINISH WITHOUT A CLASS IN LITERATURE, A FOREIGN LANGUAGE, HISTORY, POLITICAL SCIENCE, ECONOMICS, ANTHROPOLOGY, SOCIOLOGY, OR PHILOSOPHY AND CAN WEASEL OUT OF COLLEGE MATH. *THIS***

**DESTRUCTION OF QUALITY IS WHY FACULTY OPPOSE PATHWAYS  
– NOT BECAUSE WE ARE LOSING OUR JOBS. INSTEAD, WE WORRY  
ABOUT WHAT WILL HAPPEN TO THESE UNDEREDUCATED  
STUDENTS WHEN THEY GRADUATE AND FACE NYU, RUTGERS,  
SUNY, AND IVY LEAGUE GRADS. FACULTY SIGN OFF ON DEGREES  
WHICH WE FEAR WILL JOIN THE POOL OF THOSE DIPLOMAS  
PRINTED BY FOR-PROFIT SCHOOLS. IN A UNIVERSITY WHERE 75%  
OF ENTERING FRESHMEN NEED REMEDIATION, PATHWAYS IS AN  
INTELLECTUAL INJUSTICE. WE MAY AS WELL GIVE STUDENTS A  
DIPLOMA WHEN THEY ARE ADMITTED AND THEN INVITE THOSE  
WHO WANT TO STUDY TO COME TO CLASS AND THEN VOTE ON  
THEIR GRADES.**

**A FINAL OBSERVATION – FIVE OF CUNY’S CURRENT  
TRUSTEES ARE MAYORAL APPOINTEES. THESE STILL INCLUDE  
PEOPLE APPOINTED BY RUDOLPH GIULIANI. IT IS TIME FOR A  
CHANGE.**

**THANK YOU FOR YOUR INVITATION.**

**Sandi E. Cooper  
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**TESTIMONY OF FRANK D. SANCHEZ  
VICE CHANCELLOR FOR STUDENT AFFAIRS  
CITY UNIVERSITY OF NEW YORK**

**Hearing on Pathways with the New York City Council on  
Higher Education Committee  
February 25, 2014**

Good morning Chairperson Barron and members of the Higher Education Committee. My name is Frank Sanchez and I am the Vice Chancellor for Student Affairs for the City University of New York. I very much appreciate this opportunity to address the Committee on Higher Education and share with you student feedback on the challenges of the transfer process prior to Pathways implementation. Much of the student feedback and comments I will share here have been based on testimony made at Board of Trustee Hearings, Borough Hearings as well as during a variety of other student forums.

For nearly a half a century there have been ongoing discussions and complaints about the challenges associated with students transferring from one CUNY college to another. As mentioned previously there are now significant numbers of transfer students across the CUNY system in need of a simplified system of transfer. During this testimony I would like to briefly highlight some of the most common and frequently articulated challenges faced by transfer students.

To better understand the challenges associated with the transfer process CUNY officials listened to students' comments formally and informally on numerous occasions. In particular, forums were conducted with students who had more than enough credits to graduate but had not done so. CUNY continues to be interested in seeing whether transfer problems contribute to students' accumulation of excess credits. Students during these focus groups and in other gatherings have expressed a variety to challenges including the following:

- The transfer system is confusing, complex, hard to understand, and uncertain. Students were often discouraged to the point of delaying their college education when hearing how few credits would actually transfer.
- Students experienced significant delays in having their transfer credits evaluated. This delay often impacted financial aid and availability of course selection for the following semester.
- The inability to transfer credits also reduces the availability of students' federal financial aid and TAP support. Students reported running out of TAP and financial aid as a result of not being able to transfer credits. This is particularly true for student with disabilities who often progress at a slower rate without these additional obstacles.
- Students complained how the transfer of courses in the major can vary depending on the judgments of individual faculty members and across

different CUNY colleges. To students there seemed to be no logic on why some courses could transfer at one institution and not another.

- Student forums also revealed unique challenges for CUNY's LGBT student community. Students testified at CUNY hearings that LGBT students often "come out" during the college years and are frequently displaced from their family's home as a result. These personal circumstances often force these students to have to consider transferring to other colleges options at CUNY. Before Pathways this difficult personal and academic transition was made more challenging as a result of the confusing transfer practices.
- Finally, there are numerous examples of transfer students exceeding 120 credits and still over a year away from graduating. This additional time to degree completion often becomes a significant student obstacle financially and in terms of time commitment.
- Students also complained about the number of general education credits required at CUNY. Prior to Pathways, CUNY students on average were required to take 52 credits in general education with some CUNY colleges general education credits as high as 63. Since Pathways has been implemented the average credits has gone down to 42 credits providing flexibility in completing their degrees.

- Students also made comments about the inability to have double majors or minors as a result of the large general education requirements.

I have attempted to provide the Higher Education Committee with some of the student challenges related to the transfer practices and policies prior to the Pathways initiative.

Thank you for the opportunity to share my perspective on this important issue of Pathways as CUNY.

**FOR THE RECORD**

ANA MARIA HERNANDEZ, PROFESSOR, LAGUARDIA COMMUNITY COLLEGE

TESTIMONY AT CITY COUNCIL HEARING ON PATHWAYS

25 FEBRUARY 2014, 10AM, NEW YORK CITY HALL

I would like to thank the City Council Committee on Higher Education headed by Councilwoman Inez Barron for hearing us today, since the opinions of 92% of CUNY faculty who overwhelmingly condemn Pathways and ask for its repeal have not been taken into account. I have taught at CUNY for forty years and served at the LaGuardia Community College curriculum committee for many years prior to the development of Pathways. Long accustomed to the careful discussion and scrutiny of issues pertaining to curriculum, I was appalled at the hasty and unilateral way in which Pathways was developed and imposed, bypassing governance procedures and ignoring the criteria and expertise of seasoned faculty. Furthermore, I believe the 30-credit limit on core curriculum threatens the quality of a CUNY education, limiting transfer possibilities outside the CUNY/SUNY systems, and thus invalidating the claim that Pathways is a road to success. True success and true upward mobility require a sound academic foundation that can allow students to go beyond service jobs and middle income careers. Pathways goes against the original mission of CUNY, "The Ivy League for the Poor," by creating a two-tier higher education system where only those who can pay the exorbitant prices of elite colleges can count on a road to leadership and unfettered success, while those with a "streamlined" education will rarely be able to rise beyond service careers. Pathways writes a tale of two university systems to complement our sad tale of two cities.

Testimony of Dr. Anthony Gronowicz, Adjunct Associate Professor of Social Science at the Borough of Manhattan Community College, before the City Council Higher Education Committee on February 25, 2014.

My name is Anthony Gronowicz. I teach American Government at the Borough of Manhattan Community College, BMCC, where one of my specialties is the interface between race and class that I examined in my book, Race and Class Politics in New York City Before the Civil War.

I want to thank Councilwoman Inez Barron, the Chair of the City Council Higher Education Committee for the opportunity to address my concerns about the proposed imposition by CUNY administration of the misleadingly named Pathways curriculum changes that serves to dilute the CUNY degree.

For example, a three-credit science course without a lab, instead of the normal four, may make it easier to transfer within CUNY, from let us say, community college BMCC to four-year college John Jay, but the course would not be transferrable to Pace, or Columbia, or St. John's.

As an elected faculty adviser to BMCC's Student Government Association, I observe how our million dollar annual budget derived from student fees is spent on student activities run by 70 student clubs ranging from the Chess Club to the Soccer Club, from Resurgence in Christ to the Muslim Student Association.

Student governments have come and gone over the years, but one thing has remained the same, regardless of the students who are elected to serve on the government by the student body-- all have been unanimous in their opposition to Pathways in resolution after resolution.

Students see it as a crude attempt to turn most of the colleges in CUNY into vocational schools. No longer will a BMCC student be able to live up to the school slogan, "Start here, go anywhere."

Thank you.



## Testimony

Madame Chair, Honorable members of the committee, my name is Kafui Kouakou and I am currently an Adjunct Lecturer in mathematics at York College. I am here before you today to testify on the great values Pathways brings to CUNY students. Pathways was conceived to address the issue of the hectic transfer process that CUNY Students were facing when moving from one school to another.

The City University of New York is one University and it is perplexing when you think about the reason why students cannot transfer all the credits they have accumulated from one college to another in the same system. This has led to many students having to retake often time classes they took previously and passed at another college. This by default has caused a delay in many students graduation and in other cases students not being able to graduate at all due to the fact that financial aid does not cover cost of retaking the same class and those students cannot afford to pay out of pocket.

I am well aware of these issues because I was the Chairperson of The University Student Senate at CUNY as well as a member of the CUNY Board of trustees from 2011 to 2013 where I voiced the students' issues which included the bad transfer process. The student senate had passed before my term a resolution in support of pathways when it was introduced by the Board of Trustees in June 2011.

When I took office and after hearing ideas from students about the way they would like pathways to be implemented, I met with several top Administrators at CUNY including, Chancellor Emeritus Goldstein, Executive Vice Chancellor Logue and Vice Chancellor for Student Affairs Frank Sanchez to discuss how to effectively implement Pathways because it is an enormous system change and we all know that if any change of that Magnitude is not implemented properly, the result will be catastrophic and the students will be the ones paying the price.

Some of the outcome of those meetings were:

- the formulation of an appeal process in case any student felt that pathways did not applied properly to his or her credits
- Another one was the understanding that the success of Pathways will depend on a good training of the Academic advisors at individual campuses since they will be at the forefront advising the students.
- The Administration and I also agreed that the review recommended by the Board in its original resolution was very crucial and needed to happen after a year of implementation.

I was glad to hear that Interim Chancellor Kelly has ordered the start of the initial review couple weeks ago and changes will be made to strengthen the curriculum.

Pathways is cutting waist in time and money for the students and ultimately lead to a faster graduation time and henceforth a better graduation rate in CUNY. Thank you, members of the City Council, for your continued support to the students of CUNY.

Good Morning to the Honorable New York City Council, the Education Committee for Higher Education and all the supporters for posing and non-posing, My name is Jaquonna Hardy and I'm a student and product of what The City University of New York can do for a person who comes a single mother who has dreams for children to complete college. I come forth to you this morning, to talk about pathways, which resents the 260,000 plus students and thousands of faculty and staff.

Pathways seem good for the university until many students transfer from two year community colleges to four year universities go through a semester long process of mental stress. The pathways methods were good implantations with missing links. A pathway doesn't support students who graduate with degrees of Applied Science degrees. They ended taking more of the Common core credit classes because many of us didn't get implemented into the pathways guide lines.

Many of the students ended up taking more remedial courses in math at the four year colleges like City College. Which are free but is taking up more time for the student from the graduation goal? Why should many students who have already taken remedial math course at the junior college level. I know many my student friends and colleagues who are sick of CUNY taking money and making half policies. Some of the students are decided to leave CUNY for more expensive private colleges which have it together in policies of students regarding academics. All of which pathways is supposed to protect and make better.

A pathway is great ideas. Just many of the professors cannot not answer questions about it to their students it becomes a problem. The culture of CUNY is rich which attracts students here. Many students are tired of policies in which no one is clear about. I'm saying im against

pathways but pathways need some forming to be successful for the students of CUNY. Thank you so much for your time this morning.

## Testimony

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*Before the New York City Council Higher Education Committee  
Inez Barron, Chair*

TESTIMONY OF  
PROFESSOR SETH E. LIPNER  
BERNARD M. BARUCH COLLEGE, CUNY

I am Professor of Law at the Zicklin School of Business at Baruch College. I have proudly served on the faculty there for 32 years.

I am Chair of the Undergraduate Curriculum Committee at the Zicklin School, a position I have held for 21 years.

In 2011, I was asked by the Chancellor to chair the Pathways Committee on Business Majors. In that capacity, I worked closely with representatives from the other CUNY colleges, developing common entry-level courses for business students across CUNY. I am pleased to report that our committee, through the hard work of my CUNY colleagues, achieved good results, harmonizing (across CUNY) the learning outcomes for four different entry-level business courses. I thus consider the Business Majors aspect of the CUNY Pathways initiative to be a success. But I have very different feelings about the "general education" component of Pathways.

The opinions I offer here are the product of a long career in which I have been, and continue to be, intimately involved in curriculum development and delivery. In addition to the routine matters of curriculum (*i.e.* degree requirements, programs and courses), during my tenure on the Curriculum Committee, Baruch developed and implemented what I consider to be two signal advancements in our curriculum:

- (1) the advent of "communication intensive courses" stressing writing and speech (and the requirement that our students take a set number of such courses in order to graduate), and
- (2) a requirement that our business majors take a minor in a liberal arts subject of

their choosing. These minors all include a liberal arts "capstone" course that emphasizes both critical thinking and high-level oral and written communication.

Both these innovations greatly enhanced the education of Baruch students. Both have been singled out by our accreditors (the Middle States Association of Colleges and Schools and the Association to Advance Collegiate Schools of Business (AACSB)) as important curricular innovations. But both these requirements are threatened, and in some ways emasculated, by the restrictions on general education imposed on us by the CUNY Pathways initiative.

80% of Baruch College students will graduate with degrees in business. Business students take more than half their college credits in business, professional and technical subjects. It is especially important that these business students, who will compete for jobs with students from the best private and public institutions, gain both the communication skills and the depth of general knowledge which these curricular innovations foster.

Unfortunately, the Pathways general education rules allow many transfer students to pursue a less rigorous, lowest-common-denominator curriculum that permits them to avoid fulfilling these two degree requirements. Students who opt to avoid these requirements will have diminished prospects in the job market and reduced potential for advancement in their careers. By permitting such students to avoid these (and other) previously-existing degree requirements, the Pathways general education rules threaten to harm our educational efforts and damage our College's reputation for excellence.

The faculty of Baruch College is not averse to CUNY-wide changes that raise the level of preparedness for CUNY students who seek to transfer to Baruch. But I believe I speak for the entire faculty in stating that Pathways' approach to general education is not achieving any such outcome. Indeed, we believe, for the reasons stated here as well as the reasons stated by our other CUNY colleagues, that the Pathways general education rules are having and will have the opposite effect -- by preventing Baruch College from continuing to require that all our graduates

experience the richness and rigor of the curriculum our college has developed for them.

It is not too late for CUNY to reconsider and amend the Pathways general education program. The part of Pathways that seeks to harmonize learning outcomes and increase expectations for entry-level college courses, especially in basic areas like english, mathematics and science, is important and wholly worthwhile. But the Pathways rules that limit the authority of the CUNY colleges and faculties to determine the general education graduation requirements most appropriate to their institutions needs to be reversed.

Thank you for this opportunity to appear before the Committee and offer these views.

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Prof. Seth E. Lipner

New York, New York  
February 25, 2014

Testimony to the New York City Council Higher Education Committee Oversight Hearing on CUNY Pathways,  
Tuesday February 25, 2014

**Manfred Philipp**

*Fulbright Scholar to Nepal and Portugal, PSC Chapter Chair at Lehman College, Past Chair of the CUNY University Faculty Senate,  
Past Faculty Trustee of CUNY, and Past Chair, the Lehman College General Faculty Executive Committee*

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CUNY's Trustees voted for Pathways over the opposition of college senates across the system. My college senate, representing faculty, students, and administration, has voted twice to oppose the implementation of Pathways.

My opposition to Pathways is informed by my 36+ years of experience in CUNY. In this testimony, I will concentrate on only two of the many reasons why my colleagues and I oppose Pathways.

**1. Pathways will act to reduce graduation rates by releasing community college students from the need to complete the community college Associate degree.** Pathways does this by allowing students to transfer all of their course credits to the senior colleges before graduation. Prior to CUNY Pathways, Lehman College would readily accept community college core curriculum credits whenever the student completed the community college curriculum with an Associate degree. Pathways, by severing credit transfer from community college graduation, confronts those transfer students with a senior college curriculum that they are not ready to handle. The unique ability of community college faculty to prepare their students for the more rigorous senior college curricula is wasted. Not only that ... having students leave before graduation harms CUNY's community colleges by reducing their graduation rates.

To reiterate: by allowing premature transfer with full transfer of credit, Pathways fosters a population of students that leaves CUNY with no degree at all, not even with the Associate degree that they could have received, had they not transferred early. The Pathways policy on transfer is simple foolishness.

**2. Pathways removes mandatory courses that are essential for immigrant students to function as citizens in our society.** Prior to Pathways, Lehman College correctly required a course called "*The American Experience*" of all students. Thanks to CUNY Pathways, the college cannot now mandate even one such course, even for students who have never had a US history course in the high schools of their native countries.

CUNY graduates ought to have the tools needed to function in US society. Some will argue that courses in the American Experience or in US history are still offered as Pathways options. However, that is a mirage. CUNY is so underfunded that only mandatory courses can actually be offered with any regularity.

Please understand that I am a chemist, not a historian. I am not here to parochially advocate for my own department's courses. I could stand here and speak about the effect of Pathways on science. But I speak here because the Chemistry Department at Lehman College, composed of faculty who were born in the US mainland, Iran, Puerto Rico, Romania, Germany, and Sri Lanka, has unanimously asked that US history be mandated for all Lehman graduates who have never taken a US history course. Disgracefully, this effort is blocked by Pathways.

**PATHWAYS IS A DISGRACE.** The vast majority of my full time colleagues in all parts of CUNY have voted **no confidence** in Pathways. We ask that the city and state move to abolish Pathways and return the CUNY curriculum to the status prior to Pathways' implementation.

Pathways Testimony, February 25, 2014—City Council Hearing

Good morning – my name is K. E. Saavik Ford, and I am an Associate Professor at Borough of Manhattan Community College. I am also a member of the CUNY Graduate Center doctoral faculty, a Research Associate at the American Museum of Natural History and a Kavli Scholar at the renowned Kavli Institute of Theoretical Physics, University of California, Santa Barbara and home to 3 Nobel laureates. I am a member of an instrument team on the successor to NASA's Hubble Space Telescope, JWST, and I have published in the most prestigious journals in astronomy and astrophysics. I have taught at public and private universities across the country and have collaborators at universities around the world.

So when I offer my professional opinion on teaching, astronomy, and physics, I know whereof I speak.

We are required by Pathways to include a lab in our science classes – an essential component of any rigorous science course – but are given only 3 hours (and 3 credits) per week with our students. Current national best practice is a 4-credit laboratory class, meeting for at least 5 hours per week, for non-science majors. We invite national ridicule—not to mention transfer problems—by shortening our courses at the expense of understanding. In our increasingly scientific and technical world, when people must be scientifically literate to participate in many of our political discussions – cutting time on science leaves our students disenfranchised as citizens of the future.

I can cite statistics: At BMCC, pre-Pathways, our liberal arts majors took 2 science courses, each with a rigorous lab, each for 5 hours per week. Now they take

2 science courses, only one with a lab, each meeting for only 3 hours per week. Our students deserve more than three-fifths of a science class.

But more important than the numbers are the students. I want to share a story with you from my first semester teaching at BMCC. I wanted to discuss magnetism with my astronomy students, and I began by asking them to recall an experiment they would have done in middle school. They would have made a magnet, using a battery, a bolt and some wire. I got a blank stare. I waited. Finally a brave student at the back of the room raised his hand and said, 'Ma'am, we went to New York City public schools. We didn't have fancy equipment like that.'

A battery. A bolt. And some wire. And now they get three hours of college science, plus maybe a 'scientific linguistics' class, and they're educated?

Many 'adjustments' have been made to Pathways to correct the worst absurdities – in my own field, we're asked to design co-requisite science courses, meeting for 6 hours per week, worth 6 credits. This is pure credit inflation, sure to embarrass CUNY on the national stage. Given CUNY's long, proud history as a leader in science, and the fact that this is the CUNY Decade of Science, I implore you to let the faculty fix the transfer situation—without diminishing the scientific rigor of a CUNY degree. No one can know yet whether Pathways will improve graduation rates, but we know now that it will devalue a CUNY degree for those who earn one.

## FOR THE RECORD

Nivedita Majumdar, Associate Professor of English, John Jay College CUNY

Dear members of the City Council Higher Education Committee:

Thank you for facilitating this dialogue on Pathways. It is precisely this kind of dialogue and democratic participation that was lacking in the development and implementation of the program. It is notable that for a program that calls for seminal shifts in curriculum - an area primarily of faculty expertise - it is faculty voices that have been shut out. CUNY faculty, however, have spoken loud and clear through governance bodies at all levels on campuses by passing resolutions calling either for an outright repeal of Pathways or a moratorium on it until substantive issues are democratically resolved. Our position has most strongly been expressed in the 92% vote of No Confidence in the referendum on Pathways last May. Our sustained resistance is based on the fact that we view Pathways to be detrimental to the interests of our students.

Will Pathways improve graduation rates? The primary reason for low graduation rates in CUNY has to do with the demographics of our student body. Our largely immigrant and working class students have to negotiate work schedules and family responsibilities while attending college. Based on conversations with my students over the years, I know that the decision to drop out is always an extremely difficult one. Their decision has little to do with curriculum; it is almost always a question of time and financial resources. How will a program like Pathways that streamlines curriculum help with this core problem? It might be argued that the smoothening of the transfer process - the ostensible rationale for Pathways - will motivate students to complete their degrees in spite of other difficulties. This is, however, a speculative projection and one that does not address the real reason for student dropout. Further, the transfer problem in CUNY, a very real issue, can be addressed without major curriculum overhaul.

While we do not know whether Pathways will have an impact on graduation rates, we do know that it will vastly diminish the value of a CUNY degree. The reduction in the general education curriculum ensures that our students are denied a well-rounded liberal arts education. It means students could graduate with a bachelor's degree without ever having taken a literature or a history course or without any training in a foreign language or reduced time in Science labs. Our students are denied the intrinsic value of a good education. We also know that for higher levels of the job market both in the public and private sectors, employers seek candidates with well-honed analytical skills, something acquired through a well-rounded and not a vocationalized education. Pathways ensures that our students will be equipped to fill only a certain stratum of the job market. It is deeply unjust to promise the working class, immigrant and minority population of our city an education, only to have it equip them for the lower rungs of the market. Pathways works against CUNY's admirable mission to provide quality education to the underprivileged population of the city. As educators we know that our students are capable and deserving of the best. We do need to engage with the question of graduation rates, but let us not try to do that at the expense of providing the best possible education to our students.

## FOR THE RECORD

### Oversight: Can CUNY's Pathways Program Help Improve Graduation Rates?

Good morning members of the oversight committee, my name is Biola Jeje. I'm a recent graduate of Brooklyn College, which is apart of CUNY. I'm also the current statewide coordinator for New York Students Rising, a statewide network of students dedicated to defending public higher education at the City University of New York and the State University of New York.

I went to Brooklyn because it was a good school that was accessible to me. My parents immigrated to the U.S. From Nigeria, and I was raised in the Coney Island neighborhood of Brooklyn. I didn't know what I wanted to do with myself after high school but knew college had to be apart of that so I went to CUNY because it was affordable. As a graduate now, it is not simply the degree that I have that I understand needs to set me apart but the quality of that degree. If it were not for the support of professors I had, I probably would not have known about nor gotten into the New York State Assembly as an intern under the Shirley Chisholm Scholarship my sophomore year, nor worked with a policy reporter at the Washington Post. I realize I had a lot of opportunities at CUNY and with the state of the job market being what it is, I know that these experiences within the university and those outside are what will help me find and sustain employment.

I'm here because I don't believe Pathways is the way to improve graduation rates at CUNY, and is actually detrimental to students. Because as much as this is about graduation rates, it must also be about the quality of the degree. This needs to be central to this discussion. We also need to talk about who CUNY was founded to serve, which is the poor and working class of New York. I think we need to ask ourselves would we be talking about cutting out requirements at a private liberal arts college. I would argue that we wouldn't, that we would instead find ways to uphold academic excellence. I worry that we're shortchanging students who already don't come from a lot of money, leaving them even less



prepared to find jobs than graduates from other universities.

Members of the oversight committee I urge you to consider how Pathways works against students in that it denies them a quality education. We know how to build good universities, by investing in students, faculty and staff. If we truly want to make sure CUNY is upholding its mission to provide everyone with a good education we can't start from a place of extraction of key elements of that. Especially when we are expected to deal with a job market that is increasingly competitive. Pathways is reinforcing the unfair notion that poor people deserve less, instead of more.

It is in my opinion that the only one who benefits from Pathways is CUNY administration, who can create a uniform and expedited curriculum without faculty input. What's harmful about this is that it also follows the trend we are seeing across k-12 public schools, where information is being pared down with the help of textbook companies, often leaving histories of marginalized groups. CUNY cannot become another institution that reinforces this.

We need to make it easier for students to leave college being able to critically engage in this world, and cutting education only does the opposite of that. This is why students in the past fought not only for Open Admissions into CUNY, but understood we needed to fight for Ethnic Studies and Women and Gender Studies. This is why Pathways is detrimental to the students at CUNY, and why we need as a college community to work to find ways to improve the college, while still maintaining a CUNY in line with its mission to serve all.

**Testimony for Darío Peralta**

**New York City Council Oversight Hearing: Can CUNY's Pathways Program Help Improve Graduation Rates?**

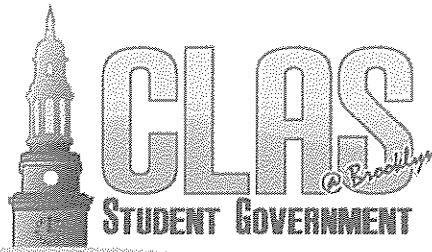
**Scheduled for February 25, 2014**

Good afternoon chairperson, Inez B. Barron, and to the rest of the Committee members. My name is Darío Peralta and I am a student at Hostos Community College. I am an avid volunteer in the college's Leadership Academy program as well as the president of the student government. From being in that position I am able to help students during registration for classes which takes place the week before classes start.

Since Hostos started using Pathways during the Registration of Fall 2013, many complaints have come up from the student body. I myself decided not to transfer to the Pathways system and my curriculum is the same as it has been from the beginning. After helping out numerous of my fellow students, it seems that the biggest issue that comes with Pathways is how misinformed are both the students and the staff. A great number of the issues that came up were due to the fact that advisors were misadvising students with their classes, for reasons that are not clear to me.

I believe Pathways is creating more issues because of the way the curriculums are prepared. Like a great part of the faculty and students at my college, I believe that some of the classes that are necessary for our majors are being diluted too much in order to make them fit under Pathways. Even though, under Pathways is simple and guarantees all credits to transfer, we understand that other colleges are not yet under pathways and they want their students to take the classes that they offer there as opposed to the ones that are transferred under pathways.

I will conclude by stating that many students, including myself, believe that CUNY's Pathways Program is creating a new set of issues that were not in place before the introduction of the program, and it will stall or prolong the graduation rate. Thank you for your time and opportunity.



## “Can Pathways help improve graduation rates?” A student perspective.

*New York City Council Committee on Higher Education, 2/25/14*

Good morning, my name is David Rosenberg, and I am the president of CLAS Student Government at Brooklyn College. I would like to take this opportunity to thank the committee for giving me the opportunity to give a student perspective on the Pathways initiative.

The purpose of this hearing was phrased in a simple question: “Can CUNY’s Pathways program help improve graduation rates?” This question alone is a symptom of what recent discussion about education has become. Whether it is President Obama’s scorecard initiative, or high-stakes testing, and now higher education, we are bending over backwards to try and quantify our education.

Before we get into whether Pathways will improve graduation rates, we must first ask a far more basic question: “Will the Pathways program improve the quality of education at the City University of New York?”

During my orientation at Brooklyn College, I was told that the purpose of the Core Curriculum was to make me a well-rounded student, and to expose me to disciplines that I would never be exposed to otherwise. I was told that the general education requirements were put in place to make sure that I have the necessary skills to leave college and enter the workforce.

But in my experience, and in the experiences of my constituents at Brooklyn College this was not the case with the old core curriculum, and is still not the case in the Pathways curriculum. Students at Brooklyn College receive no instruction in financial literacy (it is, however, offered as elective credit in the School of Business), no meaningful instruction in qualitative reasoning, or for that matter, many other skills needed in today’s job market.

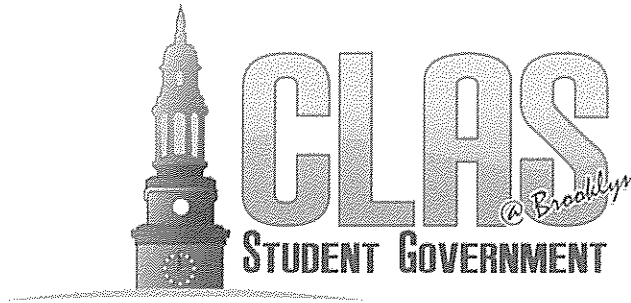
In many ways, it seems that the core curriculum is not, in fact, designed to give us meaningful exposure to important disciplines as much as it is designed to give the smaller departments enough enrollment to justify keeping its faculty on staff.

Students need our faculty and administrators to work together to create a general education curriculum that offers what students need to learn, not only what faculty members want to teach.

The implementation of Pathways has been rough, but that does not mean it wasn’t necessary.

President | **DAVID J. ROSENBERG**

2900 Bedford Avenue  
310 Student Center  
718.951.5000 x6850  
CLASExecutive@Gmail.com



The fact is that at Brooklyn College, like many other CUNY schools, we had a transfer problem. A majority of student receiving their baccalaureate degrees from Brooklyn started their college careers somewhere else. The horror stories my fellow students have shared with me about their transfer credits—or lack thereof—made me understand *why* we needed Pathways, even if it wasn't done perfectly.

As long as we are interested in seeing students move from our community and junior colleges to our senior colleges and research institutions, we need a system in place to make sure they can do that. Before Pathways, the transfer credit evaluation process was arbitrary, and students with similar profiles would have very different outcomes for no apparent reason.

The implementation of Pathways, however, has created an equally serious problem: The relationship between administrators and faculty can only be describe as Washington, D.C.-like deadlock—and students are the ones suffering as a result.

With good reason, the Professional Staff Congress and faculty governance have voiced their strong objections to Pathways. But students can no longer be the ones feeling the brunt of their frustration.

At virtually every meeting with the Brooklyn College administration and faculty leadership, any initiative requiring faculty input brought forward by the student governments has been shot down because of the stalemate over Pathways.

We asked for a Roadmap to Graduation: We were told no, because of Pathways.

We asked for courses or other programs to prepare students for the skills needed for standardized tests like the MCAT, GMAT and LSAT: We were told no, because of Pathways.

Students do not care about the politics behind Pathways, nor should they. Students want to come to a University that provides them with a high-quality general education that prepares them for all aspects of the twenty-first century workforce.

Going forward, we will have to make changes to Pathways that include more student input, and more flexibility for the faculty while still taking care of our transfer students. But the only way we will be able to do any of that is if students, faculty, and CUNY administration are working together.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/26/13

Name: Sandi Cooper (PLEASE PRINT) ex chair  
University

Address: Prof. Cury Faculty Senate

I represent: Cury

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Anne Friseman (PLEASE PRINT) K. E. Saarik

Address: BRC Ford

I represent: IPSC

Address: 199 Chambers St

*SOT for or  
against -  
would like to  
make a brief  
statement for*

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

*Student insight  
& answer questions,*  in favor  in opposition

Date: 2/05/14

Name: Kevin Graves (PLEASE PRINT)

Address: 136 5<sup>th</sup> St #E1 Brooklyn NY 11249

I represent: NA Student at LaGuardia

Address: NA

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Kathleen Savvik Ford

Address: 3144 39th St. Apt. (Astoria, NY 1103)

I represent: DSC-CUNY

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Dario Peralta

Address: 1525 White Plains Rd, #2C Bronx  
NY 10462

I represent: Hostos community college

Address: 450 Grand Concourse Bronx NY 10451

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JAMES P. FERRIS

Address: 6807 Little Neck Ave

I represent: CUNY SUB TAX FORCE

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2-25-14

(PLEASE PRINT)

Name: Biola Seje

Address: 175 Hawthorne Street Apt 2B

I represent: myself

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Elizabeth Huvey

Address: 51 Warren St. #5E

I represent: myself, a CUNY adjunct / John Jay

Address: 524 W. 59th Street 10019

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: DAVID KOTELCHUCK

Address: 70 W 95 St NYC 10025

I represent: MYSELF + PSC-CUNY

Address: 61 B'way

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Gerald Schoenewolf

Address: 207 E. 15th St.

I represent: PS&

Address: \_\_\_\_\_

**THE COUNCIL** CUNY - Student Panel  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Kafui Kouakou

Address: CUNY

I represent: Brooklyn College

Address: \_\_\_\_\_

**THE COUNCIL** CUNY - Student Panel  
**THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Washieka Torres

Address: Student - CUNY

I represent: Vice Chair, USS - Disability Affairs

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL**  
**THE CITY OF NEW YORK**

*CUNY - student  
panel*

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Jamie Robinsin

Address: CUNY Student

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

*CUNY  
PANEL*

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: VICE CHANCELLOR JULIA WRIGLEY

Address: VICE CHANCELLOR FRANK SANCHEZ

I represent: VICE CHANCELLOR AND GENERAL

Address: COUNSEL RICK SCHAEFER

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/26/14

(PLEASE PRINT)

Name: Sandi Cooper

Address: 405 West End Av N.Y.N.Y. 10025

I represent: Faculty City U. N.Y.

Address: Steep Island Key 10301

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: David Rosenberg

Address: 3068 Bedford Ave, Bklyn 11210

I represent: Students Government @ Brooklyn College

Address: 2900 Bedford Ave 11210

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Dr. Anthony Gronowicz

Address: 2178 Cruger Ave #2E

I represent: BMCC Student Govt

Address: 199 Chamber St.

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Nivedita MAJUMDAR

Address: 1 WS V, 13B, NY, NY

I represent: John Jay College

Address: W59th St. NY, NY

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/26/14

(PLEASE PRINT)

Name: Barbara Bowen

Address: \_\_\_\_\_

I represent: PSC

Address: 61 Broadway

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/26/2014

(PLEASE PRINT)

Name: Michael Joseph

Address: 115 Lincoln Ave

I represent: PSC

Address: 61 Broadway

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/26/14

(PLEASE PRINT)

Name: Manfred Phillips

Address: 1 Shady in Scarsdale NY

I represent: PSC - CUNY

Address: 61 Broadway

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Olga Steinberg  
Address: 69 43-19 Street, Brooklyn, NY 11209  
I represent: Hostos Community College, CUNY  
Address: 500 Grand Concourse, Bronx, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: ANA MARIA HERNANDEZ  
Address: 64-34 102<sup>nd</sup> #11-B REGO PARK, NY 11374  
I represent: PSC/LA GUARDIACC  
Address: 31-10 THORSON AVE, LIC, NY 11101

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: George Emilio Sanchez  
Address: 119 Pacific Street # 2 Brooklyn 11201  
I represent: PSC - College of Staten Island  
Address: 2800 Victory Blvd., S.I., N.Y.

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: PROF SETH LIPNEIL

Address: 18 OLD BROOK RD, DIX HILLS

I represent: Baruch College Curriculum Committee

Address: 1 Bernard Baruch Way NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: K. E. Saavik Ford

Address: Borough of Manhattan C.C.

I represent: BMCC PSC

Address: 199 Chambers St 10007

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 12/21/71

(PLEASE PRINT)

Name: ALLAN FEINBLUM

Address: 1342 E 18th Street Apt 6A

I represent: Kingsborough Community College

Address: 200 Oriental Blvd

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. higher education center - Res. No. pathways

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Sigmund Shen

Address: 85 Livingston St, Brooklyn 11201

I represent: CUNY faculty

Address: 31-10 Thomson Ave LIC - LaGuardia CC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ROBERT M. KAHN

Address: WHITE PLAINS

I represent: LAGUARDIA COMMUNITY COLLEGE

Address: 3110 THOMPSON AVE, LONG ISLAND CITY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Donavan Borington

Address: 245-37 148 Drive Rosedale, NY

I represent: Baruch College, CUNY

Address: 55 Lexington Ave

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jacquina Hardy

Address: 4819 Robertson Street

I represent: Students of CUNY

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 2/25/14

(PLEASE PRINT)

Name: Michael Batson

Address: 16 Harbor View Ct. S.I., NY 10301

I represent: Professional Staff Congress

Address: 61 Broadway, NY, NY

Please complete this card and return to the Sergeant-at-Arms