

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HIGHER EDUCATION

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HELD AT: REMOTE HEARING VIRTUAL ROOM 1

B E F O R E: Chair Inez Barron

COUNCIL MEMBERS: Alan Maisel
Ydanis Rodriguez
Helen Rosenthal
Alicka Ampry-Samuel
Brad Lander
Vanessa Gibson
Francisco Moya
Farah N. Louis
Laurie A. Cumbo

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

Matthew Sapienza
Hector Bautista
Gwen Perlman

Barbara Bowen
Andrea Vazquez

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SGT. JONES: PC has started.

SGT. MARTINEZ: Cloud recording is under way.

SGT. LEONARDO: Sgt. Kotowski, your opening.

SGT. KOTOWSKI: Good morning and welcome today's remote New York City Council hearing of the Committee of Higher Education. At this time, would Council staff please turn on their video. Please place electronic devices on vibrate or silent. If you wish to submit testimony, you may do so at testimony@council.nyc.gov, that is testimony@council.nyc.gov. Thank you. Chair, we are ready to begin.

SGT. LEONARDO: Council Member, you are on mute.

CHAIR BARRON: Okay. Can you hear me now?

SGT. LEONARDO: Yes.

CHAIR BARRON: Okay, and I have to do my shake-a-lay again. Good morning. I'm Inez Barron, Chair of the Committee on Higher Education, and I would like to welcome you all to our hearing on the fiscal 2022 preliminary budget, the fiscal 2021

preliminary Mayor's management report, the fiscal 2021 through 2021 preliminary capital commitment plan, and the 10-year capital strategy for the City University of New York. We are joined by Matthew Sapienza, CUNY's Senior Vice Chancellor and Chief Financial Officer, Hector Batista, Vice Chancellor and Chief Financial Officer, and Gwen Perlman, Director of Capital Budget Facility Planning, Construction and Management. Thank you for joining us today. Before we begin, I just want to have a concern here about a significant figure in our history celebrating Women's History month. That person is none other than Shirley Chisholm. Fifty years ago, Shirley Chisholm was the first African American woman to run for President. She said she ran because somebody had to do it first. In her book, the Good Fight, she says, "I ran for the presidency despite hopeless odds to demonstrate that she had will and refusal to accept the status quo". Ms. Chisholm spoke of the revolutionary possibilities of electoral politics and when asked if more woman, specially black women, should become involved electoral politics, she said, "Yes. Women in this country must become revolutionaries. We must refuse

to accept the old, the traditional roles and stereotypes. Ms. Chisholm said, "What made me decide to run for President was that I felt the time had come for a black person or a female person could or should be President of the United States of America not only white males, and I decided somebody had to get it started". Again, citing Ms. Chisholm, "I think it's quite well known that I don't enter most things with the blessings of any party. Anyone who has followed my political career knows that very, very keenly. I am the only unbought and unbossed politician, and I mean that literally. I think you got to recognize that I'm not white, not male, and I'm not going to get the blessing of the blessing of the power structure in this country. They knew I was not afraid to chart a new course in the history of this country", and I just wanted us to think about that as we look at the budget, as we understand all of the challenges that we have before us, and to say that we cannot be afraid to chart a new course.

Coming back to the topic at hand. It has been my honor to sit as the Chair of this Committee since fiscal 2015, and in those 11 and now 12 separate budget hearings, I have made clear just how important

faculty and upper management diversity is. Tuition increases and those impact on affordability and accessibility for students for, and childcare supports and increases in the base aide from the state are. Today, I am re-emphasizing my position in these areas. I also need to hear from CUNY on what CUNY is doing to support CUNY's student during this historically trying time and in it's and the world's history. Is CUNY implementing new approaches to partner students with good paid internships and jobs, for example. I'm very concerned about this present moment and the city and CUNY's taking it' rightful position to east the current economic and social pains for its students, and we know that CUNY has suffered loses, faculty and students and we want to make sure that the staff of all of those schools that we send our prayers and support to them. In all of these issues, my concern is that the Committee wants to see what will come down from the state in the enacted budget. CUNY requested that the base aide remain intact from last year but didn't give a request for any increases from the state. Why? The Bible says you have not because you ask not. This matter is most distressing as any tuition increases

this fall will have compounding impact on our students with limited financial needs of employment and it is so difficult to attain as the industries are bottoming out where students might have easily worked like restaurants. I want to know what the conversation with the Administration as been to mitigate this potential increase. Before I get into questions, I will continue to discuss the budget from a broader vantage point. Specifically, CUNY's fiscal 2022 preliminary budget of 1.17 billion or 1.2 billion rounded out, does not change must from fiscal 2021 adopted budget. As mentioned, there are items in the state's 2021, 2022 executive budget that remain in question at this point in time such as the state share of support for early childcare services and ASAP programming. The fiscal 20222 preliminary budget also does not include the Council initiative support such funding for the Peter F. Vallone scholarships or the university's partnership of programs with other city agencies. We will, of course, want to discuss all of these things today. The Council's approach to its preliminary budget is to ensure that the city's budget is fair, transparent, and accountable to all New Yorkers.

While efficiency and performance have always been priorities of this body; today, we plan to scrutinize the organization of the city's budget more closely. For CUNY, this means we will have a conversation again about the limited number of units of appropriation used to describe vast areas of the university's spending, particularly around the community colleges. We will also be taking a closer look at how CUNY organizes its approximately 629.7 billion dollars capital commitment plan. Many city agencies, CUNY among them, develop plans that commit only a fraction of that amount. CUNY has been planning more carefully with OMB and their commitment rates have increased. Fiscal 2020's commitment rate was 45% and that's given the last quarter's pause mandate on nonessential construction projects. In years prior, CUNY's commitment rates were as low as 11 or 36%. I look forward to learning more about how the university has rebounded from the pause of its capital projects and what issues or efficiencies have arisen. Before we begin, I would like to take a moment to thank my staff, particularly Omowale Clay, who is now functioning and is my Chief of Staff and Indigo Washington, my Direction of Legislation,

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2 Michelle Paragrin, Finance Analysis to the Committee,
3 Isha Wright, the Unit Head, Emi Briggs, Council to
4 the Committee and Chloe Rivera, Senior Policy
5 Analysis to the Committee. I would like to, at this
6 time, acknowledge the Council Members who have joined
7 us. We have Council Member Alan Maisel, Council
8 Member Helen Rosenthal, Council Member Alicka Ampry-
9 Samuel, Council Member Rodriguez, Ydonis Rodriguez,
10 and as other join, I will acknowledge them also.
11 Okay, at this time, I will turn it back to the host
12 who will introduce the panel and swear them in.

13 COMMITTEE COUNCIL EMI BRIGGS: Thank you,
14 Chair Barron. My name is Emi Briggs. I am Council
15 to the Committee on Higher Education, and I'll be
16 moderating today's hearing and calling panelist to
17 testify. Before we begin, please remember that
18 everyone will be on mute until I call on you to
19 testify. After you are called, you will be unmuted
20 by a member of our staff. Note that there will be a
21 few seconds delay before you are unmuted, and we can
22 hear you. For public testimony, I will be calling up
23 individuals in panels. Please list for your name,
24 and I will periodically announce the next few
25 panelists. Once I call your name, a member of our

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2 staff will unmute you, the sergeant of arms will set
3 up clock and give you the go ahead to begin your
4 testimony. All public testimony will be limited to
5 three minutes. After I all your name, please wait
6 for the Sergeant of Arms to announce that you may
7 begin before starting your testimony. I will now
8 begin by calling on the following members of the
9 Administration to testify. Hector Batista, the
10 Executive Vice Chancellor and Chief Operating Officer
11 of CUNY, Matthew Sapienza, the Senior Vice Chancellor
12 and Chief Financial Officer, Gwen Perlman, Director
13 of Capital Budget Facility's Planning Construction
14 and Management. I will deliver the oath to each you
15 and after, I will call upon each of you to
16 individually respond to the oath. So, will you all
17 please raise your right hand? Do you affirm to tell
18 the truth, the whole truth, and nothing but the truth
19 before this committee and to respond honestly to
20 Council Member questions? Executive Vice Chancellor
21 Hector Batista?

22 HECTOR BATISTA: I do.

23 COMMITTEE COUNCIL EMI BRIGGS: Thank you.
24 Senior Vice Chancellor, Matthew Sapienza?

25 MATTHEW SAPIENZA: I do.

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2 COMMITTEE COUNCIL EMI BRIGGS: And
3 Director of Capital Budgets, Gwen Perlman?

4 GWEN PERLMAN: I do.

5 COMMITTEE COUNCIL EMI BRIGGS: Thank you.
6 I will now call on Hector Batista to testify.

7 HECTOR BATISTA: Good morning, Chairwoman
8 Barron. It's good to see you again and other members
9 of the City Council of High Education Committee.

10 Thank you for the opportunity to testify by the
11 community's general operating and capital budget.

12 I'm Hector Batista, the second Vice Chancellor and
13 Chief Operating Officer and the City University of

14 New York. I'm joined this morning by university
15 Senior Vice Chancellor and Chief Financial Officer,

16 Matthew Sapienza, and Gwen Perlman, Director of our
17 Capital Budget. It has been a year like no other

18 one. I would like to share with you how CUNY was
19 affected by the pandemic and how we responded. But

20 first and foremost, CUNY has been deeply saddened by
21 the lost of COVID-19 of many member of our community

22 including 22 staff members, 16 faculty, 4 students

23 and countless CUNY retirees and alumni. Among them

24 were Allen Lew, CUNY Senior Vice Chancellor of

25 Facilities, Planning and Construction Management.

Allen attended this preliminary hearing and budget hearing last year. Since Allen's tragic passing, I have taken on the role of interim Vice Chancellor of Facilities. So, my testimony will include the university-wide response to the pandemic and how our facility's needs. City's Vice Chancellor Matthew Sapienza will join me to speak about the operating budget. 2020 was a year that both demanded and inspired great determination and softness from our students, faculty, staff, and leaders. Coronavirus was a largely distant concern when the year began, but soon gain grip on New York that forced CUNY to all but shut down it's 25 campuses on March 12, and quickly pivot to distance learning. By late March, 95% university's 50,000 course sessions were shifted to online instruction. We quickly realized that thousands of students lack the tools to participate in distance learning, so we purchased 33,000 laptops to make sure we were safely distributing to those students in need. We also provided 4000 personal hot spots for those students who required and has wi-fi capabilities. This was just one part of the broad effort to help our students meet the academic, economic, and emotional challenges they faced. In

terms of the capital program, it has also been a very challenging year for us. Due to the public health and financial constraints, all construction early in the pandemic projects came to a stop with the exception of priority health and safety projects. As more priority health and safety came, we received individual approvals to proceed. Recently the Mayor's Office of Management and Budget provided a plan to return to normal process for release in assistance projects and allowing us to start.

Thankfully, we have been able to restart the majority of those projects. One of the most critical issues affecting CUNY capital program is the age of our facilities. The university's elite portfolio consists of 29 million square feet, 300 buildings across 25 campuses. The average building on CUNY is more than 50 years old. Most of them are over 30 and some exceed 100. To major changes to our capital program that came out the pandemic; the need for higher air quality standards and the recognition that we need to accelerate the IT improvement efforts. As a result of COVID-19, CUNY conducted nearly all classes online this past year. As you look ahead, as return to in-person education this fall, CUNY

continues to develop high standards and approaches to building ventilation. We will also continue to access our best to incorporate recent public health lessons into the design and operation of our facilities. The capital plan online for the fiscal 22 budget request reflects those priorities. Designs of capital renewal project will include new criteria to improve indoor quality of our buildings, the latest public health information to ensure the safety of our community, potential processes include installing more efficient air filter and air handling systems in our buildings, installing ultraviolet lighting systems in spaces where required, and increased ventilation in certain locations, installing more vents, optimizing building management system to better control our air to allow outside air into the interior space. We also plan to significantly improve our HAVAC system and air quality-related projects across the university. As I mentioned earlier, the pandemic requires CUNY and other universities to quickly shift to remote teaching. CUNY is proud of this accomplishment where now we also recognize the need to fully transform the way we do business. Remote learning and remote

operations require reliable, flexible, use of friendly technology. We must continue to improve, modernize our IT operations to be supportive of our business scene and evolve our system to adopt the changing needs of our students, faculty and staff. When it comes to IT, the university needs to be up to date with innovation that advances that protect our mission. CUNY has strategically invested in consolidating IT infrastructure for the last decade. This investment will enable CUNY to standardize service offering, and we do this operation cause across 25 campuses citywide. CUNY IT role man has identified four post strategies that includes transitioning to the cloud solution, system where available and practical to help the university to do the business. The benefit of this project includes the ability to adapt to fast change in technology, to bring solutions to our end user quicker, and to offer features and functions that are expected to get us to the place we need to be as higher institution of learning organization. Moving to the modern cloud solution will help us to replace paper, manage business process, digital workflow, centralized data is currently located across our universities, match

external providers. We will do this work in three phases. Phase one, we will focus on human resource operations. Phase two and three will include finance to management and operations. I'm please to add some high notes. The first project I have to report is expansion of CUNY Heights. As you know, we increased the size of the center from 15,000 square feet to 30,000 square feet. This expansion, we'll complete this spring, and the center will be fully operational this fall 2021 semester. I'm also very proud to being a project that is close in here to the Chairwoman Barron's heart. The daycare center of City College is completed and the chances of looking forward to inviting to a virtual ribbon cutting ceremony. We're very grateful to you, the entire Higher Education Committee for your strong support of the City University of New York and our students. I will now invite Senior Vice Chancellor, Matt Sapienza to provide additional information on our fiscal conditions.

COMMITTEE COUNCIL EMI BRIGGS: Thank you for your testimony. We will now call on Matthew Sapienza to testify.

MATTHEW SAPIENZA: Thank you and good morning, Chairperson Barron and Member of the Higher Education Committee. I am Matthew Sapienza, CUNY Senior Vice Chancellor and Chief Financial Officer, and I welcome the opportunity to speak with you about the Mayor's fiscal year of 2022 preliminary budget and its effect on the City University of New York. Chairperson Barron and Members of the Committee, we very much appreciate your strong and continuing advocacy for our students. As you know, the global pandemic has created severe shortfalls in the city's budget. CUNY's budget request for the fiscal year 2022 takes into account the university's priorities as well as the current fiscal environment. Our focus is on responding to the pandemic and jumping starting New York's economic resurgence. The initiative for which we are seeking support include prioritizing student mental health, creating a nursing pipeline program, forging connection with private industry partners to create career pathways for our students, expanding the successful CUNY core internship program, and enhancing diversity within our fulltime faculty ranks. We are also seeking crucial capital budget support to enhance our IT systems; the needs

of which have come to the forefront due to the transition to online learning. The budget request is available on our website and we will ensure that Members of this Committee and City Council finance staff receive electronic copies. Of course, our budget request and future outlook is predicated on the assumption that there will be significant additional financial support from the Federal Government to New York State and New York City. We are optimistic that this assistance is forthcoming, but if not, then our outlook will change significantly. Now, let me speak to the city's preliminary budget. While we are pleased for the funding for our mandatory costs, the budget also includes a 77-million-dollar efficiency's target in fiscal year 22 which is 31 million dollars higher than our current year's efficiency's target. If this reduction weren't acted, CUNY's community colleges would experience a 14% cut in city support since the pandemic began. We also had to absorb a one-time 20-million-dollar reduction in the last quarter of fiscal year 2020 which the Coronavirus first began to negatively impact the city's finances. A reduction of this size would severely limit our community

college's ability to provide the course sections and other vital supports that our students rely on in pursuit of their degrees. The Administration's reduction plan also targets the incredibly successful ASAP program which has more than doubled community college graduation rates and is being replicated in several other states. We also seek the Council's help in restoring 1.7 million dollars that was provided for remediation in the current fiscal year, 1 million dollars for the food and security initiative and \$510,000 for our community college childcare centers in the FY22 city budget. In additional reductions from our public funding partner's, COVID-19 has cause other unprecedented stress on CUNY's finances. Especially, community college enrollment has been negatively impacted. In the fall 2020 semester, student fulltime equivalent enrollment decreased by 14% from the fall 2019 semester. This was a trend that was experienced statewide and nationwide at community colleges. We were grateful that enrollment at the senior colleges has been stable, and that we have experienced increases at our graduate and profession institutions. However, overall, we have rejected 41

million dollars in tuition revenue that in the prior fiscal year. The university has frozen tuition rates at its community colleges for five consecutive years. We are also proud that two-thirds of our fulltime undergraduate resident student attend tuition-free thanks to generous financial aide support like the New York State Tuition Assistance Program, Excelsior scholarships, and the city's Council Vallone Merit scholarships. We are grateful to this Committee on Higher Education for continually securing resources for the Vallone Merit scholarships. We ask for your advocacy again as funding for this critical student support program was not included in the fiscal 22 preliminary budget. The university has taken several steps to assist students who have experienced financial challenges as a result of the pandemic. In addition to freezing tuition and fee rates for this academic year, in the spring, Chancellor Felix Matos Rodriguez established the Chancellor's Emergency Fund which has already generated more than 8 million dollars and has allowed us to distribute emergency grants to more than 10,000 students. Individual colleges raise more than 8.6 million dollars in addition, enabling them to help thousands more for a

total of nearly 17 million dollars in emergency relief funds from across the university. We were also among the first systems in the nation to disperse 118 million dollars in student emergency grants that were funded by the Federal CARES Act, issuing nearly 200,000 grants averaging approximately \$600. An additional 118 million dollars in aide to students will be allocated shortly using the Federal Coronavirus Response and Relief Supplemental Appropriation Act Funds which was authorized in late December. The second half of the CARES Act funding which also totals 118 million dollars is the institutional aide that will be allocated to campuses to help cover costs associated with changes to deliver of instruction due to the Coronavirus and to cover the college's revenue losses brought on by the pandemic. CUNY campuses have also received 14 million dollars from the minority serving institution component of the CARES Act. We have developed a plan for the use of the total 133 million dollars that is available which was approved by our Board of Trustees Fiscal Committee earlier in the week. Chairperson Barron and persons of the Committee, the university community deeply appreciates your continued

commitment to a high-quality CUNY education which is the vehicle that so many New Yorkers rely on for the path of upward mobility, and Chairperson Barron, I also wanted just say very quickly we all appreciate your tribute at the beginning of your remarks to Shirley Chisholm and want to point out how proud we are at CUNY that she is a CUNY alum that attended Brooklyn College. Thank you.

COMMITTEE COUNCIL EMI BRIGGS: Thank you for your testimony. Chair, would you like to share anything? Okay, thank you for your testimony. I will now call on Gwen Perlman.

GWEN PERLMAN: I believe that ends our testimony, thank you.

CHAIR BARRON: Thank you so much to the panel for your testimony. I did have a little technical glitch and Mr. Sapienza, I didn't hear most of your testimony, but pretty much have an idea of what it is that you've shared. If there's anything glaring that I don't question you about that's in your testimony, I'm sure somebody will send me a note. But once again, thank you for coming and participating. I do want to make a correction. I said the capital budget, I said billions, I should

have said 629.7 million, so I want to correct that on the record, and I want to acknowledge that we've been joined by Council Members Moya, Lander, Louis, and Gibson, and thank them for their participation. So, to get to the questions. CUNY has a total proposed budget; oh, and I see we've also been joined by Council Member Cumbo as well. Thank you. CUNY has total proposed budget of 1.12 billion for approximately for fiscal 2022. However, the fiscal 2022 financial plan includes no new needs for CUNY. That's shocking and I would like for you to explain, were there any new programs or additional funds requested by CUNY for fiscal 2022?

HECTOR BATISTA: So, Councilwoman, I'm going to let Senior Vice Chancellor Matt Sapienza to respond to that.

CHAIR BARRON: Thank you.

MATTHEW SAPIENZA: Thank you, and thank you Chair Barron for the question. Yes. The university, we have board approved fiscal 22 budget request in which we identified new needs for things like prioritizing student mental health, creating a nursing pipeline program, enhancing our workforce development programs that we have at our campuses

currently, helping funds, our resources on our campuses, what used to be called our single stop center, so we had a variety of programs that we were looking to, we're looking for support for. So, it's obviously disappointing that none were included in the preliminary budget, but we understand that there is fiscal stress now on city's budget and we want to be good partners, and we thought that our budget requests reflected that reality of the current fiscal environment, but yes, none of them were included in the preliminary budget proposal.

CHAIR BARRON: Well, I would have thought that you would have, at least, put it in perhaps as a wish list so that if we were to get a windfall from some place, and the Administration said well, we've got this extra money, what shall we do with it? You would have been on that list of people who had some needs that were not perhaps satisfied in the first go round, so it might have been, you know, parenthetically or an addendum or by the way, or in case of, but I certainly think that that would been appropriate to do that, and in terms of budgeting, when I first went to the assembly, when we were doing the budget, the term savings, savings, savings came

up, and being a newbie, I didn't quite understand that that meant cuts, cuts, cuts. So, savings was the euphemistic way of saying that we're going to take away or reduce, eliminate things that had existed before. So, we're talking now about what budget people call savings. The majority of the budget action seen in this plan are due to reductions or eliminations taken in fiscal 2022 totaling 49.3 million from six actions. So, let's talk about a large programmatic cut to one of my favorite programs, ASAP. What are the needs for ASAP now, and was CUNY able to keep the ASAP program whole for fiscal 2021 and remember the Council had restored 34.3 million dollars through negotiations with the Admin and there had remain 20 million unrestored. So, what is the status at this point for ASAP?

HECTOR BATISTA: Go ahead, Matt.

MATTHEW SAPIENZA: Thank you. So, thanks Chair Barron for raising that question and pointing out the importance of the ASAP program, and we're incredibly grateful to this Committee and the entire City Council for their advocacy in helping restore those cuts from last year. We were looking at a 54 million dollar cut to ASAP during last year's adopted

budget process, and we're very, very grateful for the Council's tremendous support to get 34 million of that restored. So, we had a 20 million cut to ASAP to begin the fiscal year and we ended up cutting ASAP... (Crosstalk).

CHAIR BARRON: Well, let me just ask you a quick question.

MATTHEW SAPIENZA: Sure.

CHAIR BARRON: Was that initially presented because as my colleagues on the budget negotiation team spoke with me, that was not initially presented to them in that manner.

MATTHEW SAPIENZA: No, I understand that there was a misunderstanding.

CHAIR BARRON: And it's a large misunderstanding... (crosstalk).

MATTHEW SAPIENZA: Yeah.

CHAIR BARRON: And it's quite annoying because the Council took bold measures cause they wanted to keep ASAP whole, so I need to understand how that, first of all, happened, and then how was it resolved?

MATTHEW SAPIENZA: So, we ended up cutting less than 20 million to ASAP because one of

the things that we wanted to maintain about ASAP was the original proposal that was in the Mayor's executive budget for last year was that CUNY would not have a new cohort of incoming students for the fall 2020 semester, and that was something that we felt very strongly would have a really negative impact on our community colleges, and so we did have a new cohort for fall 2020. The number of students that we had in ASAP this year was a little over 21,000 which was in line for what we've had in previous years, but we found savings elsewhere in the program to a tune of about 13 million dollars, mostly from Administrative costs and there were some saving that we were able to generate from going to distance learning. So, we ended up cutting about 13 of the 20 and the other 7, we found other programs from which were able to generate savings to make up for the difference, so we ended up reducing the ASAP budget by about 13 million dollars over this year, but the number of students served was about the same as the previous year.

CHAIR BARRON: The number of students served was about the same. What about the level on the quality and the quantity of the services that

make ASAP such a special program so effective that it's nationally recognized and replicated in many states? What about that level?

MATTHEW SAPIENZA: Yeah, no, we feel that those services are still being provided. Like I said, we were able to find some savings... (crosstalk).

CHAIR BARRON: At the same ratio as it had been previously, to the same level?

MATTHEW SAPIENZA: Yeah, we feel the ratios are similar, but obviously we want to enhance ASAP. As you pointed out, Chair Barron, ASAP is incredibly successful. It has more than doubled community college graduation rates. It's a challenge that folks throughout the country have been trying to figure out and CUNY was able to develop this ASAP program and have incredible outcomes, and as you pointed out, it's being replicated in other states, so this is something we should be investing more in and trying to figure out ways to get more students in this program. So, we certainly are not supportive of reductions to the program, and you know, we would like to see enhancements to the program.

CHAIR BARRON: How can we have an assessment of the impact that this 13 million dollars

cut brought? How can we access and determine, without having to say well, it appears, or it seems as if, what can we do quantitatively to see what impact that reduction had on ASAP?

MATTHEW SAPIENZA: Well, I think in the short term... (crosstalk).

CHAIR BARRON: But it would not, you know... (crosstalk).

MATTHEW SAPIENZA: Yeah. No, no, I, no, no, I totally get, so that's a very good question. I think in the short term, we could work with our colleagues in the Office of Academic Affairs to get some data and some metrics about the services that students are being provided for this year and get it to the Committee, and I think in the long term, you know, the data that we've been tracking very closely for ASAP in terms of retention and more important, most importantly, I should say graduation rates, you know, we hope that when this new cohort of students gets to the finish line that those rate continue to be as strong as they have been for ASAP, but in the short term, we certainly can provide you and this Committee with more information from our colleagues

at the Office of Academic Affairs about the services that continue to be provided to students.

CHAIR BARRON: Well, what is your propose for 2022 for ASAP?

MATTHEW SAPIENZA: We would like to keep the same level of students. We want to have another cohort of students for fall 2021... (crosstalk).

CHAIR BARRON: And how does that translate to dollar?

MATTHEW SAPIENZA: Yeah, the Administration proposed a 10 million dollar cut to ASAP for next year, that's in the fiscal 22 preliminary budget. We obviously don't want to see any cuts to the program. We want to keep the funding levels the same, and not to increase them to the prior levels to restore that original 13 million dollar-cut that we go in this year's budget. So, yeah, we're planning to have a new cohort for fall 2021 and keep the level of students similar to what they were this year. That's our goal and that's what we'd like to do.

CHAIR BARRON: So, for the record, you're saying you would like to at least, maintain what you had, and look restore what was erroneously cut or

tragically cut due to misinformation to the budget negotiating team at the outset.

MATTHEW SAPIENZA: Correct. We would like those cuts to be restored.

CHAIR BARRON: Okay. Council discretionary funding. In fiscal 2021, the Council added 28.9 million dollars to CUNY's budget to support a variety of citywide and local initiative. Please update us on how programing is being executed during this pandemic.

HECTOR BATISTA: Go ahead, Matt.

MATTHEW SAPIENZA: So, we continue to allocate and use those dollars; the largest component being the Vallone scholarships. Again, we are really, really grateful to the council for continue to support and to put back in the budget every year. I know that funding is not included in the 22 budget as well, and so, we're looking for restoration there. That 27,000 students... (crosstalk)

CHAIR BARRON: Is nothing in the budget for the Vallone Scholarships? Nothing?

MATTHEW SAPIENZA: For fiscal 22, there is nothing in the budget for Vallone Scholarships at this point in the preliminary financial plan.

CHAIR BARRON: Okay, and I'm sorry, you were continuing.

MATT SAPIENZA: Oh, no, that's okay. Yeah, we are projecting about 27,000 students will benefit from the Vallone scholarships this year, and that's been incredibly successful for many years, and so that even, the pandemic has had no negative impact on that process in terms of getting funds out to the students, and then the other, the next largest one that I think, you know, we are looking for, again, restoration is 1.7 million for the remediation program. That program has been incredibly helpful to getting students who are coming into our community colleges to get them the co-requisite courses they need so that they can get out of remediation and get into a degree-seeking program, and so, we're looking for that to be restored, and as you pointed out in your remarks, Chair Barron, at the beginning, \$510,000 for our childcare centers is incredibly important and the state budget does not include \$902,000 for our childcare centers. So, between the \$900,000 that we're currently short for on the state side and \$510,000 city side. As of right now, we're looking for 1.4 million in restorations for our

community college childcare centers, and so we're hopeful on the state side that the assembly and our colleagues will help us get that restored and for you all, at the City Council level to help us once again; I know you've been very helpful for many years on this fund with the childcare center restoration for the community colleges.

CHAIR BARRON: Ok, so why did you put it up towards the target if you didn't want to cut it, and the changes to ASAP, are they the result of the pandemic and not the cut? Why not just be a little bit more targeted in that regard? So, you know, was it, where did that generate from?

MATTHEW SAPIENZA: The ASAP savings?

CHAIR BARRON: Yes.

MATTHEW SAPIENZA: Yeah, some of them are Administrative savings that we've been able to take reductions in the Administrative application of ASAP both at the central office and our campuses, and some of it was saving that we've had, again, through going to distance learning, but not much. I think more of it has been on the Administrative side than on the supports that's been given to students. Those are still happening.

CHAIR BARRON: If the pandemic had not occurred, would that cut still have occurred in terms of the degree to which you were able to cut ASAP? I'm trying to understand the genesis of where that came from. Was it mix... (crosstalk)?

MATTHEW SAPIENZA: Yeah, well, you know, we had a 46.3 million dollar cut to begin the fiscal year this year, in fiscal 21, and in addition to the city support being down by 46.3 million, we also, as I mentioned earlier in my testimony, tuition revenue due to enrollment losses was down 41 million and you know, the state budget, there was some clarity that we were looking for in the state budget which we now have, but in the state budget for the community colleges, we now have a 5% cut which is 11.7 million dollars plus, because our overall enrollment was down for the community colleges, even those state... (Crosstalk).

CHAIR BARRON: What's that number? What was that number that it was down?

MATTHEW SAPIENZA: At the community colleges, it was down 14%, but because state aid is provided on a per FTE basis, even though the state-based aid numbers remain the same, we lost 5.4

million dollars just because our enrollment was down.

So, we lost 5.4 million in state aid due to

enrollment costs. We had 11.7 million from a 5%

state cut for the community colleges. We've had 41

million housing and tuition revenue losses, and we

had a 46.3 million dollar cut from the city, so when

you add all that up, we had a very, very big

challenge at the beginning of this fiscal year, and

it continued throughout the fiscal years, so it

certainly wasn't our first choice to cut ASAP. We

think, you know, we're incredibly proud of ASAP, and

we think it's an incredibly important program, not

only to get students through to graduation in a more

timely way, but also, quite honestly, as a

recruitment tool, you know, that a lot of students

want to come to CUNY's community colleges because we

have ASAP. So, we certainly take no pleasure, you

know, we certainly don't want to, in any way at all

cut ASAP, but when we had challenges to the level

that we had, for both, like I said, our public

funding, but what we lost in tuition revenue due to

enrollment, we felt that this was, you know, the best

of, not very good choices, and we so we decided to

reduce ASAP by 13 million.

CHAIR BARRON: I wish that CUNY would be more assertive or even aggressive in asking for money. I've been told that the state does, at times, restore or give increases to childcare centers and things of that nature, but again, referring to the Bible, you have not because you ask not, and I would love to see CUNY be more proactive so that as we move through this budget crunch, people will know, well CUNY wants something, rather than being so acceptable or perhaps passive and not putting up more of a struggle, not being more vocal in asking for what it is that you need. In terms of the childcare centers, how many are up and functioning? Are students able to leave their children, drop their children for care and supervision at these childcare centers? What is the status? I heard you say that finally after perhaps, a five-year delay that the City College Childcare Center is open, so what is the status of the childcare centers? Are they all open and performing in reduced in-person capacities?

HECTOR BATISTA: Yes, Councilwoman. They are all operating in reduced capacity and in some cases in full capacity, depending on the campus and the activity and that particular campus. As you

know, 95% of our classes are virtually, and so depending on what activities in that particular campus, but yes, they are.

CHAIR BARRON: So, they're all functioning, perhaps even at 100% and they're all virtual or how many are virtual, how many are in person, what is the functioning of those childcare centers?

HECTOR BATISTA: No, you know, the child centers are all operating at full capacity depending on what the use is in that particular campus, depending on the occupancy of that particular campus at any given time.

CHAIR BARRON: Okay, let me rephrase it. Are they in-person?

HECTOR BATISTA: Yes.

CHAIR BARRON: Okay and some are at full capacity in-person, others; can you tell us which ones are, if you don't have it now, let us know, which ones are perhaps remote as well, are there any that are both remote and in-person or are they all one or the other?

HECTOR BATISTA: Why don't we provide you that information, so I don't really misrepresent

which ones are not, which ones are, and which ones are not.

CHAIR BARRON: Okay, and then how, is that making a difference because it's hard for me to imagine a child in a setting for 3-year-olds and 2 years olds actually getting a good program remotely. So, how is that being justified? How are, and if the point and the objective was to have students be able to have their child cared for in setting while they are studying, that's not happening with a 3-year-old, 4-year-old who wants their mom's attention and mom is trying to, the dad is trying to study. So, have we looked at what that impact is? How that's impacting on students?

HECTOR BATISTA: If I understand your questions correctly, are you saying the students that are learning remotely, are we looking on to how we provide them with their child, the children with daycare. Is that what you're referring to or are you referring to those students who are arriving who are attending the campuses, how are we doing that?

CHAIR BARRON: Right. I'm talking about those who are, who are at home students or on a digital platform remotely who would normally have

taken their child to a daycare center, childcare center, but now that child is also in a remote center and that child is perhaps 3 or 4. Do you have distinction as to the ages that will be in-person as opposed perhaps older children that might be able to function a little more successfully remotely?

HECTOR BATISTA: The only distinction is that if a student is attending a course in person, then they're being allowed to use the daycare center. If it is convenient for them to be able to drop off their child at our daycare center, then they could use that daycare center and then go back and take their courses online.

CHAIR BARRON: And for those who are remote?

HECTOR BATISTA: The same thing applies if you're able to get the child there to the daycare center.

CHAIR BARRON: Okay. I'm not phrasing my question appropriately because I'm trying to understand it benefits a student parent to be able to have their child, to not have their child in-person in a center and to now have the responsibility while they're, the student himself or herself is learning

remotely, now also having to pay attention to a young child.

HECTOR BATISTA: What I'm trying to say that is if the student is able to get their child to one of the centers, then they could drop off their child and go back and take their courses remotely. We don't have, right now, we don't have programs that allows to provide childcare center remotely for a child virtually, we do not.

CHAIR BARRON: So, then all of your childcare centers are in-person.

HECTOR BATISTA: Yes.

CHAIR BARRON: Then I misunderstood what I thought you had said earlier. So, they're all in-person to whatever capacity. All right, thank you. That's why I've been back and forth. I didn't understand what you initially said. Thank you. So, enrollment declines and tuition. Now, you know, since I've been here and my husband before when he was here, we have said that CUNY should be tuition free. We're glad to hear that there are some movements or some initiatives looking at that, particularly in the Senate, to looking at bringing that back, but in terms of where we are now. This

Committee was informed that the fall 2020 enrollment for fulltime equivalent students at community colleges was around 60,200 students, and the spring was around 44 students, a difference of about 16,000. Is this where the tuition short fall is occurring?

MATTHEW SAPIENZA: Yes, yes.

HECTOR BATISTA: Yes, go ahead, Matt.

MATTHEW SAPIENZA: I'M sorry.

HECTOR BATISTA: No, no, no, go ahead.

MATTHEW SAPIENZA: Yes, no, that's mainly where their, our tuition revenue short fall of 41 million is emanating from is from the enrollment loss, no question.

CHAIR BARRON: And the loss that you're looking at, is it a greater concentration of fewer student in the community college level than in the senior college level?

MATTHEW SAPIENZA: Yes, the community college is, last semester, fall 2020, community colleges were down overall about 14%, and it was interesting because as I mentioned in my testimony, really, it was a nationwide trend and statewide trend, the CUNY community colleges had similar loses, and you know, one of the interesting things about it

is, it really, you know, community college enrollment has been, you know, counterspiral to the economy for many, many years whenever New York has had high unemployment rates, community college enrollment usually has some really big enrollment spikes and the opposite happened this time, and again, it happened throughout the country and it really, it was because of the, where the economic downturn, what industries it affected and what communities it affected, and so, community colleges were down 14%, senior college were about flat overall, and our graduate and profession schools, our Masters program had a nice increase which was helpful. So, community colleges are the sector that we're definitely more concerned about when it comes to enrollment.

CHAIR BARRON: And I think from that, we can conclude that those at the lower income levels, perhaps lost jobs, and weren't even able to balance the two and three and jobs that we know students sometime juggle to be able to go to school, so with that understanding, and with the new higher education emergency relief funds that's going to add, what is it? 45.5 million, is that what it is?

MATTHEW SAPIENZA: It's... (crosstalk).

CHAIR BARRON: 455 million.

MATTHEW SAPIENZA: 455 million.

CHAIR BARRON: 455 million, so community colleges are expected to 166 million of that, and since the description says that it can be used for financial aid grants to students, for student support activities, for institutional costs including a loss of revenue and reimburse for expense already incurred, and for technology courses. What is CUNY's position? What are the plans? What's the discussion about the 166 million that's going to community colleges?

MATT SAPIENZA: Well, so, the second round of federal stimulus that you're describing Chair Barron, is 455 million.

CHAIR BARRON: Yes.

MATT SAPIENZA: What the legislation requires is that colleges and universities allocate at least the same amount of money for student emergency grants that they did under the CARES Act. So, for CUNY colleges in total, that was 118.5 million dollars.

CHAIR BARRON: Right, mm-hmm.

MATT SAPIENZA: So, we'll be allocating at least 118.5 million dollars in student emergency grants out of this 155 million and again, we're really pleased to have that provision in the Bill and really pleased to be able to help our students in that way. So, those funds will be given out, like I said, at least 118.5 million. The remainder of the funds, we need more clarity from the US Department of Education about the specifics about what those funds could be used for, what are the ground rules, and I think we need more clarity in our budget situation, you know, as you pointed out earlier, the state is negotiating a budget that we are hopeful that will be completed on or around April 1st, and so we want more clarity on that, we want more clarity on the city budget condition that we're discussing today, and also on our enrollment level. So, I think as we get more information from the US Department of Ed on the ground rules of the second round of stimulus funding, plus our own fiscal situation starts to crystalize a little bit better, we'll be in a better position to make plans on the best use on the remaining funds from the Federal Government.

HECTOR BATISTA: And can I just add one other thing, Councilwoman, the Chancellor's emergency fund has also funds, the Chancellor has raised a lot of money to be able to get those students that are not eligible under the CARES Act resources that they need. So, we're trying to do everything that we can to make sure that all of our, as many of our students are covered.

CHAIR BARRON: Do you have an idea of timeline of when that second round of money will be expected, and have you used up all the money from the first round?

MATTHEW SAPIENZA: Yeah, the CARES fund we had allocated 41 million dollars previously, 5 million of which went for mental health support for our students, 20 million went for IT investments including we purchased 33,000 iPad and laptops and about, we spent, I think we purchased about 4000 personal hotspots, so that was 20 million, and then the other 16 million in the first round went for student refunds, fee waivers, dorm refunds for our resident students, so that was the first allocation of 41 million is those three categories; 20 for IT, 16 for student refunds, 5 for mental health. The

remaining 92 million was part of our budget plan for the remainder of the fiscal year that our Board of Trustees Fiscal Committee just approved on Monday. So, we are going to be allocating those funds to the colleges now, and those will be used to cover, again, costs related to the Coronavirus, cost of going to distance learning, and one of the things that we were really grateful for was that when the Federal Government came out with the second round of stimulus, they said that any unused CARES funds could be used for lost revenue. So, a good portion of the CARES funds that we're giving out now will go towards lost revenue which will really help our campuses.

CHAIR BARRON: Couldn't CUNY, in fact, use all of this funding to restore programmatic cuts and the revenue short falls and still have money left to support students, about 60 million to support students in additional support?

MATTHEW SAPIENZA: Unfortunately, it won't cover of our short falls. As I mentioned earlier, we had some really steep, you know, reductions that we had to take and in addition, you know, there are short falls that our outside of our, you know, what we call our tax levy budget, and our

colleges are experiencing as well. I mentioned dorms just a minute ago, but there's other things as well, you know, most of our colleges have performing arts centers and they rent their facilities out to outside groups and they generate some revenues from that. They have books lost and cafeterias. There are other revenues that they normally generate throughout the year that are outside of our tax levy budget that they rely on. That performing arts center revenue is pretty much down to zero for this fiscal year, and then some of our colleges, you know, made hundreds of thousands, if not, millions of dollars in revenue just from that alone. So, there were some pretty significant short falls that our campuses are facing, but I think to your question, yes. There will be some campuses that can use the funds for restorations, and we hope that they can cover most of them at a lot of our campuses, but some campuses, I think the short falls are just too steep to be able to restore 100%.

CHAIR BARRON: So, are you talking about the 60 or the 100, which part of the money are you talking about right now?

MATTHEW SAPIENZA: I'm referring to just this initial CARES funding that we just allocated the remainder for. We're hopeful that the second round of stimulus, once we get further guidance from the US Department of Ed, that some of that could be used for additional student support above the 118 that we're going to give out or additional investment. But again, I think a lot of that will depend on what our overall fiscal situation is in terms of our state and city budgets and our enrollment levels, rather those funds could be used for investment or they're going to have to go towards helping us out in terms of just managing through this fiscal situation.

CHAIR BARRON: Well, we are, you're in a very unique position, very challenging as well, and the Committee requests a breakout of how CUNY is allocating all of the Federal stimulus funding to its community colleges and we look forward to getting that, and it was mentioned that the Chancellor had an emergency relief grant. Can you speak a little bit more about that? I know that some of it went for, perhaps all of it was given as grants to students. If you could give us the correct information for the record, please?

HECTOR BATISTA: Yeah, go head Matt.
(Crosstalk).

MATTHEW SAPIENZA: Alright thank you.
So, the Chancellor, the goal that Chancellor set was
to get 10 million dollars in commitments from
philanthropy and private fund raising, and so, as all
of you know our Chancellor, he's very convincing and
he's already generated to date, I mean, he announce
this back in the spring when Coronavirus first
started, so it's less than a year and we already have
over 8 million dollars and have given that money out
to thousands of students and I think it's over 9000,
about 9100 students that have received grants to
date, and one of the really helpful things about this
emergency grant is it is private money, and so we
were able to help a lot of undocumented students. I
think about half of the funds went to undocumented
students because you know, there are challenges with
helping undocumented students with public money.
With privately raised money, we can use that. So,
that's been a really helpful component of this as
well, and so, we're really optimistic that we're
going to get that 10-million-dollar goal...
(crosstalk).

HECTOR BATISTA: Hey Matt. Hey Matt, can we point out also that the CARES Act, the first CARES Act did not allow us to give to money to undocumented students. So, that's why the fund raising by the Chancellor was particular helpful, and as Matt, you know, sort of eluded, I mean, the Chancellor is not only a very convincing person, but a very, you know, charismatic person who is able, who has talked to philanthropy in a way that allowed them to be extremely supportive of what we're trying to do in terms of helping some of our much needed students, the undocumented one. We hear that the new stimulus is going to allow, it going to have some more flexibility, so, we're hope that we're able to do that, but the Chancellor's fund raising still continues.

CHAIR BARRON: A part of that philanthropy also was money from the Mackenzie Scott as well as the Melon Foundation, if you would speak to that as well.

HECTOR BATISTA: Yeah, those grants went to two particular colleges, BMCC and (inaudible) for their use, so the Presidents are working on figuring out how to use those resources, and then the Melon

Foundation money was the Chancellor was able to raise that money that allowed him to hire some additional adjuncts as part of the, which I think turned into about 132 adjuncts which services about 4700 students?

CHAIR BARRON: How many adjuncts did you say that was?

HECTOR BATISTA: 132 with that money.

CHAIR BARRON: Okay. Can you hear me?

HECTOR BATISTA: Yes.

CHAIR BARRON: Okay, good. That Melon Foundation also talks about addressing social and racial justice concerns. How is that goal going to be that addressed by this money? What's the plan? Because you know, I've had CUNY before me on many hearings, and we have not seen significant improvement in black faculty at higher management. So, now that we have these grants and it specifically says that it's looking to address social and racial justice concerns, what is being done to meet that goal?

HECTOR BATISTA: So, I'm going to, and Matt could add if I miss anything. First of all, it starts out with our Chancellor being the first person

of color to lead this system. I think I'm the first C-O-O to be C-O-O of CUNY and he has made; his appointments have been extremely diverse appointments. Allen Lew, that unfortunately we lost because of the Coronavirus was the first Asian Vice Chancellor in the system. So, the Chancellor is extremely committed to diversity and inclusion through the system. In this budget, we have included hiring about 80 diverse faculty. Did I get that number right, Matt?

MATTHEW SAPIENZA: Correct, yes.

HECTOR BATISTA: And obviously, the Chancellor is working on really signaling to the system the importance of making sure that our faculty is reflective of the students that we teach and is something that he's extremely committed to. Both the Chancellor and the Provost are working on putting together a system-wide approach towards making sure that we're making an impact when it comes to diversity and inclusion, but it really starts at the top, and I think he set the tone and he is sending a message across the system. I think his appointments, I think we're up to about seven or eight new Presidents. They're all extremely diverse, not only

in gender, but also in ethnicity and so forth. So, I think that, you know, he's definitely demonstrating that through his leadership, and we'll be happy to provide you with some information as we develop it.

CHAIR BARRON: Okay. I'm going to be looking very closely. As you may recall at one of the hearings, when I asked about CUNY's so-called master plan, there was not any type of continuity from one four or five year plan to the next. There was not any assessment of the success or the challenges of the previous years planned that would be addressed in the next one, so, these isolated, scattered kinds of presentations don't, they're unproductive, they're unproductive because we don't have any kind of longevity to be able to see how we're moving. It's just, I have to do this, it's a part of the plan, stick something here, that's how I see it. Put something in there to satisfy that requirement, oh, here's the next plan, put something there without looking back and reflecting in any kind of cohesive comprehensive plan. So, I'll be interested to look to see how that's going to correct that situation which CUNY has had in the past. So, in addition, there are unfunded public/private

partnerships to support workforce development for CUNY students, and none of these are particularly unusual, but they are actually now very timely now. So, CUNY has a wealth of resources and access in ways that other city agencies do not. Do you feel that CUNY is maximizing all of these resources for its students?

HECTOR BATISTA: I mean, when it comes to workforce development, that is a high priority for Chancellor. Recently, as you probably read, the Chancellor was invited by J.P. Morgan to be part of the CEO Council, that is going to allow internship programs for some of our student. He's made workforce development one of his priorities and something that he is extremely committed to. As you stated, CUNY has the ability to, you know, tap into resources because of who we are. I think that now, the Chancellor is really so focused on this, I think that all those initiatives are going to be, you know, more coordinated so we can really make the impact that I think both you, as the Chair of Higher Education and this Committee is really asking of CUNY, and I think that it is a high priority for our Chancellor.

CHAIR BARRON: Okay, I have another set of questions that I'm going to ask and then I'm going to pause to allow my colleagues to pose their questions, and then I'll come back with additional questions after they pose their questions. It's been awhile since we've been here, and I appreciate their patience and I know they're anxious to get their questions posed. So, let me just pose this last set of questions about the state budget issues, and then I'll give my colleagues an opportunity to quiz you. Talking about community college's base aid. So, the Governor's executive budget proposes to hold the base aid steady in fiscal year 2022, but it is good to hear more details about CUNY on this issue. So, what is the total base aid that the executive budget proposes for the community colleges?

MATTHEW SAPIENZA: So, the total base aid, Chair Barron, for this fiscal year is \$2947 per student fulltime equivalent at the community colleges, and on the state executive budget for fiscal 22 proposes to keep that flat at \$2947.

CHAIR BARRON: We're they proposing a 5% reduction?

MATTHEW SAPIENZA: So, the 5% reduction for the four-year colleges continues into next year, but it does not for the community colleges. However, one thing that's really important to know about the community college state funding for next year is that even though base aid is proposed to remain flat at \$2947, because of those community college enrollment losses that we've been talking about throughout this hearing, our community colleges are projected to lose about 10.5 million dollars in state funding next year, just in enrollment losses, even if base aid remains flat. So, one of the things that we had proposed in our budget request is that just due to the pandemic, to keep the total amount of funding whole as it was in fiscal 21. So, whatever the total amount is that we've received, let us receive that amount for fiscal 22 to help us get through this pandemic-related enrollment loss, and so that was part of our budget request for this year.

CHAIR BARRON: Well, well, we know that CUNY relies on about 57% of it's revenues coming from tuition and fees. I think for an institution to call itself a public institution and rely in the majority on student's tuition and fees, and fees are

unconscionable and a contradiction to saying that you're public, and as we look over the past 10 years, I think that the trajectory will show that it's been over the past 10 years, an increase in tuition for community colleges of 33% from what it was 10 years ago, and 35% for senior colleges from what it was 10 years ago. So, suddenly that's the undoing of a strong foundation. It does, indeed, limit access. I know CUNY loves to tell us about the percentage of students who graduate without student loan debt, but there's another category of students who are not graduating; their dropping out or stopping off, and that's not in that number that CUNY loves to propose (crosstalk).

MATTHEW SAPIENZA: Chair Barron, I'm sorry to interrupt you. I just want to put on the record, cause I didn't recognize that number that you had cited, and I just want to say that in terms of our overall operating budget, the amount of money, 3.7 billion on our operating budget, the amount of money that comes from out-of-pocket tuition payment from students is about 17%, so 83% comes from state, city funding and public financial aid programs like TAP, PELL, EXCEL, and Vallone Scholarships; so about

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2 17% of our total operating budget comes from out-of-
3 pocket student payments.

4 CHAIR BARRON: I'll need to get some
5 information on that because the information that I
6 have says that FY 2022 budget includes 724.9 in
7 revenues from four sources. It says intracity is
8 13.5 million, (inaudible) government grants is 13.2
9 million, 39% totaling 283.1 million is from
10 (inaudible) grants, and charge for services is 415
11 million.

12 MATTHEW SAPIENZA: Yeah, we're happy to
13 provide the breakout of that, Chair Barron. One
14 thing to keep in mind about the number that the city
15 includes in their plan for tuition revenue, that
16 tuition revenue includes funds that come from the
17 State for the TAP, and funds that come from the
18 Federal Government through PELL that students use for
19 tuition. So, the metric that we like to look at is
20 how much of budget is coming from out-of-pocket
21 student payments and that number is about 17%, but
22 we're happy to provide the data in breakout for
23 senior colleges and community colleges as well.

24 CHAIR BARRON: Thank you so much.

25 MATTHEW SAPIENZA: Sure.

CHAIR BARRON: Thank you. Next question, did CUNY ask the state for an increase in the base aid? Why or why not?

MATTHEW SAPIENZA: Our budget request did not include an increase in the state aid and asked to keep us whole for this year, and part of our whole budget request was we were trying to recognize at both the state and city level, the unprecedented financial crisis that was brought on by this pandemic. So, we were trying to be good partners and wanted our budget request to reflect that, so we didn't specifically ask for an increase in the base aid rate but ask that we be kept whole so that our colleges wouldn't be negatively affected by the enrollment loss.

CHAIR BARRON: Thank you. The Governor is also permitting CUNY to sell off any underutilized real estate to backfill revenues short falls from the state, and the Committee has learned that the state has withheld 20% of its operating support for fiscal 2021, and it released all but 5%, leaving CUNY with an approximate 12 million dollar cut. Is this the short fall total?

HECTOR BATISTA: I'm not sure where you're referencing, but let me, in terms of the disposition of property, there's no such mandate. What we're doing is we're conducting an analysis of all our real estate to try to maximize our real estate, in some cases to allow us to move from rental, where it is really affecting our operating budget. We've been able to reduce our rental, just to give you a sense, we've been able to reduce it from like 18% to 6% under this Chancellor, and the idea really is to try to move some of our programs into space that we own. So, we're doing an analysis of all our properties to determine where there might be opportunities, not only to put in more programming, but also to see if we can bring in some additional resources to allow the, you know, the university to invest in our students and our faculty and our programs. We are, right now, we have one particular project that we're sort of looking at which is the North Hall project, which is connected to John Jay, where we did an RFPI, a request for interest, where we, you know, just went out to the market place, to understand what the appetite is for this particular site, and the idea behind it is to

try to figure out how we could probably be able to move one of our two-year schools, and provide some additional space for John Jay and so, right now, it's just gathering information, but we have not been mandated to dispose of any of our property.

CHAIR BARRON: But you're considering it?

HECTOR BATISTA: But it's not disposing of our property. It's to use our property to bring in, to move some of our programming to those and get us out of the rental business, right, which is creating an impact on our operating budget.

CHAIR BARRON: Okay, so you're not considering selling of CUNY's assets?

HECTOR BATISTA: Let me be, we are looking to maximize our real estate.

CHAIR BARRON: Right. I understand...
(crosstalk).

HECTOR BATISTA: The way, the way we're...
(Crosstalk).

CHAIR BARRON: You want to move from rental and find other space to bring those programs into property and space that CUNY owns, so my question to you is so, you're not considering selling any of your assets because my question was going to

be, if you were considering selling, do you have a target dollar amount that you're looking to reach?

HECTOR BATISTA: All I can say is everything is on the table. We don't have a target amount that we're trying to reach.

CHAIR BARRON: Okay.

HECTOR BATISTA: But the main criteria in all of this is how we can make, move some of our assistant operational programs into these facilities, and that is through a partnership with the public sector, then it's a partnership with the public sector where some additional revenues are met, and we satisfy our operational needs.

CHAIR BARRON: Thank you. At this point, I'm going to give it back to our moderator, Ms. Briggs, and she will continue on our hearing today.

COMMITTEE COUNCIL EMI BRIGGS: Thank you, Chair Barron. I will now call on Council Members with questions in the order they used the raise hand function in Zoom. Council Members, if you would like to ask a question, and you have not yet used the raise hand function in Zoom, please do so now. Also please remember to keep your questions and answers to five minutes. The Sergeant at Arms will maintain a

2 clock and a member of our staff will unmute you. You
3 may begin after I call on you and the Sergeant gives
4 you a cue. We will now hear questions from Council
5 Member Rosenthal and Council Member Landers. Let's
6 begin. I will now call on Council Member Rosenthal
7 to ask her questions.

8 CM ROSENTHAL: Thank you so much. Chair
9 Barron, I was watching you in awe asking these
10 questions and understanding the answers. To me, the
11 last 20 minutes or 30 minutes has been like, you know
12 one of those word clouds where it's just words
13 everywhere. It me, it sort of felt like just numbers
14 everywhere and I couldn't quite tell what's coming
15 and going, but so, all of which to say, apologies if
16 I'm repeating some of the questions. Chair Barron, I
17 think hit all of mine, but I, so apologies if I'm
18 repeating, and I really appreciate the way that she
19 was asking them, so I just want to double check. It
20 sounds like for the second slug of money from the
21 Federal Government, there's a requirement that you
22 give as much as in student emergency grants as you
23 gave in the CARES Act. Did I hear that right?

24 MATTHEW SAPIENZA: That's correct.

25 CM ROSENTHAL: Can you give more?

MATTHEW SAPIENZA: Yes.

CM ROSENTHAL: So, it's not a limit.

MATTHEW SAPIENZA: Correct, that's the floor, not the ceiling.

CM ROSENTHAL: Okay.

MATTHEW SAPIENZA: Yes.

CM ROSENTHAL: And then I'm to piece out the remaining bit that you, that's not the 118, and I think Council Member Barron got through all of it. There was one that went really fast for me, 13 million in Administrative savings, and I wanted to know if that included cuts to any faculty, rather it be adjunct or regular, like what does Administrative cuts mean?

MATTHEW SAPIENZA: Yeah, thank you Council Member Rosenthal for the question, and that 13 million referred to the cuts that we've made in the ASAP program for this year, and so most of that came from Administrative cut in the ASAP. I would have to get back to the Committee in terms of the total faculty that were in the ASAP program versus this year. I'm not sure if there's been any reductions in the faculty levels... (crosstalk).

CM ROSENTHAL: Yeah, I mean... (crosstalk).

2 MATTHEW SAPIENZA: Most of it came from
3 Administrative costs.

4 CM ROSENTHAL: Does Administrative cost
5 mean less paperwork, does, I mean, it's, I just
6 don't, 13 million sounds like a big number in the
7 scheme of things.

8 MATTHEW SAPIENZA: Yeah.

9 CM ROSENTHAL: Maybe Council Member will
10 follow up or if you could give the details to the
11 Committee staff, that would be great. You know,
12 fundamentally, I'm concerned about two things. One
13 that we restore the ASAP program to 100% of where it
14 was, and like, again, I just couldn't quite follow
15 all of you all. Are we there yet or not, and second
16 of all, I'm wondering if you can use this money to
17 restore the cuts to adjunct faculty who had been
18 promised to become full tenured faculty, but that you
19 distributed that cut to all of the colleges, and then
20 asked them to implement it, but I am interested in
21 the total for adjuncts and wondering if part of what
22 you're giving back to the college is money to restore
23 those adjunct positions?

24 MATTHEW SAPIENZA: So, the original CARES
25 Act that was signed into law back in March had very,

very specific uses for those funds, and so, we couldn't use any of those funds really to, you know, for the purposes that you're describing. For the second round... (crosstalk).

CM ROSENTHAL: No, no, no, wait, just one second, real quickly. I would guess that restoring the adjunct positions could be in the category of restoration because we had to make these cuts due to COVID, no? I could be wrong, do you know what I mean...(crosstalk).

MATTHEW SAPIENZA: Well, yeah, we are pleased that the second round of stimulus, that is appears that they are allowing more flexible uses with this round than they did with CARES so, we're optimistic that...

SGT BRADLEY: Time has expired.

MATTHEW SAPIENZA: Once we get further clarity from the US Department Ed about the specific uses that we'll be able to include more categories and more restoration than we were under CARES.

CM ROSENTHAL: If I may, just for one second, a couple of things. Chair, may I have just a few more minutes?

CHAIR BARRON: Certainly.

2 CM ROSENTHAL: Okay, thank you. So, my
3 understanding of the CARES Act is that it requires
4 payroll to stay the same.

5 MATTHEW SAPIENZA: It requires
6 institutions to do, I think the exact words are, if I
7 have it correct, is to the extent practicable, keep
8 their payroll the same, and while the number of
9 adjuncts that we had did go down the year before, I
10 just also want to point out that the number of full
11 time, we have not let go, or other than our Vacancy
12 Review Board, in which we do have a hiring freeze,
13 but we haven't, you know, laid off full time people
14 or excessed any full time people. We have not
15 reappointed some adjuncts, but... (crosstalk).

16 CM ROSENTHAL: Yeah, (crosstalk), no, I
17 understand, and I appreciate... (crosstalk).

18 MATTHEW SAPIENZA: Yeah.

19 CM ROSENTHAL: Yeah, I mean, I appreciate
20 keeping faculty, that's good. Adjuncts also, you
21 know, provide a critical, you know, added value to
22 the colleges and the students.

23 MATTHEW SAPIENZA: No questions. We
24 greatly value our adjuncts, and we were glad that, I
25 think it was almost 700 adjuncts that were not

reappointed back in June, were brought back, so we were pleased about that. You know, our enrollment levels overall are down, and that has an impact too on the number of adjuncts that are needed, but we greatly value our adjuncts, and I think that that, how much we value them was, I think, you know, clear in the last contract that we settled with the faculty back in October 2019 with the really unprecedented increase that adjuncts received... (crosstalk).

CM ROSENTHAL: Right, and we...

(crosstalk).

HECTOR BATISTA: Can I... (crosstalk).

CM ROSENTHAL: When I cut you off, it's only because I'm watching Council Member Lander whose eager to jump in here, which is totally cool, and I know Council Member Barron wants to get back, so I apologize. No, no, no, it's fine. I mean, I'm using extra time, and that's why I might cut you off. It's nothing, I really mean no disrespect. I mean, yeah, and I feel like I'm in the word bubble of, numbers bubble just things going around, you know, 2000 adjuncts were laid off.

HECTOR BATISTA: They weren't laid off though, Councilwoman. They were just not reappointed, and so I think... (crosstalk).

CM ROSENTHAL: Oh, okay, (crosstalk), they were not reappointed. I mean, again (crosstalk).

HECTOR BATISTA: Can I just put in some perspective though... (crosstalk).

CM ROSENTHAL: Hold on one second because I don't want to be lost in the word or numbers bubble.

HECTOR BATISTA: Sure.

CM ROSENTHAL: So, be, you know, I'm going to, if you want to present it, that they were just not rehired, that's your prerogative. I'm going to present it as fired. So, just two different, just two different ways of thinking about the same coin, but one way or another, 2000 minus 700 is 1300 who were not reappointed. Am I wrong?

HECTOR BATISTA: You're not wrong, but I think the other thing, let's put into some perspective. I mean, I think that in 2019, just to use an example, we didn't reappoint about 1800. Right, so, depending on where we are with our budget

situation, I mean, those, and how many sessions we need and all that, that's how those determinations are made. So, the pandemic... (crosstalk).

CM ROSENTHAL: You know, and my take-away thought from it is that the more transparency you have, the less will be stuck in back-and-forth dialogues like this, and the questions come from a place of lack of transparency. So, you know, I would urge to set the verbiage aside and really try to make sure that people understand why the numbers are changing... (crosstalk).

HECTOR BATISTA: But I just want to respond to the transparency part, because I think that, you know, under this Chancellor, we are as transparent as we can be under the information that we have, right?

CM ROSENTHAL: Just so you know, sir, yesterday, the OMB Director said he was doing the best he can, so I get that line and we're all doing the best we can.

HECTOR BATISTA: Okay.

CM ROSENTHAL: So, I'm not throwing shade... (crosstalk).

HECTOR BATISTA: Okay.

CM ROSENTHAL: I'm asking us to work differently, work, work differently, but I do want to hear about ASAP. Where are you at the number of ASAP grants, you're giving out?

MATTHEW SAPIENZA: We are about 21,000 that are in the ASAP program this academic year.

CM ROSENTHAL: This academic year, starting September 2020 and in September 2019, what was the number?

MATTHEW SAPIENZA: It was around the same.

CM ROSENTHAL: Around the same, 21,000.

MATTHEW SAPIENZA: Yes.

CM ROSENTHAL: So, right now, what are you projecting for September 2021? What number is in the budget?

MATTHEW SAPIENZA: We would like, we would like to keep the same level, but a challenge that we're having right now for keeping that level is to say this preliminary budget includes an additional 10 million dollar cut for ASAP, so that 10 million dollar cut... (crosstalk).

CM ROSENTHAL: Specifically for ASAP?

MATTHEW SAPIENZA: Specifically for ASAP, correct... (crosstalk).

CM ROSENTHAL: So, the Government is specifically saying, I'm going to take 10 million out?

MATTHEW SAPIENZA: No, and the Mayor's preliminary budget.

CM ROSENTHAL: Oh, and the Mayor's, oh, yeah... (crosstalk).

MATTHEW SAPIENZA: A 10-million-dollar reduction, so, if that 10-million-dollar reduction remains in the city's adopted budget in June...

CM ROSENTHAL: I gottcha...

MATTHEW SAPIENZA: That could have an... (crosstalk).

CM ROSENTHAL: Is there, I mean, is there, and I'll fight as hard as I did last year to get restore.

MATTHEW SAPIENZA: Thank you.

CM ROSENTHAL: and that was, you know, the budget negotiating really went to bat for that, and I'm so proud of Speaker Johnson for his leadership on that... (crosstalk).

2 MATTHEW SAPIENZA: and we are all, we are
3 all greatly appreciative.

4 CM ROSENTHAL: Right.

5 MATTHEW SAPIENZA: Thank you.

6 CM ROSENTHAL: But, so there, just given
7 the fiscal crisis, given that you're going to get a
8 second bucket of money, is there any possibility that
9 money, 10 million could be used for ASAP? Is that in
10 the cards at all?

11 MATTHEW SAPIENZA: I think it all depends
12 on the clarity that we get from the US Department of
13 Ed. They haven't promulgated their FAQs or given us
14 the full guidance that they did under CARES yet.
15 It's coming, and so, we're hoping to get that soon.
16 So, I think it depends on... (crosstalk).

17 CM ROSENTHAL: Could you have used,
18 could, under the clarity you got from the first CARES
19 Act, could you have used that money for ASAP?

20 MATTHEW SAPIENZA: No, no.

21 CM ROSENTHAL: But you gave 118 million
22 in student emergency grants. I guess an emergency
23 grant is different.

24

25

MATTHEW SAPIENZA: But, (crosstalk),
yeah, I mean, right, the emergency grants under CARES
had to... (crosstalk).

CM ROSENTHAL: Right, I gottcha.

MATTHEW SAPIENZA: Had to go directly
into the student's pockets, and ASAP is an academic
program. ASAP pays for faculty and space and
advisors and textbooks and metro cards. ASAP covers
all those costs. So... (crosstalk).

CM ROSENTHAL: That is where you could
say if you, if the Act says, what were the words? It
was like, you're keeping people on payroll then
that's how it would be allowed to be... (crosstalk).

MATTHEW SAPIENZA: Yeah.

CM ROSENTHAL: Right?

MATTHEW ROSENTHAL: We're hopeful, we're
hopeful that when we receive the further guidance
that, the fact that this bill allowed for more
flexibility than the CARES did that there will be
things that we were able to cover in CARES that we'll
be able to cover with the second stimulus.

CM RODRIGUEZ: Okay, last question. So,
of course, two parts. One is what's the total amount
you're expecting in the second crunch, and what are

your top two funding priorities once you get that where there's latitude?

MATTHEW SAPIENZA: So, the total amount in the second stimulus is for university-wide was 455 million dollars, of which as you pointed out earlier, Council Member Rosenthal, we have to spend at least 118 million dollars in additional student emergency grants, so that leaves 337 million... (crosstalk).

CM ROSENTHAL: Okay, cause that higher 435 goes to you, goes to CUNY?

MATTHEW SAPIENZA: It goes to the colleges. There's an amount for every single college that's lined out in the Federal... (crosstalk).

CM ROSENTHAL: Yep, yep, and what was the total of the, of the first?

MATTHEW SAPIENZA: The CARES was 236 million which was 118 in student emergency grants and 118 for... (crosstalk).

CM ROSENTHAL: (crosstalk) by 200 million.

MATTHEW SAPIENZA: Correct.

CM ROSENTHAL: So, what would be the top two priorities for funding of additional, borrowing, you know, where your hands are tied?

2 MATTHEW SAPIENZA: I think, you know, we
3 have a very student centric plan and use the money in
4 a way that's going to help students, rather that's
5 additional emergency grants or like we did with
6 CARES, additional mental health service. I think we
7 want to be; we want to have a very student centric
8 plan for the Federal, second round of Federal
9 support.

10 CM ROSENTHAL: When are you going to make
11 these decisions?

12 MATTHEW SAPIENZA: I think when we get
13 more clarify from not only the Federal Government,
14 but we get more clarity on what our overall fiscal
15 situation is in both, from Albany and here and down
16 in the city, when... (crosstalk).

17 CM ROSENTHAL: Okay... (crosstalk).

18 MATTHEW SAPIENZA: (Crosstalk) our budget
19 situation ends crystalizes and we get further
20 guidance, we'll in a better position to make, to put
21 together a plan... (crosstalk).

22 CM ROSENTHAL: (Crosstalk) Look, I'm
23 happy to follow Corey Johnson's lead and fighting
24 again for ASAP, but, we're all in rough spot. I
25 think for the city's budget, it's coming back in a

couple of year and I think that, I would hope, that another Administration would pick this up 100% if not more, but I don't think, well, I would hope, again, that if the CARES, if the second stimulus can cover that 10 million dollar short fall, I think you can have the negotiating agreement with the Mayor's office that that money would be restored as soon as the stimulus runs out. My two cents, only because I fully support it or you could say, should the city spend that 10 million on ASAP, you're willing this year because of the additional stimulus to double that number, right, or to add an additional 10 million, I mean, 200 million is a lot of money. Alright, I 'm going to leave it there. Thank you so much, thank you.

COMMITTEE COUNCIL EMI BRIGGS: Thank you, Council Member Rosenthal. I will now call on Council Member Lander.

CM LANDER: Thank you, Chair Barron for convening this hearing. As always, thank you very much, Vice Chancellor Sapienza and Mr. Batista. It's good to have you here. I really do appreciate deeply the work that CUNY has been doing through this pandemic. I will start by saying I do think on the

city budget that it is unconscionable that the city budget cuts funding designated for CUNY by 40 million dollars while increasing funding for the NYPD by almost 200 million dollars. That's having our priorities backwards, so I will fight hard to make sure we make that right, restore just the ASAP 10 million, but the other 30 million that, you know, that New York City, that the Mayor proposes to cut from CUNY while increasing funding for policing by nearly 200 million dollars. So, I will be fighting there. I do further what the Chair said and what Council Member Rosenthal said about the adjuncts. I will say that, you know, in recent years, while you've made a good agreement to raise their pay and hire more full-time faculty, adjuncts do more and more of the work at CUNY. We've come to rely on them more and more, so it isn't right to treat it as though non-reappointment is different laying them off. They're relying on that for their salaries, their students are relying on them, their schools are relying on them and they are in a pandemic, so without looking backwards, like you made the decision you made, I just want to make sure I understand that you have 92 million dollars that we think is coming

2 in this next batch of CARES Act funding and it would
3 cost 30 million dollars to rehire, to reinstate those
4 2000 adjuncts. Do I have the numbers right?

5 MATTHEW SAPIENZA: 92 was the remaining
6 amount of CARES funds that haven't been allocated
7 which we are now allocating to the campuses in this
8 fiscal year.

9 CM LANDER: Okay, and 30 million dollars
10 of that would be sufficient to restore the 2000
11 adjuncts that I'm going to say were laid off and that
12 you were saying were not reappointed, but either way,
13 don't have their income. Is that right?

14 MATTHEW SAPIENZA: I believe, I'm not 100
15 percent sure of that number, but it sounds to be in
16 the ballpark, yes.

17 CM LANDER: Okay, so, I mean, it seems
18 pretty clear to me that you should use 30 million
19 dollars of the 92 million dollars in CARES Act money
20 to rehire the 2000 adjuncts that you laid off, and it
21 sounds like you're waiting to make sure that's a
22 permissible use, but if it's a permissible use, will
23 you commit to doing it?

24 MATTHEW SAPIENZA: I think that there are
25 so many other variables that have to be weighed before

we can develop a plan for the second round of Federal stimulus funds and our budget situation from both the state and the city, it's the needs of our students and it's also enrollment levels. You know, if our enrollment is going to continue to decline, what is the level, total number of adjuncts that we need to serve the students? I think, I think there are a lot of factors. I don't think it's; you know...

(crosstalk).

CM LANDERS: Alright, I don't want to...

(crosstalk).

MATTHEW SAPIENZA: I don't think you can look at it, you know, without the context.

CM LANDERS: I don't want to argue with you about this because we clearly disagree on it. The context matters, what you're going to do going forwards matters. I'm going to get to some ideas for new revenue, all of it matters, but the whole idea of stimulus funding in very large part, for employers, this was true with the PPP, this was true, I think, idea of providing institutions with substantial relief support was so they could make sure their employees had the resources they needed to survive the pandemic, and this is not about CUNY, I mean, I

care about CUNY's long term plan and what's the right number of faculty and what's the resources you need, and where does that money come from, and all that matters enormously, but the CARES Act money is to make people whole during the pandemic and you got 2000 workers who, and you know, you had to make hard decisions, so I understand, I might not agree, but I understand why you laid them off during the pandemic, but isn't this the relief money that employers are supposed to use to keep their employees whole through the pandemic suffering?

MATTHEW SAPIENZA: It's for a lot of uses. It's for, you know, the cost to go to distance learning, it's the cost of us having to buy PPEs, it's for... (crosstalk).

CM LANDERS: (Crosstalk) so, I agree, you're describing, so, but that's different, I mean, if you're saying there are other backward unfunded uses, you know, like PPE and like distance learning costs, concrete increases required by the pandemic, okay, but are you saying there's more than 92 million dollars of very specific pandemic cuts like the laid off adjuncts, separate from the broader, this is why I feel frustrated with the, there are many questions

around city and state, the budget, the looking forward questions that are urgent, but this funding is fill pandemic loss, and pandemic loss for adjuncts is quite real. Obviously, you know, other CUNY loses should be covered, but the adjuncts should not have their income sacrificed by forward-looking budget balance if we have CARES Act funding to cover it.

HECTOR BATISTA: Council Member, let me jump me, let me jump in. I mean, I think, I think my colleague Matt has the answers, is trying to give you as good as answer as we can right now. The university right now is trying to figure out what our funding partners are going do, not only at the city level, at the state level. As we stated, we have, our enrollment is down 14% at the two-year schools. Enrollment is down across the university. The only area that we're seeing some, some growth in enrollment is at the graduate center, right, and so, because of all of that, because we have additional expenses that we, because of the pandemic, we have taken like 75 million dollars' worth of expenses connected to PPE and facilities and sort of all those things, buying laptops for our students to make sure that they could do, you know, do more learning, and

as I stated in my opening testimony, all these things are factored into the, and right now, we just don't know what our budget, our situation is. We have a lot of colleges... (crosstalk).

SGT. BRADLEY: Time has expired.

CM LANDERS: Chair, can I get a few more minutes?

CHAIR BARRON: Yes.

HECTOR BATISTA: We have a lot of our colleges that do not, that are, you know, from a financial point of view are struggling financially, and we're trying to use the CARES Act the best way that we can to make sure that we continue to do the work that we're doing. You can use layoffs, we say reappointment. I want to point out, 2019, pre-pandemic, we didn't reappoint 1800 adjuncts. After the pandemic, we didn't reappoint 2700. The Chancellor to private fundraising, we brought back 656... (crosstalk).

CM LANDER: Respectfully, respectfully. I'm going, I'm going to reclaim my time here, and I'm going to... (crosstalk).

HECTOR BATISTA: Sure.

CM LANDER: So, and I'm going to make a request of you because I think you're really mixing two things up in ways that are not helping for this hearing.

HECTOR BATISTA: Okay.

CM LANDER: So, first, the CARES Act funding was in very large part, and you can go look at the language if you need me to point it out to you, I'll look at it. It's in Section 18006 of the CARES Act, the people that you did not reappoint, they still needed to pay their rent, they still needed to buy food, they, and the point of the CARES Act funding in large measure, was to make sure that workers whose employers lost money were able to live, and so that's how the PPP worked, that's how the CARES Act worked. Now, there are other CARES Acts expenses, and I respect the need to buy the laptops and the PPE, so I would be very glad to see the first CARES Act money at budget, and you're list of expenditures that are narrowly about pandemic loss, expenditures you had from the pandemic, but as you start to transition that into registered decline and long-term questions about CUNY's budget balance. That is not, that, in my mind, does not come as a use

of CARES Act funding before making workers whole.

It's critical for this Council. I'm going to fight

tooth and nail to get the 40 million restored and get

you more money, I want to ask in a minute about

looking a pilot from NYU in Columbia. I want to have

the Invest in New York Act, so that the millionaires

and billionaires are paying more in taxes so that we

can fund our CUNY and SUNY school, but we should not

tell these laid off workers that they stand in line

behind all those forward-looking budget issues for

CARES Act funding. So, I've made my point, we

disagree about it, but I guess what I would

appreciate if you would provide the Committee and the

Chair, is a real clear itemization of what you guys

are claiming is CARES Act appropriate funding, money

that you spend on specific things like laptops for

distance learning, on PPE for your schools, and on

this, on like you know, replacing income for faculty

that was, well, we'll call it reduced, let's find a

word so I don't have fight over rather it's

reappointed or laid off. If you would give that to

us so we can understand it, I think that would help.

There's two more, hopefully quick, quick question,

cause I don't think at least on the person we're

going to disagree, but I was very intrigued to see just a month or two ago, that the University of Pennsylvania announced a voluntary pilot, for the folks that don't know, UPenn is a private school even though it sounds like a public one, they're going to 100-million-dollar pilot to support Philadelphia Public School. It's becoming an increasing practice for private universities to pay a payment in lieu of taxes rather adopted by state law or done through a voluntary agreement. NYU and Columbia don't do anything like that currently with CUNY and the city loses, you know, before it goes, almost a half billion dollars in revenue, from property tax loss from higher ed institutions and some other nonprofit institutions. Columbia is the second largest landowner in the city of New York after New York City, at least by my calculations, it has more property than a Catholic church which is quite a lot of property. Have you guys explored, either directly with Columbia and NYU or through the State Legislature and some, you know, legislative approach, something modeled on what Penn is doing, a pilot approach through which Columbia and NYU would help in supporting CUNY?

HECTOR BATISTA: This is the first time I'm hearing about it, so I'd like to, you know, sort of look into it, and be able to come back to you and give you sort of a, a more through response.

CM LANDER: Okay, that's great. I would like to work on it...

HECTOR BATISTA: And if you could send me what you have, that would be really great.

CM LANDER: I'm going to send you what I have, and just for purposes of record, I'm going to put a few stats out here, so they'll be on this public record, and then I'd like to follow up with you separately because it's really quite remarkable. You know, I was looking just at the social mobility index ranking. Six of the top 10 slots on the social mobility index ranking are CUNY schools, that's incredible. I mean, when we say CUNY is a vehicle of upward social mobility, that was amazing. Either of you want to venture to guess where NYU and Columbia are on the list? NYU is, excuse me, is 1303rd, and Columbia is behind them at 1363rd, and I don't mean to disparage them. They are marvelous institutions, but you have six of the top 10 for upward social mobility and it just plays out time and time again,

you know, your tuition, you know, we want it to be zero, but it's \$7000 in state, theirs is \$50,000 or \$60,000, your average family income is \$40,000. Theirs is \$140,000 or \$150,000. They have endowments of 4 and 10 billion dollars respectively. Do you have any endowment at all?

MATTHEW SAPIENZA: Not anywhere close to that.

HECTOR BATISTA: Not anywhere close to that.

CM LANDER: And Chair, and I know this is an issue to close to your heart, but if you look at the percentage of students that are black and Latino at CUNY, you know, it's in the, you know, 20% to 40% of each black and Latino student at NYU and Columbia that are 5% and 6% black and 8%, 10%, 11% Latinos. So, the idea that our that our city is forgoing hundreds of millions of dollars in tax revenue for NYU and Columbia when we're cutting CUNY by 40 million dollars, it just makes no sense. So, I look forward to exploring the details with you. There are places where this is done through State Legislation, there's places where it's done through voluntary agreement. This is the time we should do it, so,

thank you for your willing to explore it with us.

You know, we got to work out the CARES Act funding,

but then we need to achieve some long-term revenue to

support CUNY and this amazing work that you do, and

we want to find, you know, city funding to do it,

state funding do it, and new sources to support it.

My last question, as the Chair convened the hearing,

just two or three weeks ago, with Hunter College, on

the question of Hunter College High School

admissions, and at that time, the representative of

Hunter College, I asked, we'll be having our budget

hearing in just a couple of weeks, and as you know, a

chunk of the budget money that the city provides to

CUNY, goes for the Hunter College High School, and so

as we are looking at providing that money this year,

we want to understand what is the admissions process

for next year's admission, know that other selective

schools around the country having cancelled their

tasks and are adopting approaches more achieving of

the diversity of our city, so are you prepared with

the answer for what the Hunter College High School

Admissions Plan for next fall is?

HECTOR BATISTA: Not at this time,

Council Member, but we obviously thank you for your

always continued support of CUNY, and as you stated, you know, we're very proud of the upward mobility, but we will be able to come back to this Council and be able to answer that question. Right now, the President of Hunter Schools is obviously working on that and we will be able to come back to you with, with an answer to that question.

CM LANDER: All right.

HECTOR BATISTA: Continue thanking you for your support and look forward to hearing from you on this pilot.

CM LANDER: On the pilot, I look forward to following up. I do need express disappoint on that answer on Hunter because, and it wasn't you who were here, it was the Hunter College Admissions Representative, but she promised that there would be an answer by the time of the preliminary budget hearing and this is the preliminary budget hearing, and you know those students and families, obviously everyone just needs to know what the admissions process is for the fall, but you know, schools, you know, Boston Latin, many of the selective high schools around the country have suspended their tests for the all the great work you're doing with the six

of the top 10 upward social mobility, and how diverse CUNY is. If you look at those numbers at Hunter College High School, you will not be pleased with them. So, it should be in the interest of CUNY's Administration as it is the Chair, whose been a champion on this and the students to get that fixed, so, you know, I don't want to be in a place when the funding, you know, when the budget comes around and we're talking about terms and conditions to be having to push on, you know, making a terming condition of CUNY's funding, you know, real steps forward on diversity and admission, you know, that, you know, we're going to have to do that this year if we don't get a lot further forward than we are pretty quickly.

CHAIR BARRON: Thank you Council Member.

CM LANDER: Thank you.

CHAIR BARRON: Thank you. I just want to echo what my colleague has said in all of his presentation, as (inaudible) and Council Member Rosenthal have address many of the questions that I had about PSC, but particularly about Hunter College High school. They get 19.8 million dollars. They have abysmal 2% black students, I believe it is, and 6% low-income students. That's unacceptable, and as

we're talking about transparency, we have not gotten anything that we can write on paper or refer to that says who, in fact has the authority, what is the Government's plan, what are the protocols for setting the admission policy at Hunter College High School. So, I'll pose that question to you. Who determines the admission policy for Hunter College High School? We're in a pandemic. The pandemic is telling us about all of the inequity that has been surfaced. We have an opportunity now, as Dr. Martin Luther King said, we have an opportunity to make a difference, to stand up and say something. As Shirley Chisholm said, speak up. What is Hunter College High School going to do? We had a hearing and didn't get a definitive answer. What is going to be, it's already March, and they haven't said what their plan is for admission. So, that adds to the anxiety of students who want to avail themselves at getting into Hunter College High School, and mostly, more systemic to me is that who makes the decision? Who determines? No one has been able to definitively say that. It's been a question that's been asked for more than a year. So, do you have the answer?

HECTOR BATISTA: It's the... (crosstalk).

CHAIR BARRON: Is the President in conjunction with, is it the Chancellor, is it the Chancellor in conjunction with? Is it the Board of Trustee? Who does that? The last time that it might have been changed, who made that change? Who made that decision?

HECTOR BATISTA: The President of Hunter College is the one who makes the decision and consultation with the Chancellor.

CHAIR BARRON: Finally, it's taken us all this time to get that answer. Thank you so much, and in the discussion that we had with the students, they really didn't feel that they were being heard and responded to by the President of Hunter, and the expressed their displeasure in that, but I think what my colleague has said about being definitive and being clear is important as we get to the budget process to make sure we continue the great work that Hunter College High School does and that we have it accessible to a wide population of the students who live in New York City. Thank you. Moderator, you can continue.

COMMITTEE COUNCIL EMI BRIGGS: Thank you, Chair. Seeing no other Council Members, and I

believe, Chair, are you done with your additional questioning, cause I can now turn over to the next panel.

CHAIR BARRON: Uh, no. I have lots more questions.

COMMITTEE COUNCIL EMI BRIGGS: All right, as there are no other Council Members... (crosstalk).

CHAIR BARRON: My colleagues, I didn't want them to, not be able to get their questions in.

COMMITTEE COUNCIL EMI BRIGGS: All right.

CHAIR BARRON: Okay.

COMMITTEE COUNCIL EMI BRIGGS: It does not appear that we have any other Council Members waiting to ask questions. I'll take a minute just to give them a chance to raise their hand on Zoom if so. All right, then we can turn back to you Chair Barron to ask your additional questions.

CHAIR BARRON: Thank you so much. In terms of PSC, CUNY had recently decided to withhold 2% pay increase to members of the professional staff congress that was due in November 2020, and then the Chancellor stated that this was merely a delay, but CUNY has not presented its plan to implement this raise, and this delay impacts over 28,000 members of

PSC and a total contract value of 44 million dollars annually. Similarly, CUNY is delaying equity pay increases of \$1000 impacting 1295 PSC members, scheduled to have been implemented on February 11, 2021. My question is what is the status of these contract issues with PSC? We heard recently that this may have been resolved, but we want to have it on the record so that we will know what is the status?

HECTOR BATISTA: On the equity piece, I believe that an agreement has been reached with both the PSC on those payments with the Chancellor, and we're in the process of moving forward with that. On the PSC, you know, as we, it continues to be delayed until we, our budget picture, we have a better sense of our budget situation once we sort of hear from funding partners from the state and the city, then we're able to address that. As my colleague, Matt Sapienza stated, the Chancellor was extremely proud of working with the PSC on this contract. It is something we spent a lot of time with the PSC negotiating, and we're very proud to be able to give our very important faculty members this contract. This pandemic has caused all kinds of challenges to the university which we talked about at length at

this hearing, but we will continue to make sure that we honor that contact once we are able to have complete clarity on our budget situation.

CHAIR BARRON: Thank you, I have about, perhaps, another thirty minutes worth of questions, so do you want to take a break for five minutes and come back or do you want to continue?

HECTOR BATISTA: We're good.

CHAIR BARRON: Okay. Great, then we'll continue, we'll continue. I just wanted to make sure that you were good.

HECTOR BATISTA: Well, thank you so much, Councilwoman.

CHAIR BARRON: Is CUNY considering a tuition increase in the fall?

HECTOR BATISTA: Right now, we have, as you know, we've been making, we didn't make a tuition increase this year, but right now, we haven't made those determinations on the fall.

CHAIR BARRON: Thank you.

HECTOR BATISTA: As we look at our budget situation, we'll know better.

CHAIR BARRON: Okay, are you, I'm sure, aware that there's legislation, Senate Bill 4461 a

new deal for CUNY, and this is a proposal that would waive all tuition and establish certain staff to student ratio to improve success of students, and there's no time restriction on students to complete their degree. There would be a gradual escalation of mental health and other counselors to align with national standards because the national standards are much higher than what CUNY is presently implementing and there would also be increased investments for critical updates to CUNY facilities going as high as 6.5 per 1000 students, I believe in the year 2026, and it would increase the ratio for faculty to students over also a five-year period? What's CUNY's position on this plan?

HECTOR BATISTA: We allow, we let our legislation body and council body sort of make those determinations on how we get the resources, and obviously, as a university, we are always supportive of resources that will come our way, but we allow you folks that, are empowered to make those decision, to make those decisions and advocate for those decisions. As a university, we are always open to receiving more resources.

CHAIR BARRON: Good answer, good answer.

CUNY has a total proposed budget of approximately 1.2 billion for fiscal 2022, all of which is still organized in three broad categories or paired units of appropriation, but 94% of all of that money falls into one of three pairs supporting the community colleges. The Council has brought this to CUNY's attention several times over the years already. How is the conversation with the Office of Management and Budget restructuring funding for the community colleges into more units of appropriation going? When Director Cheer (SP?) was here yesterday, he was quite open, that's what he said on the record to establishing more units of appropriation, and again, what we're trying to get at is greater transparency and an easier ability to track how this money is being distributed and where it's going.

MATTHEW SAPIENZA: Madame Chair Barron, we have had discussion with the Office of Management and Budget about this issue, and I think we're really at the place now of getting together with both CUNY, the Office of Management and Budget and Council Finance staff so that we can make determinations together as a group, between those three entities

about what's the best way to address the issues that you've raise and make sure that everyone feels that the structure is transparent. You know, this is the city's budget structures, something we can't do on our own as you pointed out... (crosstalk).

CM BARRON: Right.

MATTHEW SAPIENZA: We need our partner to do that, so I'm happy to take the lead in scheduling that meeting with Council Finance staff and my team and the Office of Management and Budget, but you know the appropriate people from the Office of Management and Budget so that we can begin to work collaborating on taking a deeper look at this.

CHAIR BARRON: That's great because it will help us, it will enhance our ability to see what's happening, and my proposal would be that we could look to see what each community college has so that there would a clear line defining where the appropriations are going for each of the seven community colleges. So, we can start those meetings next week and by the time the budget is done is June, we'll be able to satisfy why everybody acknowledges is an important move. Of the 1.1 billion for community colleges, 376.3 million or 34% is not

directly assigned to an individual college. It categorized to central Administration and a variety of miscellaneous buckets. If there are more units of appropriations or a pair for each of the seven community colleges, then adequate transparency for clear oversight by either the Council or general public would occur. So, how is the 376.3 million in funding used over the course of a year?

MATTHEW SAPIENZA: So, a lot of it, there are expenses that the university incurs and administers centrally on behalf of the campuses, so things, the biggest components are things like fringe benefit costs and energy costs. The college aren't going out and cutting checks the health insurance of their employees or for the heat, light, and power of their campuses, the university does that centrally, and it's a good share of service for the university to do it that way and create efficiencies around the campuses. So, the majority are that, as you mentioned earlier in the hearing Chair Barron, that are intracity program, you had referenced this earlier in your remarks. The other big component is we do a lot of intracity business because we are a university and a lot of other agencies reach out to

use for help, and so we usually do around 100 million dollar of intracity revenue, and so a lot of that is administered centrally too. There are some intracity agreements that specific colleges have with specific city agencies, but a lot of that goes through the central bucket too. So, we're happy to provide a further break down of those funds and how they end up getting distributed throughout the year and what costs they cover, but those are the major ones that, that the ones that I just mentioned.

CHAIR BARRON: That would be very helpful for us to have a breakout, and how is each community college's budget determined, and what are the determinant factors used? Is it the number of teachers, the staff, class size, student population?

MATTHEW SAPIENZA: It's mainly enrollment. It's not 100% of enrollment, but we do have a community council funding model that we use that determines the majority of funding that the colleges get, and it's mainly based on enrollment changes. There is some fixed funding that colleges receive for different types of costs and different departments that outside of the model, but the model is mainly predicated on the enrollment levels that

the colleges have, so enrollment is really important, not only obviously because as I mentioned, for our community colleges especially, is access and we want to service as many students that want to come, but for funding determinations, the community college enrollment is the key driver.

CHAIR BARRON: The PMMR tells us that the average cost to instruct a community college student is \$16,664 from fiscal 2020. Is that same cost across each community college and if not, can we be provided with the cost per community to instruct a student?

MATTHEW SAPIENZA: Sure. I'd be happy to provide that, and it's not the same, and it's really because of scale, and what I mean by that is that a community college like Hostos in the Bronx that has, I believe, around 6000 or 7000 students, they're cost per FTE is going to be a lot more than BMCC that has over 20,000 students because each college has a President and a Provost and a Bursar and they all have those kind of fixed costs. So, the smaller colleges, will typically have a higher per student cost than the larger colleges, but we're happy to provide those numbers.

CHAIR BARRON: And what is the average cost to construct a Hunter College campus student in the high school and in the elementary school?

MATTHEW SAPIENZA: Yeah, I don't have that number. I'm sorry, Chair Barron, I don't have that with me, but it's certainly a knowable number and so, we'll work with the college and make sure that we get you and the rest of the Committee that data quickly.

CHAIR BARRON: Thank you so much, and so my last category of questions or next to the last, talking about CUNY's preliminary Capital Commitment Plan. The fiscal 2021 through 2025 preliminary Capital Commitment Plan remained relatively flat, slightly by compared to the adopted Capital Plan totally 629.7 million dollars. Have all of CUNY's projects resumed since the pause?

HECTOR BATISTA: Yes, they have. I'm happy to report, they're all have resumed, and during the pause, the projects, as I started in my opening remarks, were really those that connected to safety and health, but now all the additional projects are beginning to move forward.

CHAIR BARRON: How many stopped work, and how many now have resumed? Do you have that number?

HECTOR BATISTA: We can get that to you.

CHAIR BARRON: And of the total 135 projects included in the fiscal 2021 through 2025 Capital Commitment Plan, how many of them are we looking at? How many of them included? You have 136 total projects?

HECTOR BATISTA: Right.

CHAIR BARRON: And there are various stages in the Capital Plan from 2021?

HECTOR BATISTA: Yeah, it depends on, you know, the projects are broken up in a couple of different categories. They are being funded by an individual Council Member or our President. As you know, we're not allowed to move projects along until we have sort the full funding, and then we have to get the state matching fund in order to be allowed to move forward, right? So, that's on those kinds of projects. On projects that are being funded by the state, you know, those projects are, you know, obviously moving forward. For the most part, although those projects that you mentioned, the 135, they are all in different phases of design and

construction and in some cases, completed, as I stated, you know, the City College Day Care Center, a couple of other projects are sort of, they're in different phases of, you know, in terms of the project, in different phases.

CHAIR BARRON: Of the 135 projects, how many of them are new that are included in this plan for 2021 through 2025?

HECTOR BATISTA: I have to get you that one. We'll have to... (crosstalk).

MATTHEW SAPIENZA: I think we'll have to get that information to you.

HECTOR BATISTA: We'll get you that information.

CHAIR BARRON: Thank you. How many projects does CUNY anticipate completing this fiscal year?

HECTOR BATISTA: I think it's, Gwen has those numbers, but she's muted. I think it's about 30 or so that are going to be completed? Yeah, about 30.

MATTHEW SAPIENZA: Thirty.

HECTOR BATISTA: That will be completed. We're happy, let me make sure that I get you the

right number Councilwoman because I'm sort of remembering that number, but I believe it's about 30.

CHAIR BARRON: And then how many new projects did you start this fiscal year, from the previous block of time?

HECTOR BATISTA: Uh... (crosstalk).

GWEN PERLMAN: I think we, I think, as you know, since we were stopped, not a lot.

CHAIR BARRON: Okay.

GWEN PERLMAN: So, but we are beginning that process again, and I believe we sent you 28 community college projects that we anticipate completing this year.

CHAIR BARRON: Twenty-eight this year, okay.

HECTOR BATISTA: I was close.

CHAIR BARRON: You were.

GWEN PERLMAN: But the calendar, I didn't do it fiscal.

HECTOR BATISTA: And a lot of it has to do with, you know, there's an additional COVID-19 protocols. As you know, we, as a campus and every campus, we can't exceed 5% in terms of cases or 100, and so, sometimes we have cases where we had some of

the dormitory authority worker that tested positive for COVID, and so that's created sort of delays and all kinds of challenges, but we've since then made some additional safety protocols that allows us to move some of those projects forward.

CHAIR BARRON: What's the average time frame that it takes to complete a project, and what are the factors that impact the length of time that it take?

HECTOR BATISTA: Well, a lot of factors, right. First of all, if we have all of the funding in place, right, you know, because we're a public entity, we have to go out and work with the dormitory authority to make sure that they get the bids, you know, so on any particular project, depending on the scope of the project, it can take as much as, if it's a new building, it can take as much as three years, if it's a rehab building, it could take about a year and half to two, you know, if it's a smaller project like, you know, bathrooms and things like that, you know, we can do those in about a year. I think the challenge for us is always is that you know, even though we have a great partner with the dormitory authority, you know, we do have to be put into a cue,

and they do provide the same services to CUNY, so we try to, and then we're also bound by making sure that we have all the funding in place before we're allowed to go forward. So, it's a lot of factors, but anywhere from a year to three years depending on the project.

CHAIR BARRON: Uh, thank you. Uh, CUNY relies on 100 buildings to support students across its seven community colleges, and as has been stated earlier in this hearing, the average age of these building is more than 50 years, while many buildings are closer to 100 years old. Of the total number of building among the CUNY campuses, how many include capital projects that are under way and how many more are in the planning phase for capital construction?

HECTOR BATISTA: Gwen, do you have that number? We'll provide you that number.

CHAIR BARRON: I think she's muted.

MATTHEW SAPIENZA: Yeah, we can unmute Gwen, that would great.

HECTOR BATISTA: We can keep her on mute, that would be helpful.

GWEN PERLMAN: Sorry about that. I don't have it by building, but we will provide that to you,

I mean, there's a lot of work going on, so, it's going to be, you'll be pleased with the numbers, but we'll provide that to you.

HECTOR BATISTA: And I would say this, that one of the priorities that the Chancellor has made is that projects that have to do with air filtration, ventilation, HVAC, all those kind of projects have been sort of been kicked up to the top to make sure that those projects are completed, and we've had a couple of those projects completed recently, and we continue to move those projects up, and albeit, those are projects that are extremely important in this pandemic.

CHAIR BARRON: Thank you, and my last two questions. What's the total value of all of the community college assets and has this value changed since the pandemic?

HECTOR BATISTA: We're doing an analysis now to see, so I can't give you that number, and I won't speculate to try to give you that number. As I started earlier, we're looking at all of our real estate to determine, you know, best use. Number one, first service our mission. Number two, service our mission, and number three, can there be some revenues

connected to it? So, I think that we'll know more hopefully by the end of this calendar year because we have brought in someone to sort of take a look at all our real estate.

CHAIR BARRON: And finally, there are many agencies that have a history of front loading their Capital Commitment Plans and CUNY is amongst those agencies. In addition to creating gross disparities between the amount of funding allocated in a given year and the amount that CUNY can realistically commit, this practice eliminates any ability for the Council to get an adequate sense of how long individual projects will actually take to complete. So, although CUNY's commitment rate has markedly improved before COVID, are there additional steps being taken to continue to compare realistically and spend down as planned and budgeted?

HECTOR BATISTA: Yeah, thank you for that question. One of the things that's going to that is I want to be an acting, a Vice Chancellor for facilities. I'd like to be COO, so we're in the process of, the Chancellor is in the process of making, finalizing a Vice Chancellor for Facilities, so, that will go along way to make sure that they

have a dedicated person managing the 80 plus staff that are at CUNY. One of the other things that the Chancellor has made it very clear to me is that oh, we need to become more efficient and frankly, Councilwoman, even though we have improved from 20 something percent and 30% and 40 something percent in terms of completion, that's not acceptable, right. We need to do better, right. So, one of the things that the Chancellor has charged is making sure that our completion rate increases because I think your point is well-taken. You as Council Members have allocated very important resources to us and it is up to us and it's up to us to make sure that we not only account for those resources, but make sure that we use those resources appropriately and complete those projects in an appropriate time, so, I am committed to making sure that going forward and next year, when we're in front of you, we'll be able to give you a much better number. You'll be able to report that the numbers are much better, but I think that one of the charges of the new Vice Chancellor of Facilities is to improve that, and so, we're going to be looking at how we'll structure and try to see what additional staff that we might need to control some of our own

destiny and make sure that we can move some projects along.

CHAIR BARRON: Thank you so much, and I am term limited, so I won't be here, but I'm that whoever comes behind and has this position will expect that you will be able to have that continuity and be able to share that information with the Council body. I want to thank you, and I just want to say Dr. Martin Luther King said that our lives begin to end the day we become silent about things that matter, and for me, that means that we've got to make sure that when we come through this pandemic on the other side and when we look at what we have newly created to bring true justice and equity of our persons and citizens and residents who are living here, that we want to be able to say that CUNY played a significant role in that. We want to be able to say yes, black and brown and Latino people have in fact, been able to move through the ranks and are serving significantly in those positions of upper management, and that the students who have come through, have not been unduly burdened with finances because we know that the Governor's Excelsior Program is last dollar in and it doesn't benefit. I don't

think any of community college students got any
(inaudible) Excelsior Program. So, we want to make
sure thar when we come through this and we look what
at what we have put in place as new programs that we
can be proud of what we have done and we can say look
at what we've started, look at what we're doing, and
make sure that we continue to move forward with that
basis of equity. I want to thank you for your
patience, for your questions, for answering the
questions that have been posed to you and give my
regards to all of those that are making this happen.
Thank you.

MATTHEW SAPIENZA: Thank you Chair
Barron.

HECTOR BATISTA: Councilwoman, I want to
thank you for giving us the opportunity to testify,
for your commitment to CUNY. Our Chancellor is
extremely committed to those same words that you just
laid out, and we are very grateful for your continued
support and the support of this Council. So, thank
you so much for giving us the opportunity.

COMMITTEE COUNCIL EMI BRIGGS: All right,
thank you Chair Barron. It looks like you're frozen.
Hopefully, that's just not me on my end. I've been

having some technical difficulties as well, but we have concluded our testimony from the Administration. So, we would like to turn to the rest of public testimony now. I'd like to remind everyone that I will call on individuals in panel. Once your name is called, a member of our staff will unmute you and you may begin your testimony once the Sergeant of Arms sets the clock and gives you the cue. All testimony will be limited to three minutes. Remember that there is a few second delay that when you are unmuted before we can hear you. Please wait for the Sergeant at Arms to announce that you may begin before starting your testimony, and the first panel of public testimony in order of speaking will be Barbara Bowen and Andrea Vazquez. I will now call on Barbara Bowen to testify.

SGT. BRADLEY: You time will begin now.

BARBARA BOWEN: Great. Thank you so much. Thank you, Chairperson Barron, thank you Members of the Council for your wonderful questions and incisive comments today, and for your advocacy in this incredibly difficult year. The Union is calling for fundamentally different approach from the one you heard from CUNY. We are calling on you not just to

maintain the status quo, but return CUNY to "pre-pandemic normal", but we are calling on you, and I heard this from some of you, to recognize that this is the year in which the working people of New York, the people of color of New York, the immigrants of New York need to CUNY more than ever, and therefore, this is the year in which New York must invest in CUNY and invest its way out this crisis, maintaining the old normal will maintain a normal that was killing people, literally people of color and was crushing CUNY. So, we are calling for a new investment. I also want to come back to the some of the questions from earlier but let me say a little bit about why the new investment is so important. We've heard about the importance of CUNY in this year of COVID and the impact on the city has been unspeakable, really, and has hit the communities of color the hardest, and just to give a sense of the kind of budget address that CUNY could make, the kind of budget intervention that the Council could make by investing in CUNY. We should take a look at the report that recently came out for the Center for Urban Future, and they showed really shocking racial and ethnic disparities in higher education

attainment. Just as one snip-it, 20% of Latin X New Yorkers, 27% of black New Yorkers, 45% of Asian New Yorkers hold a bachelor's degree compared to 64% of white New Yorkers. So, the gap between Latinos and white New Yorkers and Latino, White New Yorkers is from 20% to 64%. The disparities are even more shocking within neighborhoods. CUNY, and that's so critical at this moment when the economy is becoming increasing bifurcated and jobs that require a college credential will be more important than ever. So, investment in CUNY is a critical way to address that. We are calling you from the PSC to invest 77 million to reverse the cuts from this year's enacted budget and the "cost efficiencies" in the nearest preliminary budget for 2022. There is nothing efficient about undermining the ability of the public university to sustain and support the people of New York. Second, we're calling on you for 24 million to provide revenue to offset the loss of tuition from the enrollment declines you heard about. It's not enough just to keep the community college funding from the state. There must be this offset, and finally, we are calling on you for additional 21

million or about 20 million to invest in the first year...

SGT. BRADLEY: Your time has expired.

BARBARA BOWEN: Okay, thank you. If I could just finish my sentence.

CHAIR BARRON: Yes, you can continue.

BARBARA BOWEN: Okay, thank you very much, Chairperson, to invest in the first year of the new deal for CUNY. Council Member and Leader Barron spoke about that and spoke about the Legislation. I was disappointed that the CUNY Administration didn't jump up and say yes, we will work for that. That Legislation which has been introduced in Albany is bold plan, a visionary plan for new investment and it provides for free tuition throughout CUNY for restoration of a staffing ratio between full time faculty, full time mental health counselors full time academic advisors, and students. It professionalizes adjunct compensation, and it provides for capital funding. It represents the student, faculty, labor, community coalition to reimagine what CUNY should be. So, we call on you and the city to take that step this year. Make this the year in which you put in new investment and do the city's part for the first

year towards a new deal for CUNY. So, that represents the total of 121.5 million that we are calling for, which as I said, represents a different direction from CUNY, calls on you to use this as the year for visionary and bold investment, and finally, I'll just mention two things and then I'll stop, and Andrea Vazquez will join me in any questions. We heard, and I was delighted to hear that Council Member Lander spoke about the proposal for pilot funding and payment in lieu of taxes. The PSC has advanced that idea of surprise that the CUNY Administration said they weren't familiar with it, but we have testified in front of city tax commissions on that issue and I'm looking forward to sending you our testimony, and then finally, Council Member Barron, you asked about the commitment of CUNY to anti-racism, and I want to say two things there. I was very pleased to hear the comments they made about anti-racism, but I want to say first, that without a significant new and different investment in CUNY, New York's recovery, whatever recovery there is, will be partial, and I would say it will be racist because it will reinscribe the inequities of race and class that were horribly exposed by this

pandemic, and that's why we feel it's incumbent on the city to make a different kind of investment, a different level investment and go beyond simply restoring funds that were cut. It makes no sense to cut, but it makes great sense to do more, and just one last mention, Council Member Barron, you asked about the raises that have been withheld from the people who work at CUNY, the working faculty and staff and then the equity raise that we had negotiated, specifically to address gaps in salary and also to address the inequities for categories of worker that include large number of women and people of color, and the Administration of CUNY said that those raises have been restored. It's worth saying that we had to fight tooth and nail to get them restored. I'm very pleased they were, but we were demonstrating, petitioning, sending cards, telegrams, sending thousands of emails just to get that raise restored, so I would, I commend you for asking about that and call on CUNY to maintain a commitment to its faculty and staff, including its adjunct faculty, still have not been restored to those positions, and above all, thank the Members of the Council for your continued support, your incisive questioning, and

your precision about what is needed at CUNY, and your willingness to go with us to imagine a different future for CUNY at this moment when CUNY is needed by New York more than perhaps any time in its history, we're asking the city, unlike the university Administration, we and the people of New York are asking for the investment CUNY needs. So, thank you very much, and we'd be delighted to answer your questions.

CHAIR BARRON: Thank you so much. Excuse me for not being on video, but my connection was unstable, and I was told that if you go off video, that helps to stabilize it, but I heard everything that you said. Thank you so much. That makes so much sense. If we know what the conditions were prior to the pandemic, and we know that those conditions were inequitable and oppressing, if you just bring back the same levels of what was existing before the pandemic, you're going to have the same situation. If you want to have change, you've got to make an investment in that, and make sure that that money and the programs and the foresight and the planning and all of those partners that you mentioned, that they'll all be involved in that to in

fact, make a difference. You can't make a difference without the financial capital investment in that and that's so very clear, and the way that you presented it, just highlighted it. You know, we have to have more money. We can't just restore it. We have to have more money to move forward, and in terms of the comments that you made about the pilot, I was also surprised that they said that they weren't familiar with it. Not that I knew that you had had testimony before the Council on that issue, but simply being on the edge of what's going on in higher education, it perhaps should have come across your radar at some point, even if you weren't at that point actively pursuing that, and in terms of the adjuncts, I think that colleague, Council Member Lander was very clear, wait, you still got 93 million dollars and to bring back those whose jobs were not given can be a part of that because in fact, the protection, the PPE talks about keeping employees working, keeping them in that mainframe and keeping them in that environment. So, we didn't get a definitive answer on that, and the nebulous answer to supporting the new deal for CUNY, since he didn't say no, and since he thinks all measures are great, then he supports the plan, and

that's how I'm presenting that and projecting that. You didn't say you objected. You didn't say it was bad. You said that's a legislative matter, so we're glad that your supporting our efforts in that regard, but I want to thank you and commend all of the numbers for the great work that they do, I'm gong to continue to make sure that all of these issues are addressed, responded, and that we move forward, and again, thank you for the work you're doing, the sacrifices that you make.

BARBARA BOWEN: Thank you Council Member, and I think Andrea want to speak, I just wanted to say one quick thing about the adjuncts, and I was so pleased that Council Member Rosenthal and Council Member Lander raised that, and you just said that too, but sorry, when you said at the end that you were term-limited, we knew that, and that future hearings, it won't be you, but I also want to chance to say how fabulous your leadership and questions has been. We are all grateful for that.

CHAIR BARRON: I appreciate it.

BARBARA BOWEN: Absolutely, and just to add on the adjuncts, I think the point that was made was very clear. The idea of those stimulus bills,

the primary idea was one way the economy survives, and people survive is that businesses, nonprofits, schools, higher education institutions should keep people on payroll, and that language is the same language in the CARES Act and in the second stimulus that provides 455 million to CUNY, so and they adjuncts, there was initially 2900 adjuncts laid off by CUNY. Almost 100 were restored through the efforts of those adjuncts themselves, the Union, the Department Chairs that fought for them. I think there were 100 and some, 30 some through the mail-in funding. Again, we made that an issue, and I'm very pleased that the Chancellor did reinstate those 130, but there's still nearly 2000 who have lost their CUNY income and that should be a priority in the spending, and to hold on to the CARES Act funding, and as new money is coming in, why not use it to restore people to payroll when the fundamental thrust of that Federal Stimulus was to keep people on payroll. It is unconscionable. So, to hear administration to say we value our adjunct highly, and then, oh, they're disposable when CUNY wants to make a cut, is not an acceptable answer and I really commend the Council for focusing on that and

requiring that CUNY provide an accounting of how that money has been spent and how it should be dedicated before some other needs to putting people back on payroll. So, thank you for that, and I think Andrea wanted to say something.

COMMITTEE COUNCIL EMI BRIGGS: Yes, thank you, thank you for testimony. I'll now call on Andrea Vazquez.

ANDREA VAZQUEZ: Thank you. This is not formal testimony, but I'm happy to be here and I want to thank Chair Barron for her incredible, strong questioning of CUNY and running of this hearing. This is so important, that we're all here. I did want to pick up because, and I apologize for having to jump off, but I guess I wanted to re-emphasize that this problem that way CUNY presents what they're doing, and what was so stunning to me was one of the things, when Chair Barron asked a very good question about not only funding of ASAP, but what does it mean for the quality of ASAP? Chief Financial Officer, Matthew Sapienza said, "I believe it's good, I believe it's still good, I believe the quality is still up to snuff". Well, it simply isn't, and we know that, and I'm a professional staff member

myself, so I hear from our 5100 people, and I actually even texted a Director of Counseling at one of the college and the Director of ASAP at a different college, and you know, it's just not okay to say, "I feel quality is the same" when we know that students are suffering because of the options and the time that staff, as well as faculty, we often talk about faculty, but these cuts have effected staff where staff are being asked to do one or two or three jobs instead of one, and students suffer. You know, their work life suffers as well, but students suffer, and we can't just say I think the quality is okay because it isn't, and in the area of ASAP, ASAP was doing a great job, it got renowned nationally, they expanded pre-COVID, they expanded, and the offerings diminished. What the students got became less. Now, after COVID, students are struggling so much, that they're actually not in the program. Their numbers are dwindling, but and you know, that's not a good thing. Actually, the advisors in ASAP are trying so hard to maintain that 50% graduation rate that they had achieved prior to COVID. So, where are they heading. You just ask yourself, where are they heading? There's cheapening of, in so many ways,

just, it cannot continue, and so that was ASAP. In terms of mental health counselors, we often hear about CUNY providing money for mental health. Well, what CUNY did since COVID is to throw a one-time amount of money to the colleges. I think each college got, I don't know, a couple 100 million or something; I'm not sure, I could look it up, but they had to spend it, they had to hire in the fall, and it had to all be spent by the end of the fiscal year. How are you going to work with students on mental health issues by bring in part time, temp workers, that are running into an office and running out, not knowing anything about CUNY necessarily, anything about the student body, and they don't have a job. They certainly can't learn, have time to learn, and build a relationship to be really good mental health counselors. So, everybody is talking about mental health and it's going to be so needed in the years to come...

SGT. BRADLEY: Your time has expired.

ANDREA VAZQUEZ: Thank you, thank you.

So, I'll leave it at that. We need more than one shot, cheaping support.

2 COMMITTEE COUNCIL EMI BRIGGS: Thank you
3 for your testimony.

4 CHAIR BARRON: And I apologize for going
5 off camera, but I'm trying to get a more stable
6 connection. I hear you. You didn't see me, but I
7 heard you. Thank you so much.

8 COMMITTEE COUNCIL EMI BRIGGS: I'd like
9 to turn it over to Chair Barron, if you have any
10 questions, and also, I'd like remind Council members
11 to use the raise hand functions in Zoom if they have
12 any questions for this panel. Chair Barron.

13 CHAIR BARRON: No, I don't have any
14 further comments or questions. I just want to
15 encourage you to continue doing the work that you're
16 doing.

17 BARBARA BOWEN: Thank you.

18 ANDREA VAZQUEZ: Thank you.

19 COMMITTEE COUNCIL EMI BRIGGS: Seeing
20 that we have no other questions from the Chair or
21 from any other Council Members, we have, I believe we
22 have heard from everyone who has signed up to
23 testify. We appreciate your time and your presence
24 here today. If we have inadvertently missed anyone
25 that would like to testify, please use the raise hand

function and we'll call you. It looks like we've done that, and if you, I'd also like to note that written testimony will be reviewed in full by Committee staff, may be submitted up to 72 hours after the close of this hearing by emailing to testimony@council.NYC.gov. Chair Barron, we have concluded public testimony for this hearing.

CHAIR BARRON: Thank you so much. I want to thank our moderator, our Council, Amy Briggs, I want to thank of the people who helped to do all of the research and get me all the notes to be able to pose those pointed questions. I want to thank the behind-the-scenes persons, I want to thank the Sergeants at Arms, and everyone who had anything to do with bring this hearing to a successful event, and with that, we are concluded, and this hearing is adjourned, and I'm going to use my shaker-ray knowing that my mute is on this time. Thank you so much. We're adjourned.

1 COMMITTEE ON HIGHER EDUCATION

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C E R T I F I C A T E

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



Date <INSERT TRANSCRIPTION DATE>