

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FINANCE
COMMITTEE ON HIGHER EDUCATION
COMMITTEE ON CIVIL RIGHTS

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May 18, 2012
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HELD AT: Council Chambers
City Hall

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DOMENIC M. RECCHIA, JR.
YDANIS RODRIGUEZ
DEBORAH L. ROSE
Chairpersons

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Leroy G. Comrie, Jr.
Lewis A. Fidler
Helen D. Foster
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COUNCIL MEMBERS:

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

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

Eric Hofmann
Director of Collaborative Programs
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Elliott Dawes
Director of the CUNY Black Male Initiative
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Patricia L. Gatling
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The New York City Commission on Human Rights

Carlos Velez
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Lee Hudson
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Deputy Commissioner/General Counsel
The New York City Commission on Human Rights

Betsy Herzog
Director of Communications
The New York City Commission on Human Rights

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2 CHAIRPERSON RECCHIA: Good morning
3 and welcome to the fourth day of the City Council
4 hearing on the Mayor's Executive Budget for Fiscal
5 Year 2013. My name is Domenic Recchia. I am the
6 chair of the Finance Committee. I'd like to
7 introduce all of my colleagues who have joined us
8 this morning: Oliver Koppell, Larry Seabrook,
9 Jimmy Oddo, Vincent Ignizio, Al Vann, and myself.
10 Yesterday we heard from police department and
11 district attorneys and special narcotics
12 prosecutor and the Civil Complaint Review Board.
13 Today the Finance Committee will be joined by the
14 Committee on Higher Education, hear from CUNY and
15 then the Finance Committee will be joined by the
16 Committee on Civil Rights to hear from the human
17 rights commissioner.

18 Let's start with CUNY's Fiscal 2013
19 Executive Budget is \$837.5 million, which is an
20 increase of \$67.5 or 8.8% from 2012 Adopted
21 Budget. CUNY is funded almost entirely with city
22 and state funds. City funds increase 8.3% from
23 the Adopted Budget and the growth reflects a
24 tuition increase implemented in September 2011 as
25 well as another planned tuition increased in

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2 September 2013. At adopted, the administration
3 agreed to maintain the CUNY city funds budget,
4 otherwise known as maintenance of effort and not
5 impose any budget cuts. The city funds budget is
6 \$259 million, and this amount is met in the
7 executive budget. This is good news. I look
8 forward to hearing from Chancellor Goldstein about
9 the Executive Budget changes that affect CUNY's
10 program and services. Okay.

11 For members of the public who wish
12 to testify, but cannot make the hearing, you can
13 fax your testimony to my counsel, Tanisha Edwards,
14 and she will make it part of the official record.
15 Her fax number is 212-788-7061. Okay.

16 [pause]

17 CHAIRPERSON RECCHIA: Alright. We
18 have to take a five minute break.

19 [break]

20 CHAIRPERSON RECCHIA: Okay, we are
21 back again. Take a little break. I just want to
22 remind the public that after we hear from the
23 Chancellor, we are not going to take public
24 testimony. Public testimony is going to be held
25 on June 6th at 4 o'clock. I'm going to give

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2 everyone as much time as they need to come and
3 testify on June 6th. We will start at 4 o'clock
4 and we will go for as long as we need to to
5 accommodate everyone who wishes to testify and
6 we've been contacted by many students from CUNY
7 that would like to come down and testify, and we
8 encourage that, and we welcome that. Now, I'd
9 like to introduce my co-chair for today's hearing
10 Ydanis Rodriguez, Council Member.

11 CHAIRPERSON RODRIGUEZ: Thank you,
12 Chairman Recchia for giving me this honor to be at
13 this hearing with you. Good morning. I am Ydanis
14 Rodriguez, chair of the Higher Education
15 Committee. This is a hearing of the Committee on
16 Higher Education and the Committee on Finance on
17 the Executive Budget 2013--a budget for the City
18 University of New York. More specifically the
19 Committee will review the budget and operations of
20 CUNY and CUNY's community college. Chancellor
21 Goldstein will testify before the Committee. Good
22 morning, Chancellor. I would like to acknowledge
23 my colleagues from the Higher Education Committee:
24 Council Member Seabrook and Rose. The Executive
25 Budget for CUNY Fiscal 2013 is \$838.5 million--

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2 67.5 million more than the budget the Council
3 passed for CUNY last year. CUNY's substantial
4 budget growth is due to three things. First, the
5 budgets reflect the - - suffering a cut - - were
6 being maintained. Second, the first state funding
7 increase in many years will provide more than 10
8 million to CUNY community college, and lastly, the
9 300 tuition increase [phonetic] at over 20 million
10 of CUNY's budget [phonetic]. I look forward to
11 discussing how CUNY will use the additional 67.6
12 million to support the wide array of instructional
13 programs, - - community college and meet the needs
14 of the students. I am particularly interested to
15 know whether CUNY will be able to increase the
16 instruction staff and supplement its courses
17 offering. The Executive Budget dropped all
18 funding for the City Council initiatives that were
19 supported in the Fiscal 2012 Budget. They are the
20 Black male Initiative [phonetic], the Dominican -
21 - Institute, the Center for Puerto Rican Studies,
22 the - - Institute, the CUNY nursing program.
23 These are valuable programs that must be continued
24 to be supported. Today we will also review CUNY's
25 capital program. The capital budget for CUNY

1 includes 309.3 million's worth of projects
2 [phonetic] from Fiscal 2002 through 2016. They
3 include many different projects such as 100
4 million - - repair La Guardia to 200 plus million
5 worth of miscellaneous repair and reconstruction
6 projects. CUNY expects to commit about 50 million
7 to construction, repair and equipment purchase
8 this year. Not included in the capital budget is
9 an addition 71 million worth of projects funded by
10 the state that need a city match to move forward.
11 I plan to review this today because I want to
12 maximize the capital dollars available to the
13 community college. The city should not forgo 71
14 million. That's our money and that money should
15 be invested in our students. Thank you. First,
16 I'd like to call the first panel for CUNY.

18 CHANCELLOR GOLDSTEIN: Good
19 morning, Chairperson Recchia and Rodriguez and
20 members of the Finance and Higher Education
21 Committee. I indeed feel privileged to be here to
22 discuss CUNY with you this morning. Thank you
23 also for being able to comment on the mayor's 2013
24 Executive Budget and its effect on the City
25 University of New York and our community colleges,

1
2 Borough of Manhattan Community College, Hostos
3 Community College, Kingsborough, La Guardia,
4 Queensborough, Kingsborough, and our new community
5 college that is set to open in the fall. Today,
6 members of the Committee, I am joined by senior
7 vice chancellor for budget, finance and fiscal
8 policy, to my left, Marc Shaw; senior vice
9 chancellor for university relations and secretary
10 to our board, Jay Hershenson; vice chancellor for
11 facilities, planning, construction and management,
12 seated to my right, Iris Weinshall; associate vice
13 chancellor for budget and finance, Matthew
14 Sapienza; seated all the way to my right, senior
15 university dean for academic affairs, John
16 Mogulescu; seated in the front, university dean
17 for libraries and information resources, Curtis
18 Kendrick, and university associate dean for
19 enrollment, James Murphy; director of policy
20 analysis, Colin Chellman; director of
21 collaborative programs, Eric Hofmann; director of
22 the CUNY Black Male Initiative, Elliott Dawes.

23 You have often heard me speak about
24 CUNY as a reenergized institution. So much of our
25 renewal is a result of your consistent support of

1 the university. I'd like to mention a few recent
2 successes that I think the city and the Council
3 should truly celebrate. We just learned several
4 weeks ago that 16 CUNY students received the
5 prestigious Nation Science Foundation Graduate
6 Fellowships for \$30,000 each for three years. No
7 other public university in the Northeast has more
8 students or alumni who have won more of these
9 fellowships. In addition, we have just learned
10 that four CUNY faculty members have been awarded
11 the fellowships from the Guggenheim Foundation.
12 These fellowships are given to a very select
13 number of scholars who have demonstrated
14 exceptional capacity for scholarship or
15 exceptional creative ability, and last month, the
16 university completed its tenth annual Citizenship
17 Now!, reaching a milestone of helping more than
18 100,000 people navigate the pathway to citizenship
19 through this free service as Chairperson Rodriguez
20 and others saw firsthand when you visited the - -
21 several weeks ago. As a follow up tomorrow, our
22 Citizenship Now! Program will host an in person
23 citizenship assistance event at John Jay College
24 of Criminal Justice and if any of you have not
25

2 seen the new John Jay campus, you really must. It
3 is quite spectacular and something that all of you
4 will be as we are deeply privileged to have within
5 our midst. And at that event, we hope to help
6 about 500 participants with citizenship
7 applications. I hope you take as much pride as do
8 in these and many other recent advances that have
9 happened at the university. They reflect our
10 shared goal of building a highly skilled and
11 civically engaged workforce across the city. We
12 continue to maintain our record enrollment of
13 272,000 degree seeking students including almost
14 98,000 students at our community colleges. In
15 addition, we are serving approximately 223,000
16 adult and continuing education students, including
17 about 130,000 at our community colleges. We are
18 managing enrollment carefully and working closely
19 with our college presidents to ensure that every
20 student has access to the programs and services
21 they need to make academic progress. This
22 includes expanding the scheduling grid to make
23 more courses available at night and on weekends,
24 targeting advisement to help students to find a
25 specific pathway towards a degree and offering

1 both hybrid and fully online courses to give
2 working students additional scheduling
3 flexibility. Helping each student make progress
4 and earn a degree remains our important goal, and
5 as you know, one program that has been
6 particularly effective in fostering students'
7 progress is the accelerated study in associate
8 programs initiative, also known as ASAP. This is
9 why we have prioritized expanding ASAP from its
10 current 1,300 participants to serve 4,000 students
11 by 2014. We recently testified to the Higher
12 Education Committee about ASAP's success.

13 Participants have much higher graduation rates
14 than peers who enter CUNY with the similar or same
15 levels of academic skills. Let me give you some
16 data to support that. The first cohort in 2007
17 had a 55% three year graduation rate, while a
18 comparison group had a 24% three year graduation
19 rate. There is no place in the United States
20 today that can demonstrate that kind of increase
21 and rate of increase at community colleges. The
22 2009 cohort, which included students with some
23 remedial needs has a 27% two year graduation rate,
24 while a comparison group has a 7% two year
25

1 graduation rate. ASAP to me exemplifies CUNY's
2 approach to meeting students' needs thoughtfully
3 developed a targeted program, carefully assess the
4 results and an assessment dictates make it more
5 widely available. That targeted approach is
6 partly a response to our incoming students' very
7 different level of college readiness. I have
8 spoken to you before about our tale of two tales.
9 We are enrolling more high achieving students than
10 in our history, as well as a growing number of
11 underprepared students—students just not ready for
12 college level work. For example, this year the
13 number of applicants to the Macaulay Honors
14 College rose by 36% to 5,529 from 4,077, and
15 accepted students have a mean C.A.A. [phonetic]
16 of 94% and a mean SAT of 1413. At the same time,
17 nearly eight out of our ten students who come to
18 our community colleges today from New York City
19 public schools need some remediation. Our goal is
20 to enable every student to achieve academic
21 success is also reflected in our state required
22 2012 to 2016 master plan, which we are in the
23 process of finalizing. The plan sets out the
24 university's priorities for the next four years.
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2 First, we will continue to focus on increasing our
3 full-time faculty ranks. We have hired an
4 unprecedented 1700 new full time faculty as the
5 university over the last decade; however, even
6 these significant gains cannot keep pace with our
7 record enrollment increases. We also emphasize
8 the need for student support structures that
9 improve student persistence. These include
10 collaborative programs with the city's Department
11 of Education, expanded advisement and counseling
12 and enhanced undergraduate research opportunities.
13 The master plan also includes our new community
14 college, which thanks to your support will open
15 this fall with an initial cohort of 300 students.

16 In addition, the importance of
17 robust library services is highlighted in the
18 master plan. We are working towards the goal of
19 enabling all CUNY faculty and students to have
20 remote access through the Internet to the entire
21 set of electronic materials subscribed to across
22 the CUNY colleges. We have already made great
23 strides in this regard. Last year, more than 19
24 million searches were conducted of electronic
25 resources available to the entire university

1 community and more than seven million documents
2 were downloaded. Our community colleges in
3 particular from the power of the system that
4 enables access to many high end scientific
5 resources such as science direct, nature and
6 science magazine, just to name a few, other highly
7 used electronic collections, such as J Store
8 [phonetic], Lexis Nexis [phonetic], and psych
9 articles. Our plans also include increasing
10 students' information literacy, supporting faculty
11 research and ensuring that our library spaces are
12 configured to facilitate both collaborative
13 learning and quiet study.

15 The CUNY Black Male Initiative is
16 also highlighted in our master plan. The
17 initiative is open to students regardless of race
18 or gender and includes projects on every CUNY
19 campus from mentoring programs to career
20 workshops. Last year more than 7,000 students,
21 administrators, faculty members and community
22 partners were involved in CUNY BMI projects and
23 programs. As promised last year at this hearing,
24 the development of a proposal for a BMI Institute
25 has also been included in the master plan. This

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2 institute will elevate the work of the BMI to a
3 national level. It would provide funding for
4 fellowships, to researchers or CUNY graduate
5 students, who are studying issues of equal
6 educational opportunity as well as issues of race,
7 ethnicity and diversity as they relate to
8 education.

9 I am very grateful for the
10 Council's ongoing support of this essential
11 initiative and ask for your assistance in
12 restoring funding for the current year. Given
13 these ambitious plans for the coming year, it is
14 especially gratifying that New York State has put
15 in place a predictable tuition policy for CUNY and
16 for SUNY. This historic five year tuition plan
17 enables both the university and our students and
18 their families for the first time to start to plan
19 more efficiently. Included in the policy is a
20 maintenance of effort provision that financial
21 support cannot be reduced for prior years' levels,
22 of course, with the exception of cases of a
23 financial emergency. For the first time our
24 colleges have some measure of funding stability
25 and can plan for the next for years more

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2 confidently. We are also pleased that the 2012-
3 2013 state adopted budget included a \$150 per FDE
4 increase for all of our community colleges. As
5 you know, over the last four years, state base aid
6 funding has been reduced by \$553 per FDE for a
7 total reduction of over 20%. In addition, since
8 FY '09, city funding per FDE students has
9 decreased by 15%, so I'm grateful that the state
10 has recognized the need to rebuild investment in
11 our community colleges. As a result, the
12 university is developing as we speak an innovative
13 investment program for our community colleges to
14 address urgent needs including additional faculty,
15 increased advisement, the expansion of library
16 services and investment in instructional
17 equipment. The 2013 Executive Budget recommends
18 operating support of \$259 million to CUNY. The
19 proposed budget includes an additional \$2 million
20 in support for our new community college. In
21 addition, the executive budget adds almost 23
22 million to CUNY's revenue appropriations for the
23 fall 2012 tuition increase. The budget also adds
24 just over \$3 million for mandatory cost increases
25 in energy and rental costs, and it continues

1 funding for CUNY prep and the civic justice corps
2 [phonetic] at 2012 levels and increases funding
3 for the Young Men's Initiative by \$410,000, but
4 unfortunately, funding was not provided for the
5 Dominican Studies Institute and the Center for
6 Puerto Rican Studies, each of which is leading a
7 national center for historical and cultural
8 research. The creative arts team, which provides
9 learning opportunities for at risk students and
10 the Joseph S. Murphy Institute's campus based
11 worker education programs were also underfunded.
12 Your assistance in restoring funding for these
13 important programs is greatly appreciated. In
14 addition, funding for the CUNY nurse professional
15 training initiative was not provided, and we ask
16 for your help to continue a range of accelerated
17 and transitional training programs in nursing and
18 allied health. While I'm pleased that there is
19 greater stability on the operating side of the
20 budget, I am deeply concerned about our capital
21 program. Our facilities are truly the foundation
22 of our academic work, not only as physical
23 structures, but as facilitators of more robust
24 classroom interactions, advanced research,
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2 increased student participation and enhanced
3 community partnerships. Safe well-kept buildings
4 invite engagement. Neglected structures are a
5 deterrent and a hazard. The Council has always
6 been a strong supporter of our capital needs, and
7 I thank you for recognizing how significantly our
8 recent enrollment increases have affected the
9 condition of our existing facilities and the need
10 for additional space. In fact, with your help, we
11 will open two major buildings in the fall—the new
12 Fiderman [phonetic] Hall at Borough of Manhattan
13 Community College in Lower Manhattan and the new
14 North Instructional building at Bronx Community
15 College, which includes the college's new library
16 and much needed classroom and office space. In
17 addition, this fall we expect to move into new
18 expanded home for CUNY in the Heights on Broadway
19 between 213th and 214th Street. As I mentioned, the
20 new community college will also open its doors in
21 the fall. We are grateful for your support, for
22 laboratory space and equipment at this new
23 college. Construction on labs will begin shortly,
24 and in just a few weeks, we broke ground on the
25 College of Staten Island's residential living

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2 complex, which will significantly enhance the
3 student experience at that traditional commuter
4 campus.

5 I have spoken to you about the
6 challenge of addressing critical maintenance work
7 at our community colleges before. Funds provided
8 by the state to our community colleges cannot be
9 used unless there is a 50/50 match by the city.
10 For its part, the state has allocated critical
11 maintenance funds to the community colleges. In
12 fact, 71 million in unmatched funds now exists—
13 funds the university urgently needs, but we cannot
14 access without a city match. This funding will
15 allow us to take care of some of the most serious
16 infrastructure issues both small and large,
17 including upgrading fire alarms, replacing boilers
18 and roofs and replacing deteriorating facades.
19 Each of our community colleges has specific issues
20 on their campuses. Let me give you just a couple
21 of examples. At La Guardia Community College, the
22 center three buildings terra cotta façade is
23 nearly—are you ready for this—100 years old and in
24 poor condition. It desperately needs to be
25 replaced, if the building is to be preserved. The

1 project is currently divided into phases due to
2 the anticipated availability of city funding.
3
4 Were we to receive the 17.5 million of city
5 funding, which we have requested, construction
6 could be bid in a single phase, which would lower
7 the costs and reduce construction time. The
8 project is currently in design. Allocating these
9 funds this fiscal year will allow CUNY to bid
10 construction this coming winter in Fiscal 2013,
11 and at Hostos Community College, a complete
12 renovation of the five story 500 grand concourse
13 facility is well under way. The first and fifth
14 floors are completed, and additional funding will
15 allow us to begin renovation of the remaining
16 floors. We are also working on a new facility's
17 master plan for Hostos, which will include a
18 recommendation for a new allied health and science
19 building on a site CUNY already owns. We look
20 forward to sharing that with you. At Bronx
21 Community College, a multi-phase project to
22 upgrade the campus central plant and its heating,
23 cooling and electrical distribution infrastructure
24 is under way. This project truly defines the
25 critical in critical maintenance. Without the

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2 upgrades, the deteriorating building systems will
3 eventually fail and facilities will have to be
4 taken offline. The first two phases are in
5 construction thanks in part to your help.
6 Additional funds allocated this year would enable
7 the next phase to move into construction in 2013
8 as it is already in design and design is also
9 underway to upgrade the T1 and T2 buildings at
10 Kingsborough Community College. Critical
11 maintenance funding would enable continued
12 upgrades to the campus wide fire alarm system as
13 well as upgrades to the T7 building and the repair
14 replacement of three additional roofs on the
15 campus. At Borough of Manhattan Community
16 College, several projects at 199 Chambers Street
17 building demand attention, particularly the
18 replacement of deteriorated windows with new
19 energy efficient ones as well as façade repairs
20 and other critical maintenance. And finally,
21 ladies and gentlemen, at Queensborough Community
22 College a roof replacement project for three roofs
23 on campus is sorely needed. In addition, ADA
24 accessibility upgrades to the campus theater must
25 continue, including elevator replacement,

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2 installment of ADA ramps, restroom reconfiguration
3 and upgrades to the stage. Funding we have
4 received from the Council has enabled us to make
5 discernible progress in achieving a state of good
6 repair on our community college campuses, and we
7 are grateful for that support. As I have said
8 before, maintaining a state of good repair is
9 essential to ensuring the health and safety of the
10 thousands of people who use our campus facilities.
11 Providing the match of \$71 million of additional
12 funds would be a significant move forward for
13 these ongoing maintenance projects. So
14 Chairperson Recchia, Chairperson Rodriguez,
15 members of the Committees, you have demonstrated
16 many times over your commitment to helping New
17 Yorkers advance themselves and contribute to this
18 city's vibrancy. We deeply appreciate your
19 continued support and look forward to working with
20 you to sustain that commitment. Thank you very
21 much.

22 CHAIRPERSON RECCHIA: Thank you
23 very much. We've been joined by Council Member
24 Jackson, Council Member Brewer, Council Member
25 Jumaane Williams. Before... I just have one

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2 question to ask you and then I'll turn it over to
3 my co-chair, Council Member Rodriguez. The Black
4 Male Initiative, can you just tell us how we're
5 proceeding? How many--do you have any more further
6 details on that?

7 CHANCELLOR GOLDSTEIN: It goes on
8 at every one of our campuses. This was an idea
9 that was put into my head by former president of
10 Medgar Evers College, who had done something
11 similar--Edison Jackson for those of you who
12 remember President Edison Jackson. I went down to
13 see that program at Medgar Evers. It was very
14 small, but I thought it had great potential value.
15 We scaled it up. We raised a significant amount
16 of money, both private money and help from the
17 Council. It's had a profound effect on people.
18 We started with black men, but now it has
19 expanded, gender neutral. Anybody that needs
20 those support services can get them today--about
21 7,000 students so far have been helped in
22 significant ways. It exists at all of our
23 campuses today, and what we want to do is to scale
24 it up a second time--first at Medgar, now with the
25 BMI to a full institute. Once it generates full

1
2 institute capacity, it will get additional funding
3 from the university and will enable us to reach
4 foundations in ways that we've never been able to
5 do before, so I am deeply committed to the BMI,
6 committed to forming an institute and helping our
7 director of the institute starting to raise some
8 private money—

9 CHAIRPERSON RECCHIA: [Interposing]
10 In order to form an institute, what do you need?
11 More funding or...? What constitutes an institute?

12 CHANCELLOR GOLDSTEIN: An institute
13 is an entity that exists at a lead institution at
14 one of our campuses, but has tentacles to as many
15 other institutions within CUNY that want to
16 participate. The institute requires a plan, a
17 fiscal plan and an academic plan. It needs to be
18 reviewed by my office of academic affairs. If I
19 am convinced that it has the gravitas that it
20 should have, I will bring this to the board of
21 trustees for their approval, which I imagine that
22 they will approve, and then, it gives us the
23 infrastructure for channels of revenue that will
24 open up as a result of the structure.

25 CHAIRPERSON RECCHIA: thank you

2 very much, Mr. Chancellor. Council Member
3 Rodriguez?

4 CHAIRPERSON RODRIGUEZ: Thank you,
5 Chairman Recchia. I had a few questions. One is
6 what is the explanation that the administration
7 has provided to CUNY for not providing the 71
8 million capital dollars?

9 CHANCELLOR GOLDSTEIN: What is the
10 ramifications?

11 CHAIRPERSON RODRIGUEZ: No, the
12 explanation? What is the rationale from them not
13 providing the \$71 million even though everyone
14 understands that CUNY is doing a lot of work,
15 especially dealing with more than 80% of the
16 students going to community college - - remedial
17 courses?

18 CHANCELLOR GOLDSTEIN: I don't know
19 the reason that the monies have not been
20 appropriated. I could tell you that in the time
21 that I have been chancellor, I have had very
22 serious discussions with members of the state
23 legislature, who say to me, "Chancellor, why
24 should we free up money for capital projects at
25 your community colleges, when indeed the money is

1 not matched by the city?" There is state law that
2 requires for every dollar the state puts up, that
3 solar can only be used if an equivalent dollar is
4 matched by the city, and we have had significant
5 problems over many years where the state got to
6 the point where they weren't even appropriating
7 the money because they said, "Why should we bother
8 if indeed the city is not putting up their money?"
9 And that has hurt our community colleges. That is
10 why for those of you who have seen our community
11 colleges, we have a 100 year façade that is
12 falling apart, that has real opportunity to cause
13 physical harm to people, that's why when you go on
14 the Bronx Community College campuses—and I get
15 calls from members of our union and members of the
16 faculty and staff that the bathrooms are not
17 working, that laboratories are in such poor
18 repair. You cannot allow physical facilities
19 where students are learning and faculty are
20 helping those students learn unless they are
21 modernized and kept in good repair, and this is an
22 area that I have pounded away for a very long
23 time. It is that part of our capital program that
24 is the most vexing. It is the only part of our
25

1 capital program that has leverage—one from the
2 state and one from the city, and unless they are
3 put in equilibrium and in balance, we're going to
4 continue to have this problem, and you, the
5 Council, have been very helpful over the years in
6 freeing up some of that money so that we can
7 unleash some of the money that is provided by the
8 state.

10 CHAIRPERSON RODRIGUEZ: - - Speaker
11 Christine Quinn and Chairman Recchia, who also
12 said at the Speaker's State of the City that this
13 is going to be one of her priorities was to fight
14 for the city to allocate the \$71 million - -
15 working together with - - so that CUNY continued
16 pushing the administration, so at the end of the -
17 - process, we hope that we can be able to provide
18 CUNY the capital budget because they need the
19 institution - - --

20 CHANCELLOR GOLDSTEIN:
21 [Interposing] Chairperson Rodriguez, let me add
22 one little addition to the very good comment you
23 just made. The asset class community colleges, an
24 asset class at CUNY is the fastest growing asset
25 glass in the City University of New York. The

1 enrollment growth at our community colleges has
2 outpaced the enrollment growth at our professional
3 schools, our baccalaureate institutions, our
4 graduate programs. This is where students are
5 coming, and if they're going to come in rapid and
6 increasing numbers, we have to have facilities
7 that will accommodate them.
8

9 CHAIRPERSON RODRIGUEZ: I agree
10 with you, but I also think that - - reflect the
11 hard work that CUNY has to do with that particular
12 population going to community college because - -
13 there's no remedial courses at the senior
14 colleges. If all the remedial classes take place
15 at community college, and a - - growing that we
16 have in community college reflects also the work
17 that we've got to do in our New York City public
18 schools because when we're saying that they're
19 growing as fast as community college, but as the
20 former teacher that I was, I know that if the
21 student's average is 75, his entry door to CUNY is
22 going to be a community college, so CUNY is
23 working with more than 80% of students getting to
24 community college. - - therefore, we need to put
25 the money there so that you can expand the library

1 the - - capital in that it can respond to the
2 demand that we have with that particular
3 population of students that is coming into higher
4 education with a lot of need. As you know, a
5 significant group of them drop out in the first
6 semester, so it says a lot about all the work that
7 CUNY is expected to do because of the lack of
8 preparation of the students in our New York City
9 public schools. And it takes me to my next
10 question which is related to college now; it's a
11 joint effort CUNY and the DOE and it has been
12 proven by students that they go through college
13 now, if we do the right investment, we save a lot
14 of money because they would not have to take the
15 number of remedial courses as those students that
16 they were not enrolled in college now. So my
17 question is, what is the experience that you have
18 as CUNY working providing the college now program?
19 How much money is needed to provide college now to
20 every single student in the New York City public
21 schools?
22

23 CHANCELLOR GOLDSTEIN: College now
24 for those of you who may not be familiar with it
25 is a program that was started many years ago by

1 the late Leon Goldstein [phonetic], who was the
2 president of Kingsborough Community College. It
3 is one of the most effective collaborations that
4 we have with the DOE schools. It enables students
5 who are as early as say the ninth grade in a DOE
6 school to have an experience in a college level
7 course, be it a remedial course or a credit
8 bearing course. It does two things; it enables we
9 to help struggling students deal with their
10 remedial needs, so that when they arrive on a
11 university campus, they can start with their
12 associate level work or their baccalaureate work
13 right away. It also enables students who want to
14 take a college level course that may not be
15 available at the school in which they are enrolled
16 to give them a sense of the level of expectations
17 that the CUNY faculty have of the student, but for
18 me, it also gives a further benefit, and that is
19 it introduces the culture, and I've discussed this
20 with Bob Johnson [phonetic], it gives them a sense
21 of the culture of what a university campus is. We
22 want our students in the DOE schools to go to a
23 university, and one of the things that's great
24 about that, it gives the student in high school an
25

1
2 opportunity to see a college campus, to interact
3 with students on a college campus, which serves as
4 a catalyst for providing further education-

5 CHAIRPERSON RODRIGUEZ:

6 [Interposing [off mic] with money - - for every
7 single student to have the opportunity, especially
8 those going to community college. I mean those at
9 the senior college I don't care so much--

10 [crosstalk]

11 CHANCELLOR GOLDSTEIN: What would
12 it cost for every community college students...?
13 Let us work out the arithmetic and we'll get back
14 to you on that. Okay?

15 CHAIRPERSON RODRIGUEZ: Thanks. My
16 last question is before my co-chair will be
17 calling on the other Council Members about the
18 school of engineers at City College-

19 CHANCELLOR GOLDSTEIN:

20 [Interposing] Yes.

21 CHAIRPERSON RODRIGUEZ: As you
22 know, the school of engineers is one of the
23 schools in the nation that is one of the schools
24 that graduate the largest percentage of black and
25 Latino students in the school of engineers in the

1 nation. How much is the budget for the school of
2 engineers? How will CUNY benefit or - - the
3 administration committed to bring some increase of
4 funding to the school of engineers as part of the
5 whole science applies to engineers [phonetic]
6 project that they have already agreed with
7 Cornell, with NYU, and as we spoke in the last
8 hearing, CUNY is expected to have some level of
9 participation or partnership with those
10 institutions, but what is the conversation right
11 now if you can share with us, and if so, how will
12 the school of engineers at City College benefit by
13 being a partner with NYU, Cornell or any other
14 college coming to bring the science in the school
15 of engineers?
16

17 CHANCELLOR GOLDSTEIN: Chairman
18 Rodriguez, your first question about what is the
19 budget of the Spitzer School of Engineering,
20 that's something that we can get to you very, very
21 quickly, but let me get to the main part of your
22 question. David Scorton [phonetic], the president
23 of Cornell, he along with the - - were the winners
24 in a contest to build a new applied science campus
25 on Roosevelt Island. We will have opportunities.

1 I've had several conversations with President
2 Scorton on this about using faculties at our
3 engineering school and elsewhere within the system
4 and students to work with the Cornell faculty. We
5 have a new deal that we just did with Cornell
6 Medical School and Hunter College is going to be a
7 full partner in that particular facility. We're
8 going to have a full floor and there will be
9 opportunities for faculties and students to work
10 together. In 2005, we designated the decade 2005
11 through 2015 to be the decade of science at the
12 City University of New York. As it relates to the
13 City College engineering program, that declaration
14 had some material benefits. One, we invested
15 significant amount of dollars in hiring new
16 engineering faculty. Secondly, we moved the full
17 authority for granting the PhD in engineering to
18 City College. It was a shared responsibility with
19 the graduate school, but we placed the authority
20 on the City College campus totally. Third or
21 fourth, I have been working very closely with John
22 Sexton, the president of NYU, my vice chancellor
23 for research, Jillian Small [phonetic], has been
24 working very closely with NYU's vice president for
25

1 science, Paul Horne [phonetic]. WS have been a
2 very strenuous and aggressive partner in the new
3 science facility that the city has helped to
4 capitalize with basically giving the old MTA
5 building in downtown Brooklyn for free to create
6 an opportunity to bring in faculty and graduate
7 students all around issues of the city, the
8 science of the city. Whether its traffic
9 congestion, waste removal, clean energy, CUNY is
10 going to be a very, very important partner, mainly
11 through CCNY in that effort along with Carnegie
12 Mellon University, the University of Toronto and
13 the University of Warwick. In addition, there is
14 a list of companies that we're going to be very
15 closely aligned with Siemens, Cisco, IBM and a few
16 others, so there's a lot of activity going on.
17 And the very last point, we had a very sizeable
18 gift a few years ago to rename the engineering
19 school at CCNY. It's now called Anne and Bernard
20 Spitzer School of Engineering. No, no. I'm
21 sorry. The Grove School of Engineering—the Anne
22 and Bernard Spitzer is the architecture school,
23 but Andrew Grove is a graduate of CCNY. You know,
24 this gave its \$25 million gift. This is why—and
25

1
2 I'm going off a little here--this is why I'm so
3 supportive of the Dream Act, deeply supportive of
4 the Dream Act because in 1957, just to take a
5 sideshow here, Andrew Grove arrives on the campus
6 of City College after leaving Hungary when the
7 Soviet Union invaded Hungary, was able to get out,
8 and literally knocked on the door of City College,
9 and said, I here this is a very good school, and
10 I'd like to study here, and whoever was talking to
11 Andrew Grove said, well, who are you? Where is
12 your transcript? Where did you study? We don't
13 know anything about you, but like other
14 immigrants, he came to City College, they finally
15 took a chance on him, graduated first in his class
16 at City College, then went to the University of
17 California Berkeley and finished first in his
18 class with a PhD, started Intel, and gave the
19 CUNY's graduate school of engineering \$26 million
20 gift. We need more Andrew Groves, and the only
21 way we're going to get more Andrew Groves is if
22 this city and this nation allows people that are
23 new to this county to have an opportunity to
24 study. Andrew Grove had not a nickel in his
25 pocket, not a nickel, and he went to City College

1 and the world was changed, so...

2 [applause]

3 CHAIRPERSON RECCHIA: Alright.

4 Thank you. If I could ask that—we have a half
5 hour left. I'm going to give all my colleagues a
6 chance to ask questions. If we could just keep
7 the answers a little bit short because everybody
8 wants to ask a lot of questions.

9 CHANCELLOR GOLDSTEIN: I'm trying
10 to answer long so I have less questions.

11 [laughter]

12 CHAIRPERSON RECCHIA: Commissioner
13 Kelly [phonetic] had the same idea yesterday.

14 [laughter]

15 CHAIRPERSON RECCHIA: Larry
16 Seabrook and then Al Vann.

17 CHANCELLOR GOLDSTEIN: We all went
18 to the same school.

19 CHAIRPERSON RECCHIA: Okay. Larry
20 Seabrook?

21 COUNCIL MEMBER SEABROOK: Thank you
22 very much, Mr. Chair. I'm going to ask short
23 questions, and first, Chancellor, it's certainly
24 good to see you here and to see the progress that
25

1
2 you've made over all the years at CUNY and to
3 really be commended for the work that is being
4 done at CUNY and your dedication and your
5 commitment to the Black Male Initiative has never
6 wavered since you came to us and talked to us
7 about it, and you never wavered on it, and that
8 program should be commended with Elliott Dawes - -
9 put there and it's a fantastic program and to see
10 it as an institute would really mean a lot to all
11 of us.

12 Just a couple of questions that you
13 could probably provide us with the information.
14 One is that you talked about the full-time faculty
15 and I've felt the need for that and the importance
16 of it, but can you provide us with what are the
17 minority numbers of those who will be full time
18 faculty that you would be able to provide us with
19 in terms of that breakdown? If you could get that
20 to us, we would appreciate that.

21 CHANCELLOR GOLDSTEIN: I'd be happy
22 to.

23 COUNCIL MEMBER SEABROOK: Okay.
24 Secondly with also the construction aspect of the
25 colleges, and there is a tremendous need and to

1
2 see with that construction under the - - authority
3 and under the provisions in statute with the - -
4 minority women owned business participation, we'd
5 like to see about having those numbers as well,
6 and the question that was raised and is certainly
7 important of dealing with the \$71 million that
8 that's a job creation and we need to sell it as a
9 job creation, and when we're talking about
10 investing \$71 million for the construction that
11 will actually take place on these campuses, it
12 creates jobs and that's really the selling point
13 of why that investment should be there, so that
14 the number of jobs that's created out of this... so
15 there might not be a reason why it wasn't done,
16 but there is a rationale to do it, and that's the
17 important aspect of that, and I just want to say
18 that you have done a fantastic job and continue to
19 do the good work that you have done and your
20 dedication and your commitment. Thank you very
21 much.

22 CHANCELLOR GOLDSTEIN: Thank you
23 for that. I would like to acknowledge Elliott
24 Dawes. I don't know if you can see him because of
25 the pillar in the room, but he is the one

2 responsible for building up the BMI in a fabulous
3 way and I'll get you the data, which are very,
4 very strong in terms of our ability to recruit,
5 retain and get promoted and tenured faculty of
6 people of color and Iris Weinshall who is our vice
7 chancellor for construction and design will get
8 you that material as well.

9 COUNCIL MEMBER SEABROOK: Okay.

10 CHAIRPERSON RECCHIA: Council
11 Member Al Vann will now ask questions. I'd like
12 to introduce--recognize Council Member Fernando
13 Cabrera and Council Member Karen Koslowitz.
14 Council Member Al Vann will be followed by Council
15 Member Jackson.

16 COUNCIL MEMBER VANN: Thank you,
17 Chairman. Good morning, gentlemen and lady.
18 Before I ask a couple of questions, I'm struck by
19 the BMI program - - intend to change the name of
20 that program, - - no longer dedicated to Black
21 Male Initiative but as you say, it's now race and
22 gender neutral, is it?

23 CHANCELLOR GOLDSTEIN: Yes, it is,
24 but we're not changing the name. It's still going
25 to be called the Black Male Initiative.

2 COUNCIL MEMBER VANN: Okay, but it
3 is no longer a black male initiative. Is that
4 correct?

5 CHANCELLOR GOLDSTEIN: It is
6 largely for black men, but there are federal
7 regulations that require that we make this more
8 open to others who want to have similar kinds of
9 services, but the dominant number of people who
10 participate are African American men.

11 COUNCIL MEMBER VANN: In order to
12 access all the funds and grants and so forth, you
13 have to - - ?

14 CHANCELLOR GOLDSTEIN: That's
15 exactly right.

16 COUNCIL MEMBER VANN: But - -
17 there. Okay. To my understanding, - - President
18 Obama's Community College funding initiative in
19 another 50 million federal allocation is being
20 used by CUNY solely to fund its new community
21 college in Midtown Manhattan. Number one, is that
22 correct, which would suggest that the other
23 colleges that are - - BMCC are not sharing the
24 need of that funding?

25 CHANCELLOR GOLDSTEIN: That is not

1 correct. The new community college if they get
2 any of it is a paltry sum. It's mainly going to
3 the other six community colleges. The monies that
4 you refer to—the - - of support from the federal
5 government initiated by President Obama is not
6 going to the new community college. It is going
7 largely to the other six community colleges.

8
9 COUNCIL MEMBER VANN: So is there—

10 CHANCELLOR GOLDSTEIN:

11 [Interposing] There are about \$20 million in play
12 and essentially most of it is going to the other
13 six community colleges.

14 COUNCIL MEMBER VANN: What's the
15 formula in terms of how the community college
16 campuses receive their budget? Is it based on
17 anything? Is it based on enrollment or are there
18 other factors that come into play?

19 CHANCELLOR GOLDSTEIN: It is—unlike
20 our senior colleges, the community college budgets
21 are dominated by their enrollment patterns. The
22 more students they enroll, they get to keep the
23 revenue, and so the revenue that is received
24 through tuition and state aid because remember,
25 there is an FTE state aid formula that is all

1 directed by how many students you roll.

2
3 COUNCIL MEMBER VANN: Now you
4 receive tens of millions annually in workforce
5 development funding both from us and New York
6 State Department of Labor, how much of this
7 funding goes to CUNY campuses and programs,
8 Central Brooklyn, Southeast Queens—areas where you
9 have large disadvantaged neighborhoods?

10 CHANCELLOR GOLDSTEIN: I can get
11 the actual breakdown. I can give you some
12 observations, but if you wait a couple of days,
13 we'll get a full breakdown for you.

14 COUNCIL MEMBER VANN: That would be
15 good. What strategies—well, let me put it—CUNY is
16 a very major economic engine for New York City - -
17 . CUNY supplies around 40% of construction
18 activity, \$250 million in annual contract
19 procurement and major employment opportunities.
20 Would you also send us a breakdown there in terms
21 of how women and minority business contracts fare
22 well in both central and campus level?

23 CHANCELLOR GOLDSTEIN: We represent
24 about 20% of the dollars spent in construction and
25 design in the city through CUNY and how that

2 breaks out among the campuses and how much of it
3 goes to minority women and minority owned
4 enterprises we can give you that information as
5 well.

6 COUNCIL MEMBER VANN: We would love
7 to have that - - have it. You mentioned at the
8 preliminary hearing that CUNY had received several
9 fellow grants including Centers for Disease
10 Control, the Department of Homeland Security,
11 funds for New Yorkers Changing Careers [phonetic].
12 Have these funds been allocated to date?

13 CHANCELLOR GOLDSTEIN: Every dollar
14 that we receive has to have a performance review
15 and an expense report associated with them and
16 those dollars that you just mentioned are largely
17 done at the campuses, but again, I can give you a
18 breakdown and we would get that through our
19 research foundation that would have all of that.

20 COUNCIL MEMBER VANN: You may have
21 answered this, but I wasn't clear. Community
22 college, are you taking consideration of the
23 economic standing if you will of the poverty level
24 of students attending those colleges? Is that a
25 factor in the funding at all?

2 CHANCELLOR GOLDSTEIN: No, it's not
3 a factor in the funding, but it's a factor in
4 reality that the students who attend our community
5 colleges economically are probably the most
6 challenged students that we have in the
7 university.

8 COUNCIL MEMBER VANN: Alright, so
9 are more resources allocated to those colleges
10 where you have a high number of—

11 CHANCELLOR GOLDSTEIN: It is
12 largely--the resources are largely driven by the
13 number of students that apply or that enroll.

14 COUNCIL MEMBER VANN: The other
15 question I asked about BMI, can you give us a
16 breakdown of the BMI student population?

17 CHANCELLOR GOLDSTEIN: Absolutely
18 and--do you have it here? Do you want to answer
19 the question? This is Elliott Dawes, who directs
20 our BMI. Why don't you speak into the microphone?

21 COUNCIL MEMBER VANN: You have to
22 talk to the mic because it's being recorded.

23 ELLIOTT DAWES: Last year in our
24 final report to the City Council we reported—

25 CHAIRPERSON RECCHIA: [Interposing]

1
2 I'm sorry, Mr. Dawes. For the record, you have to
3 introduce yourself.

4 ELLIOTT DAWES: Oh, Elliott Dawes,
5 university director CUNY Black Male Initiative.
6 Last year, we reported to the City Council in our
7 final report that 7,138 CUNY students,
8 administrators and faculty members participated in
9 CUNY BMI sponsored programs, events, workshops and
10 conferences. Within that as for CUNY BMI's funded
11 structured mentorship programs--we have a number
12 of structured mentorship programs. Each of the
13 projects throughout the university, there are 29,
14 have a structured mentorship program attached to
15 the project. As we know, mentorship increases
16 retention rates and graduation rates particularly
17 for students from underrepresented populations.
18 There was 1,485 CUNY students participating in the
19 structured mentorship program. As the chancellor
20 said, the largest number of students in the
21 structured mentorship programs are African
22 American males, 635 of them, 189 Latino Hispanic
23 men, 312 African American black women and 145
24 Latinas Hispanic women, and then the remaining
25 students are from other populations, but as the

1
2 Chancellor said previously, the largest
3 concentration of students in the structured
4 mentorship programs are African American males.

5 COUNCIL MEMBER VANN: Thank you.

6 Let me—I want to follow that up by—

7 CHAIRPERSON RODRIGUEZ: How do you
8 recruit the students?

9 ELLIOTT DAWES: Through a variety
10 of ways as the Chancellor mentioned before. It's
11 important for us to make sure that the program is
12 open and available to all students although we are
13 targeting the populations that are most severely
14 underrepresented in higher education. There are
15 29 projects throughout the university. They
16 recruit in a variety of ways. A lot of it is done
17 during orientation. We want to reach out to
18 freshmen when they approach the campus and make
19 sure that they are aware of the BMI program and
20 this additional layer of support that the projects
21 provide to students upon their entering CUNY. We
22 also make sure that we recruit heavily transfer
23 students—students transferring from the community
24 college system when they're coming in to the
25 senior colleges. Many of the BMI programs at the

1
2 senior college level have specific efforts where
3 we recruit transfer students, particularly
4 students from underrepresented populations. We
5 want to make sure that those transfer students
6 coming from CUNY community colleges are successful
7 when they make the transition into senior
8 colleges, so there are a variety of ways in which
9 we recruit our students.

10 CHAIRPERSON RODRIGUEZ: What is the
11 graduation rate of the students who are enrolled
12 in the BMI?

13 ELLIOTT DAWES: There are 29
14 projects throughout the university; we don't have
15 universal benchmarks for the projects throughout
16 the university. Each of the projects has its own
17 goals and timetables with respect to increasing
18 retention and graduation rates. We have prepared
19 a report that has the outcomes and results for
20 each of the funded projects throughout the
21 university, so I brought copies of that as well,
22 so you can see at CCNY, at the College of Staten
23 Island, we have the director of the urban male
24 leadership program at - - College, Michael Dee
25 [phonetic] is sitting here in the front. You will

1
2 see that there are generally higher graduation
3 rates for the students participating in the
4 program, but it's reported in terms of each
5 individual campus as opposed to across the
6 university. We wanted to make sure we were
7 creating a program that didn't implement a cookie
8 cutter approach in terms of recruiting, retaining
9 and graduating students for underrepresented
10 populations on very different CUNY campuses, so we
11 allowed each campus to create their own
12 individualized program for that campus, so that's
13 why we prefer to report the information in a
14 campus specific way rather than across the
15 university, but that information is provided in
16 the report that I'm willing to distribute to all
17 of you.

18 COUNCIL MEMBER VANN: I'm going to
19 close out my comments basically with a statement.
20 Chairman Goldstein, you may recall at an earlier
21 hearing last year when I brought it to the
22 attention of Chairman Recchia the fact that a
23 request had been made to meet with you with
24 elected officials from throughout Brooklyn, a
25 group that was chaired by Congresswoman Yvette

1 Clark [phonetic], and he was concerned in exercise
2 because City Council Members were not granted that
3 meeting. I have been in politics for a long time,
4 in elected office for a very long time and I've
5 had the opportunity to meet with all kinds of
6 people from governors on down, made requests and
7 we were granted an opportunity to meet to discuss
8 the issues even more significant than one I think
9 that Brooklyn elected officials want to me with
10 you around. Your response is that you would meet,
11 but only if your college president was at that
12 particular meeting, which I find extraordinary. I
13 find it appalling. I really find it disrespectful
14 that those of us who represent City University
15 well on federal, state and city level wished to
16 meet with you to discuss--well, you really don't
17 know all the things that we want to discuss--
18 Medgar Evers is obviously one of them--to not meet
19 and to set a condition that you would only meet if
20 your appointee is at that meeting I find very
21 distressing, and my long term support--I'm a
22 founder of Medgar Evers College, a longtime
23 supporter of City University. I have never--no one
24 has ever treated elected officials like that
25

1 before and I think it's appropriate because I
2 think it's - - significant and I know our Chair
3 was exercising. I think at that hearing you said
4 you would meet, if my memory serves.
5

6 CHANCELLOR GOLDSTEIN: Well, let me
7 correct the record, Councilman Vann. I went to
8 Washington—I don't know—four or five weeks ago to
9 meet with Congresswoman Yvette Clark and we had a
10 very good meeting, I suggested to her a way that
11 we can reconcile the differences of opinion on how
12 we can get this done. She agreed. I am very
13 amenable to having a meeting with you and the
14 Congresswoman and any other members of the
15 community that want to participate. It would be
16 without President Pollard [phonetic], but it would
17 be followed with a second meeting where the issues
18 remaining about Medgar Evers would have the
19 president, and she thought that that was a very
20 good approach. From what I understand, she has
21 made contact with a number of elected officials,
22 and they responded, I am told, enthusiastically
23 about that. We had a meeting that was set for May
24 11th. The Congresswoman needed to change that
25 meeting and I hope that a meeting very soon is

2 going to be done and we expect one in June
3 sometime.

4 COUNCIL MEMBER VANN: Okay.

5 CHAIRPERSON RECCHIA: Okay. We
6 have fifteen minutes here. We've got Council
7 Member Jackson, Council Member Rose, Council
8 Member Jumaane Williams and then Council Member
9 Brewer will conclude.

10 COUNCIL MEMBER JACKSON: Well,
11 thank you and good morning everyone. I appreciate
12 the opportunity to be a part of this even though
13 I'm not on the higher Education Committee; I'm a
14 member of the Finance Committee and also the
15 budget negotiating team representing the Black,
16 Latino and Asian caucus of the City Council of New
17 York. There's 27 members of us, so I want to ask
18 some questions about ASAP, the accelerated study
19 and associate programs initiative. Now my
20 understanding is that this executive budget
21 provides \$800,000 for this expansion and you
22 talked about in your statement that from its
23 current 1300 participants to serve 4,000 by 2014.
24 Is that a condition on continuation of the same
25 amount of money each year or is that based on the

1 amount of money that you receive? What is the
2 expected cost in order to reach that goal by 2014?

3
4 CHANCELLOR GOLDSTEIN: We think we
5 can manage the financial challenges of ramping
6 this up to the 4,000. What I'm really interested
7 in is to get ASAP because it really is a paradigm
8 shift. There are no other community colleges that
9 I am aware of that have had the kinds of success
10 in engaging and graduating students that come in
11 with a variety of remedial needs. I mean the
12 numbers are staggering, almost so that I didn't
13 believe the numbers. I mean they just look too
14 good, so we hired MDRC, which is probably the most
15 prestigious and well-regarded research
16 organization, an independent organization that
17 will look at data like this and they have given us
18 a preliminary--they're going to come out with their
19 results very soon, but preliminarily, we have a
20 very clean bill of health--

21 COUNCIL MEMBER JACKSON:

22 [Interposing] I understand that.

23 CHANCELLOR GOLDSTEIN: --so I think
24 what we are going to try to do at the university
25 is ramp this up.

2 COUNCIL MEMBER JACKSON:

3 Chancellor, I clearly understand that. Your
4 explanation and your statement, it's very, very
5 successful, and I compliment you on that. I was
6 asking about the cost factor and more specifically
7 are you going to do that within \$800,000 or you
8 need \$800,000 or a million each by 2014 to reach
9 your goal of 4000, and that's what I'm asking
10 about.

11 CHANCELLOR GOLDSTEIN: We have if
12 my memory serves me and I'll have to ask Matthew
13 Sapienza, but we have about \$7.5 million.

14 COUNCIL MEMBER JACKSON: You've got
15 to speak into the mic, please. Just identify
16 yourself for the record before you begin.

17 MATTHEW SAPIENZA: Sure. Matthew
18 Sapienza, associate vice chancellor for budget and
19 finance. With the \$800,000 addition that was in
20 the executive budget, we have a total of \$7.6
21 million for the program for the next fiscal year.

22 COUNCIL MEMBER JACKSON: Right.

23 MATTHEW SAPIENZA: Certainly if we
24 want with our plans to ramp it up to go to 4,000
25 in the out year, we're going to need a significant

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investment.

COUNCIL MEMBER JACKSON: Is it possible to get back to us to let us know to ramp it up, how many you expect to ramp it up each year to get to that 4,000, and how much it's going to cost. That would be good, and I'm curious as to know what is the cost factor now at this point in time, cost per student for your ASAP program? Do you have any idea?

MATTHEW SAPIENZA: We'll get that to you, but we have \$7.6 million for 1300 students for the next year.

[background conversation]

MATTHEW SAPIENZA: That's \$6,000 per student.

COUNCIL MEMBER JACKSON: Right now. Did you say it's going to go up or go down?

MATTHEW SAPIENZA: Go down.

COUNCIL MEMBER JACKSON: go down, but it's about \$6,000 per student now. Is that correct?

MATTHEW SAPIENZA: Right. After we ramp it up, the cost will come down because we will have a director for each campus and those

1 things won't change.

2
3 COUNCIL MEMBER JACKSON: Sure. In
4 looking at the stats, the Chancellor, you talked
5 about your first cohort, 55% three year graduation
6 where you compared to a comparison group of 24%.
7 I would assume the comparison group are both in
8 the citations that you made of 2009 cohort where
9 the percentages are very high, and like you said,
10 you were so impressed, you didn't believe the
11 numbers, which is a good thing, but I would assume
12 that the comparison group are other students at
13 that particular college that are not part of the
14 program. Is that correct?

15 CHANCELLOR GOLDSTEIN: That is
16 correct.

17 COUNCIL MEMBER JACKSON: Okay. I
18 just want to clear that up. And then I know that
19 there's a lot of other members, but can you tell
20 me like SCA [phonetic] does the assessment for--
21 the School Construction Authority--does an
22 assessment for capital needs of the New York City
23 public schools, who does your assessment for CUNY?
24 Is that SCA or is there another organization? Do
25 you have an in house, and tell me what do you

1
2 anticipate in order to bring all of your capital
3 school buildings up to standard acceptable
4 practices where you don't have 80 year old fire
5 alarm systems and everything and the roofs are not
6 crumbling in? What would it bring all of CUNY up
7 to a good operating standard procedures as far as
8 buildings like that? Do you have any idea?

9 IRIS WEINSHALL: Sure.

10 COUNCIL MEMBER JACKSON: Because—
11 and the reason why I ask that is because the 71
12 million has to be matched by city in order to use
13 it and you had indicated that couple years the
14 state says, hey, why should we keep giving you
15 money if you're not being matched? And you know
16 one thing, if I'm the state I'd be asking the same
17 damn question, why should we give you the money if
18 the city is not matching, so we need to know what
19 is it going to cost because clearly no one wants
20 to live or go to school in a dilapidated, falling
21 apart school building that does not meet the
22 standards of safety and security.

23 IRIS WEINSHALL: Councilman, five
24 years ago, the university engaged in a rather
25 large study that stated good repair and critical

1 maintenance, and we issued a report, which showed
2 at the time, we needed about \$1.4 billion to just
3 minimally bring to campuses up to standard—

4
5 COUNCIL MEMBER JACKSON: And that
6 was—how long ago that was?

7 IRIS WEINSHALL: It was five years
8 ago, and I just want to say that the state
9 recognized that report and the last five years of
10 our capital plan have allocated \$284 million a
11 year, but remember, that's just for our four-year
12 schools. That is not for the community colleges
13 because of the 50/50 match that came out of a
14 different pod of money. And you're correct. What
15 the state basically said is if the city is not
16 going to come up with their share, we're not going
17 to come up with ours. I will say though in the
18 last couple of years, and it's really much to the
19 credit of the City Council because you've
20 allocated money for state of good repair, the
21 state has made good. Whatever the city has come
22 up with, the state has matched, so in the last
23 budget, we got something like almost \$30 million
24 to do state of good repair projects on our
25 community college campuses. We are—just to let

1
2 you know, we are - - engaged the same firm to do
3 another analysis for us to see where we are now
4 five years later.

5 COUNCIL MEMBER JACKSON: So you're
6 doing like a five year capital assessment, and
7 prioritizing those based on—I mean in SCA a number
8 five means it needs to be done right away.

9 IRIS WEINSHALL: Right. Exactly.

10 COUNCIL MEMBER JACKSON: My final
11 question, and I know that I'm rushing. The
12 admissions criteria for ASAP, what is that? I
13 mean, because you talked about that they were
14 selecting individuals that were at a high
15 achieving level and then you went to those that
16 needed remedial work. What is the admissions
17 criteria for ASAP?

18 CHANCELLOR GOLDSTEIN: The same as
19 the community colleges. There are no different
20 admissions criteria.

21 COUNCIL MEMBER JACKSON: Then how
22 do you determine which one goes into ASAP?

23 CHANCELLOR GOLDSTEIN: Well, when
24 we first did it, we looked at the cohort that
25 comes into our community colleges needing no

2 remediation, so we-

3 COUNCIL MEMBER JACKSON:

4 [Interposing] And that was the 2007.

5 CHANCELLOR GOLDSTEIN: That was the
6 first one.

7 COUNCIL MEMBER JACKSON: Yeah.

8 CHANCELLOR GOLDSTEIN: Then, we
9 looked at another cohort-

10 COUNCIL MEMBER JACKSON:

11 [Interposing] 2009.

12 CHANCELLOR GOLDSTEIN: --that
13 needed some remediation and compared it to the
14 same group at the community college.

15 COUNCIL MEMBER JACKSON: but how
16 does a student get in that program 'cause you only
17 deal with 13...

18 CHANCELLOR GOLDSTEIN: Volunteer.

19 COUNCIL MEMBER JACKSON: Okay.
20 Thank you very much. Thank you, Co-Chair.

21 CHAIRPERSON RECCHIA: Thank you,
22 Member Jackson. Council Member Rose followed by
23 Council Member Jumaane Williams then Council
24 Member Brewer. Council Member Rose?

25 COUNCIL MEMBER ROSE: Thank you,

2 Chairs.

3 CHAIRPERSON RECCHIA: Before, I
4 just want to recognize Julissa Ferreras. Why
5 don't you use this mic, Deborah?

6 COUNCIL MEMBER ROSE: Good morning,
7 Chancellor. I want to say congratulations on the
8 ground breaking at the dorms at CSI. They were a
9 long time coming. I also wanted to say that you
10 know, we will miss the leadership of Tomas Morales
11 [phonetic]. I'm sorry that he was leaving, but I
12 do hope that in the search for the next president
13 that you put a lot of effort into finding a
14 president whose focus will embrace diversity and
15 inclusion, is student centered and understands the
16 importance of fostering relationships with our
17 diverse communities and providing access.

18 My question—Council funds BMI for
19 2.3 million and you say CUNY will need additional
20 funding for the BMI Institute. You stated that
21 the establishment of the institute will open
22 channels of revenue for funding. Will any of
23 those channels be a part of or inclusion in the
24 CUNY budget, a budget - - ?

25 CHANCELLOR GOLDSTEIN: Whenever I

1
2 make a recommendation for a new institute embedded
3 in that recommendation is an expectation that
4 there will be some additional CUNY support because
5 we are very careful about any institute that we
6 bring forward because it does have financial
7 implications. Where I think the big money will
8 come from and we've seen this over and over with
9 institutes is that that structure is an enabler
10 for we to get access to foundations and other
11 kinds of support at the federal level in
12 particular and that's what I was referring to as
13 the channels.

14 COUNCIL MEMBER ROSE: And because
15 right now City Council funds the BMI initiative
16 exclusively, right?

17 CHANCELLOR GOLDSTEIN: At this
18 particular point in time, that is correct.

19 COUNCIL MEMBER ROSE: And so will
20 you also be looking for funding from City Council
21 for...?

22 CHANCELLOR GOLDSTEIN: We would
23 take it with joy.

24 [laughter]

25 COUNCIL MEMBER ROSE: And the

1 administration has funded several of its own
2 initiatives through CUNY such as YMI [phonetic].
3 Have there been any conversations to work with the
4 administration maybe collaboratively in terms of
5 BMI and maybe YMI?
6

7 CHANCELLOR GOLDSTEIN: Yes. There
8 have been considerable conversations and John
9 Mogulescu, who is our senior university dean, who
10 really oversees a lot of this administratively is
11 in the best position to talk about those
12 conversations and his group has been very
13 successful in generating the competition and then
14 the money to follow that cooperation.

15 COUNCIL MEMBER ROSE: Okay. Thank
16 you. And two years ago, there was an extensive
17 waiting list for students trying to get into CUNY,
18 do you still have a waiting list, and if so, how
19 are you handling it?

20 CHANCELLOR GOLDSTEIN: The waiting
21 list was exclusive to our community colleges and
22 we went through the wait list pretty deeply. I
23 envisaged that if we will continue to get the kind
24 of interest in coming to our community colleges
25 that there will be the inevitable need to create

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wait lists in the future.

COUNCIL MEMBER ROSE: Okay, so there is no wait list currently now?

CHANCELLOR GOLDSTEIN: Not at this particular point in time, but we will see what happens in future years.

COUNCIL MEMBER ROSE: What do you attribute this to, this decline? It was only two years ago, and the unemployment rate is equally as high as it was then, so what are you attributing the fact to - - wait list?

CHANCELLOR GOLDSTEIN: It's very hard to give you reasons why people decide not to further their education-

COUNCIL MEMBER ROSE: Could it have been an increase in tuition?

CHANCELLOR GOLDSTEIN: I don't believe that the-the tuition increases have been quite modest as you know relative to every other institution. There is no higher education institution in this region that is as low in terms of tuition as ours, so if you want to go to a university and you need to find the dollars to do it, CUNY is still by far the very best price.

1
2 Some of it was really trying to expand capacity,
3 try utilizing the campuses now on a seven day a
4 week basis. Many of our campuses have expanded
5 the times when they meet, which is putting great -
6 - on the campus, but also, not being able to put
7 the full time faculty in front of the students
8 because we have limited capacity, so it is a
9 balancing act that we constantly have to have.

10 COUNCIL MEMBER ROSE: And you did
11 say here that it included expanding the scheduling
12 grid for more courses making them available on
13 weekends.

14 CHANCELLOR GOLDSTEIN: That is
15 correct.

16 COUNCIL MEMBER ROSE: At an
17 increased cost?

18 CHANCELLOR GOLDSTEIN: Well, the
19 increased cost inevitability will come as a result
20 of stresses that are placed on the campus because
21 we wouldn't be able to deal with repairs and
22 cleaning the campuses as effectively as we would
23 like. We also would need to hire more adjunct
24 personnel, so there are some marginal costs, but
25 there are costs.

2 COUNCIL MEMBER ROSE: And they were
3 taken into consideration in the budget?

4 CHANCELLOR GOLDSTEIN: We have to-
5 before we make any decision, we ask the question,
6 can we pay for it, and if we can't pay for it, we
7 can't do it, but in that case we were able to do
8 it.

9 COUNCIL MEMBER ROSE: Thank you.

10 CHAIRPERSON RECCHIA: Council
11 Member Jumaane Williams to be followed by Council
12 Member Brewer. We've also been joined by Council
13 Member Leroy Comrie. Council Member Williams?

14 COUNCIL MEMBER WILLIAMS: Thank
15 you. Thank you to the Chairs. Thank you to the
16 Chancellor and all for coming. Thank you for
17 working with us to get the meeting together,
18 particularly Jay and - - worked on it a lot, so we
19 appreciate it. I'm glad we came to that
20 compromise. It was something that actually we
21 suggested awhile back and I'm glad that there was
22 heed taken to it, and I had sent something out
23 saying that I would not be supporting any requests
24 and I suggested that my colleagues do the same. I
25 sent an additional letter saying that I'm happy

1
2 now to be supporting any requests and hopefully,
3 my colleagues will be doing the same. I'm a
4 proctor of CUNY, very proud of it, and hopefully I
5 can do whatever I can to make sure that we move
6 forward stronger and better.

7 CHANCELLOR GOLDSTEIN: We
8 appreciate that.

9 COUNCIL MEMBER WILLIAMS: A couple
10 of questions. I wanted to know if NYPD
11 contributed any money for safety at CUNY?

12 CHANCELLOR GOLDSTEIN: No.

13 COUNCIL MEMBER WILLIAMS: Alright.
14 I'm always confused the relationship--the peace
15 officers, they are NYPD or are they just
16 completely separate?

17 CHANCELLOR GOLDSTEIN: They are
18 not--they are totally independent of NYPD.

19 COUNCIL MEMBER WILLIAMS: Okay.
20 There's just two more things I want to say, little
21 concerns. One is that I'm going to repeat this
22 probably at most of the hearings you're at because
23 one, I forgot who was it that told me, but my
24 question was, if we did give a substantial amount
25 in support the plan would still be to increase

1
2 tuition on a regular basis, and that still has
3 concern to me of why, and then there was an
4 explanation given, but it bothers me that if even
5 if we find the money, that the plan from CUNY
6 would still be to increase tuition.

7 CHANCELLOR GOLDSTEIN: The
8 university's board has approved a five year
9 tuition plan. We've done it [phonetic]. So there
10 will be tuition increases as SUNY has done the
11 same, and I was very, very supportive of it, and
12 I'll tell you why I was very supportive of it. To
13 me, this university has been so poorly resourced
14 compared to just about any other university that
15 I'm familiar with and I know most of them and I'm
16 familiar with the chief executive officers at
17 these institutions. The world now requires young
18 people to be educated. If they're not going to be
19 educated, they're going to lose ground, and I
20 believe it is the best investment that a young
21 person can make to support their opportunities to
22 get advanced education. If they don't, they're
23 not going to get the jobs and they're going to be
24 left behind in society. What we did do, which is
25 without precedent in the United States is that we

1 negotiated that for every dollar that we raise in
2 tuition we would take a part of that dollar and
3 reshape it not for investment in faculty or
4 instrumentation or equipment, but for financial
5 aid, so the amount of money that we are going to
6 be collecting in tuition by the end of this period
7 of time when that plan sunsets, a significant
8 amount of that money is going to be used to offset
9 some of the costs the students through the TAP
10 [phonetic] program which has not moved yet, and
11 we're basically creating an addition to the TAP
12 program, but self-funding it through the students.
13 So I think that's a very sensitive way of
14 proceeding and hopefully, it will do the things
15 that we want. The second or third thing that I
16 would mention, Councilman Williams, is that we
17 started fundraising campaigns of quite significant
18 level. It was the first time in CUNY's history.
19 We started it in 2004, 2005. A substantial amount
20 of the money that we are raising from private
21 donors today is being given to students to help
22 them with scholarship aid, need based aid and so,
23 between what we're doing in terms of taking the
24 tuition revenue, reshaping it for financial it and
25

1
2 the monies that we're bringing in from donors, the
3 safety net while not totally without holes is much
4 more secure than it was just a couple of years
5 ago.

6 COUNCIL MEMBER WILLIAMS: Well,
7 thank you for that. Those things sound good and
8 I'm glad you're doing it, but that notwithstanding
9 as I've always pushed the biggest expansion of
10 CUNY happened during the Great Depression for the
11 same reason that you said, people need to be
12 educated and it would be great to find a way how
13 to get free tuition, reduced tuition as much as
14 possible and when coming, it might be great to
15 have a plan that shows if money was received, we'd
16 be able to relieve pressure from our students
17 instead of still increasing tuition. Lastly, I
18 just wanted to mention and just putting on the
19 record, I have a little bit of concern obviously
20 what's going on in Medgar Evers particularly what
21 happened with - - and what's happening at Brooklyn
22 College - - working education. I don't have all
23 of the information. I'm just hoping it's not a
24 pattern evolving pressure putting on programs and--
25 I graduated from Center for Worker Education--

2 pressure being put on programs that have
3 particular focus on historically disenfranchised
4 communities, so I will come further when I have
5 more information. I just wanted to put on record
6 that I have a slight concern that two programs
7 that are focusing on the needs of - - different
8 colleges kind of focused on the same type of
9 community.

10 CHANCELLOR GOLDSTEIN: When we have
11 that meeting, I would appreciate we engaging in
12 that when we have more data.

13 COUNCIL MEMBER WILLIAMS: Sure.
14 Thank you very much.

15 CHAIRPERSON RECCHIA: Council
16 Member Brewer. Before we hear from Council Member
17 Brewer, I want to recognize we've been joined by
18 Jimmy Van Bramer and Council Member Brewer is the
19 last Council Member to ask questions. Council
20 Member Brewer?

21 COUNCIL MEMBER BREWER: Thank you
22 very much. I certainly want to join my colleagues
23 in congratulating you and everything goes through
24 Jay Hershenson. My question-

25 CHANCELLOR GOLDSTEIN:

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[Interposing] He is a great man.

COUNCIL MEMBER BREWER: Yes, he is.

CHAIRPERSON RECCHIA: We also have to give recognition to John Ketowski [phonetic]. John does - - applause for John Ketowski. Yes. Stand up, John. He is here.

[applause]

CHAIRPERSON RECCHIA: John is great. John does an excellent job. We can't leave out John Ketowski, and Jay, we appreciate all your help, but John really is out there. I want you to know.

CHANCELLOR GOLDSTEIN: He is phenomenal and we understand how hard he works on behalf of the university. We are privileged to have him as part of the team.

COUNCIL MEMBER BREWER: Not part of my time though. I don't want to lose my time.

[laughter]

CHAIRPERSON RECCHIA: You have exactly two minutes.

COUNCIL MEMBER BREWER: No. I have a question about the technology as I always do. Students pay a certain fee and I think that is

1
2 great. I want to know if you have some overall
3 number as to what's going into that for technology
4 and then, I know for instance when we had a
5 hearing recently here through this committee, and
6 I think New York City Tech was just—I know it's a
7 four year school—but talking about slow computers.
8 I'm just wondering where you think you are
9 university wide in terms of technology?

10 CHANCELLOR GOLDSTEIN: Well, since
11 we imposed the technology fee there has been a - -
12 change in the amount of equipment and the supports
13 for those equipment both in terms of personnel and
14 software that has had a dramatic effect.
15 Technology changes enormously quickly, so by the
16 time you buy something, a year later, you're back
17 in the market because the next generation is on
18 top of us. We certainly could do more. We
19 certainly need more, but—

20 COUNCIL MEMBER BREWER:
21 [Interposing] How much do you allocate I guess
22 mostly capital to technology? Do you have a
23 general number?

24 [background conversation]

25 CHANCELLOR GOLDSTEIN: I'm told by

1
2 Matthew Sapienza that the technology fee generates
3 \$40 million a year and that goes all into
4 technology on the campuses.

5 COUNCIL MEMBER BREWER: Okay. At
6 some point, I'd like to get an update on the
7 technology committees, not today.

8 CHANCELLOR GOLDSTEIN: Okay.

9 COUNCIL MEMBER BREWER: Number two,
10 I know that you are a very modest tuition, but
11 there is an increase, and I want to understand the
12 safety net issue. I know it's not funded per se,
13 but for those students who can't afford the
14 increase and there are students, how are they
15 addressed? I think at one point you indicated
16 that you would make sure that didn't happen—that
17 students who couldn't afford the increase would be
18 continued in school. I just want to know where
19 are we at with those kinds of students?

20 CHANCELLOR GOLDSTEIN: I made the
21 pledge and I will make it again today that any
22 student who can demonstrate that their
23 matriculation has to end by virtue of a modest
24 tuition increase, we will find a way to keep that
25 student - - whether it is through private money or

1 forgiveness, and students that have come to use
2 with that kind of documentation they're still with
3 us.

4
5 COUNCIL MEMBER BREWER: Okay, and
6 then also the issue of the Young Men's Initiative.
7 Can you describe what money if any you are getting
8 toward that or from that initiative and what you
9 are if anything doing with those funds?

10 CHANCELLOR GOLDSTEIN: John, do
11 you...? This is John Mogulescu, who is senior
12 university dean.

13 COUNCIL MEMBER BREWER: We like
14 John.

15 CHANCELLOR GOLDSTEIN: - - so far
16 you have three great men into this, and this is
17 the third.

18 [background conversation]

19 JOHN MOGULESCU: Officially we only
20 get a modest amount of the-

21 COUNCIL MEMBER BREWER:
22 [Interposing] How much? Do you know?

23 JOHN MOGULESCU: I-

24 CHANCELLOR GOLDSTEIN: 410
25 increase. It's about \$2.8 million.

2 COUNCIL MEMBER BREWER: \$2.8
3 million for YMI.

4 JOHN MOGULESCU: Yeah, yeah.

5 COUNCIL MEMBER BREWER: Okay, so
6 what do you do with that money? 'Cause we didn't
7 know about it until after it was announced, so..

8 JOHN MOGULESCU: You know--and I'm
9 going to give you a partial answer, Councilwoman
10 Brewer--we have one significant program at
11 LaGuardia Community College that is working to
12 train young men for employment. With regard to
13 the rest of the 2.8, I think we will have to get
14 back to you, but I would just add that we get a
15 good bit of additional money and it is not
16 officially part of the Young Men's Initiative, but
17 it is money from the Center for Economic
18 Opportunity to fund our school for out of school
19 use, CUNY prep in the Bronx and it's one of the
20 few programs that enrollment is 50% men, which is
21 a very unusual statistic and it has been a very
22 successful program as well, so while it is not
23 officially part of what you would call the Young
24 Men's Initiative, I would think it has the same
25 goals and it is also supported by the city.

2 COUNCIL MEMBER BREWER: Okay.

3 Final question on energy savings. What is the
4 university-wide savings for energy? Do you have
5 some calculation along those lines?

6 CHANCELLOR GOLDSTEIN: [off mic]

7 Matthew, do you know any of that?

8 COUNCIL MEMBER BREWER: Just so you
9 know, my parents decided to take this on in the
10 West Side and you can imagine, they are saving
11 millions of dollars. I mean, these poor
12 custodians, they have to deal with the school
13 waste from the kitchen, that's in one bag.
14 They've got the trays down to nothing. They've
15 got somebody collecting it. The whole place is
16 zero waste in my schools now.

17 MATTHEW SAPIENZA: We've been doing
18 a ton of work on energy savings at our university
19 mainly through our Center for Sustainable Energy
20 at Bronx Community College and the folks there.
21 All of the new buildings that we have constructed
22 recently have been LEEDS [phonetic] certified and
23 are as green as they can possibly be. We are
24 entering into an initiative with our senior
25 colleges where they are going to be responsible

1
2 for managing their energy budgets on the campus to
3 provide some incentive for them to turn the lights
4 off and to generate some savings.

5 COUNCIL MEMBER BREWER:

6 [Interposing] When will that go into effect?

7 MATTHEW SAPIENZA: For next fiscal
8 year, July 1st. On the city side, part of the
9 issue that we have with energy, any energy
10 savings, is it always goes back to DECAS
11 [phonetic], and so that built in incentive for the
12 agencies to save money isn't there, so that's
13 something that we'd like to work with the city on
14 is - - some of the energy efficient programs that
15 we have going, if we can keep some of that and
16 reinvest it, that would be critical for us.

17 COUNCIL MEMBER BREWER: How about
18 in terms of cafeterias and food and things like
19 that? Are there any programs or you just don't
20 know?

21 MATTHEW SAPIENZA: We'll get back
22 to you. All of our cafeteria and food programs
23 are run through auxiliary associations - - tax
24 levy budget.

25 COUNCIL MEMBER BREWER: You could

2 still mandate, so... Another conversation. Thank
3 you.

4 CHAIRPERSON RECCHIA: Thank you. I
5 want to thank you, Mr. Chancellor for coming
6 today. Thank you, staff. I want to thank John
7 Ketowski and Jay and this concludes the hearing
8 for this year's budget on CUNY. Take a two minute
9 recess and then do Civil Rights.

10 [recess]

11 CHAIRPERSON RECCHIA: Good
12 afternoon. We will now resume the City Council
13 hearing on the Mayor's Executive Budget Fiscal
14 2013. The Finance Committee has now been joined
15 by the Committee on Civil Rights chaired by my
16 colleague and co-chair, Council Member Debbie
17 Rose. Before we hear from Commissioner Patricia
18 Gatling, I would like to turn to mic over to
19 recognize the chairwoman of the Civil Rights
20 Committee in the New York City Council, Deborah
21 Rose.

22 CHAIRPERSON ROSE: Thank you. Good
23 morning. I'm Debbie Rose, and I'm the chair for
24 the Civil Rights Committee, and I'm joined today
25 by Domenic M. Recchia, Jr., the chair of the

1 Finance Committee. Welcome to the Fiscal 2013
2 Executive Budget hearing for the Commission on
3 Human Rights. Today we will hear testimony from
4 the Commissioner on its executive budget and
5 general agency operations. The New York City
6 Commission on Human Rights is charged with
7 enforcing the city's human rights laws, educating
8 the public about human rights and encouraging
9 positive community relations. The Commission is
10 divided into two major bureaus, law enforcement
11 and community relations. The law enforcement
12 bureau is responsible for the intake,
13 investigation and prosecution of complainants,
14 alleging violations of the law. The community
15 relations bureau helps cultivate understanding and
16 respect among the city's many diverse communities
17 through its borough based community service
18 centers and numerous educational and outreach
19 programs. Commission on Human Rights Fiscal 2013
20 Executive Budget of \$6.5 million is \$613,000 less
21 than its Fiscal 2012 adopted budget of 7.1
22 million. The 613,000 reduction is due to a
23 decrease in personnel, services, budget of 451,000
24 and a decrease of 162,000 in other than personnel
25

1 services budget. The Commission's 66 person
2 headcount for fiscal year 2013 reflects a 6
3 position reduction from Fiscal 2012. The
4 Committee hopes to focus on today's hearing on the
5 status of the Commission's current programs and
6 how it will carry about the directives of its law
7 enforcement bureau with the reduction of the six
8 positions. I'd like to welcome all of my
9 colleagues and thank the Committee staff for their
10 work in preparing this hearing, Aisha Wright
11 [phonetic] Finance division, unit head; Jolene
12 Beckford [phonetic], counsel and Damien Butvig
13 [phonetic], policy analyst for the Civil Rights
14 Committee, and we will now hear from Commissioner
15 Gatling of the Commission on Human Rights. Good
16 morning, Commissioner. Thank you for being here.

18 COMMISSIONER GATLING: Good
19 morning. I'm delighted to be here. Chairperson,
20 Council Members, I'd like to start by introducing
21 some of the staff that's here to my far left is
22 Carlos Velez [phonetic], he is the director in
23 charge of the law enforcement bureau; to my
24 immediate left is Lee Hudson, she is the deputy
25 commissioner in charge of public relations/

1 community relations, and to my right is Cliff
2 Mulqueen, who is counsel and deputy commissioner,
3 and taking the pictures is Betsy Herzog, and she
4 is in charge of public information.
5

6 The New York City Commission on
7 Human Rights continues to operate as an efficient
8 and effective agency. Our annual budget in 2011
9 was \$7.1 million with over 4.5 million coming from
10 a federal community development block [phonetic]
11 grant and almost 2.6 million from the city. In
12 addition, we have a work sharing agreement with
13 the Equal Employment Opportunity Commission, which
14 generates between 85,000 and 100,000 dollars each
15 year and we aggressively pursue grant
16 opportunities and inter agency financial
17 partnerships to supplement our public education
18 projects. In 2011, grant funds were awarded
19 through partnership with the United States
20 Department of Justice, Office of Special Counsel
21 for Unfair Immigration Related Practices for
22 66,000 and nearly 120,000 in interagency funds
23 from the Department of Housing, Preservation and
24 Development, Health and Mental Hygiene,
25 Corrections, the Human Resources Administration

1 and the Brooklyn District Attorney's Office.
2
3 These particular partnerships expanded our reach
4 in three areas—employment discrimination
5 publications and presentations in the city's
6 correctional facilities and re-entry community
7 organizations, employment discrimination
8 presentations for immigrants in beginning adult
9 literacy classes and a range of fair housing
10 projects with HPD. With HPD, we launched a joint
11 fair housing website that includes detailed
12 information on protections under the Human Rights
13 Law, affordable housing opportunities, tenants'
14 rights and fair housing, real estate advertising,
15 housing court, news and events and many
16 interagency resources. We are also joining HPD in
17 many tenant and owner forums throughout the city,
18 discussing the New York City Human Rights Law and
19 fair housing and contributing to their pre-award
20 conferences provided to all housing management and
21 agency contractors. Part of the funds also
22 supports a housing research project, which we're
23 conducting with Columbia University. Our budget
24 has been reduced this year by approximately
25 \$700,000. That would be \$500,000 in CD [phonetic]

1 grant funds and \$200,000 in tax levy funds;
2 however, we will be able to absorb these
3 reductions through attrition and the recent
4 consolidation of office space. In addition to
5 giving up half a floor in our current space, plans
6 are underway to move our Manhattan office to a
7 city-owned building by the end of 2013, saving an
8 addition \$1 million a year in rental expenses. To
9 further maximize our finances and increase our
10 impact, we collaborate with other city agencies on
11 outreach projects. For example, we are working
12 with the Departments of Consumer Affairs and
13 Mental Health and Hygiene to have our literature
14 sent with their mailings and license renewal forms
15 and with one nation series of city service panels
16 sponsored by the Mayor's Office of Immigrant
17 Affairs. The Commission filed 332 complaints of
18 discrimination in 2011. The types of complaints
19 filed remain consistent with previous years in
20 that approximately 65% were employment, 25% were
21 housing, 9% were public accommodations and 1% bias
22 related harassment. We negotiated resolutions and
23 184 complaints throughout our pre-complaint
24 intervention process and resolved an addition 464
25

1
2 filed cases. Over 93% of the cases pending in
3 2011 were less than one year old. The Commission
4 obtained over \$1 million in damages for
5 complainants last year, averaging over \$15,000 per
6 case in damages, with the largest settlement being
7 \$189,000 for a race discrimination claim against
8 Verizon. In addition to receiving lost wages, the
9 complainant was reinstated and provided all the
10 benefits he would have received had he not been
11 wrongfully terminated. But we are not a revenue
12 generating—the Commission ordered over \$250,000 in
13 fines to be paid to the city for violations of the
14 Human Rights Law. The largest fine was \$40,000
15 for a housing provider that denied the complainant
16 the right to keep her service animal and attempted
17 to evict her from an apartment for having the
18 animal in violation of their pet policies. HUD
19 had cited the housing provider for a similar
20 violation ten years earlier. The Commission
21 created law at the end of 2010 when it determined
22 that disabled individuals have a right to access
23 through the front door and only when it is
24 determined that front door access is unreasonable
25 or infeasible should an alternative access i.e. a

1 side or rear entrance be considered. I'm happy to
2 say that last year's Supreme Court justice in the
3 Bronx upheld that decision. That brings us one
4 step closer to ensuring that disabled individuals
5 have full and equal and unsegregated access to all
6 New York City has to offer. Intensive supervision
7 and case management over the past ten years has
8 led to a 56% probability that individuals who
9 state a claim under the law will obtain a benefit
10 by filing a complaint with the Commission.

11 Pursuant to the Council's discretion, the
12 Commission tracked—not discretion, direction—the
13 Commission tracked and recorded almost 11,000
14 inquiries from the public over the past three
15 years entering them into a searchable database.
16 We had the privilege of displaying the database to
17 several members of the Civil Rights Committee
18 during a visit to our Staten Island Community
19 Service Center. Nearly 75% of the individuals who
20 contacted the Commission over the past three years
21 were either directed to file a complaint with the
22 Commission or referred to another agency for
23 assistance. We will use this and other
24 information to assist in directing our resources
25

1 both training and enforcement in the future. The
2 Commission conducts extensive outreach through our
3 community programs and public education delivered
4 through our five borough offices. Last year, the
5 Community Relations Bureau provided nearly 86,000
6 units of service. Of those, nearly 25,000 were to
7 New Yorkers with limited English proficiency and
8 in a language other than English. Additionally,
9 we reached millions of New Yorkers and visitors
10 through the use of the media informing individuals
11 of the Commission's work and strong city human
12 rights law. Last year, we appeared approximately
13 311 times in newspapers, publications and
14 electronic media, including weekly and ethnic
15 presses with substantial clips in the New York
16 Times, New York Law Journal, Wall Street Journal,
17 New York Daily News Post, Staten Island Advance,
18 New York - - , and the Associated Press and
19 Reuters. We also appeared on New York One News,
20 WPIX Channel 11, WNBC TV, Fox Five, NPR and WNYC
21 Public Radio. Some of our major outreach efforts
22 include the Commission's Adult Literacy Program.
23 This program is directed to adult literacy and
24 ESOL classes at colleges in the CUNY system,
25

1
2 workforce development literacy projects and branch
3 library literacy programs in the three New York
4 public library systems. Working with the system
5 wide guidance of the CUNY adult literacy GED/ESL
6 program and the literacy assistance center, the
7 Commission now has classes for the beginner,
8 intermediate and advanced level English language
9 learner. These classes educate adults about their
10 employment rights and other protections they have
11 in the workplace if faced with discrimination
12 based on their national origin or citizenship
13 status. In addition, the project team trains
14 literacy teachers in their continuing professional
15 educational coursework and conferences to use the
16 lesson plans, DVDs and student workbooks the right
17 to work understanding immigrant employment rights.
18 All materials are available on several websites.
19 The Commission's immigrant employment rights
20 program also provides valuable services for
21 immigrant employees and employers conducting 308
22 workshops for some of our city's newest residents
23 last year. In addition to our adult literacy
24 classes, we reach these individuals through parent
25 groups, community or youth centers, job or

1 vocational service organizations, and
2
3 naturalization ceremonies for new citizens.

4 Another employment rights program is directed to
5 individuals reentering the workforce. We speak at
6 workforce development agencies and other back to
7 work programs throughout the city providing them
8 with information on work related issues such as
9 discrimination in employment, sexual harassment,
10 cyber harassment and conflict resolution, and
11 especially in this economy, individuals with
12 arrest and/or conviction records become easy
13 targets for discrimination. Under the city's
14 Human Rights Law, individuals with arrest or
15 conviction records are protected from
16 discrimination in employment. To reach those
17 individuals, we provide presentations at dozens of
18 reentry organizations and for inmates at Riker's
19 Island and other borough correctional facilities
20 with the cooperation of the New York City
21 Department of Correction. The Commission's fair
22 housing mortgage counseling and anti-predatory
23 lending program alerts residents to discriminatory
24 lending and credit protections under the law and
25 dangers of predatory lending. The program also

1 offers foreclosure counseling to individuals faced
2 with the loss of their homes. As a HUD certified
3 housing counseling agency, HUD or local housing
4 organizations refer these individuals to us. The
5 Commission's four mortgage counselors conducted
6 573 counseling sessions for 81 homeowners in 2011.
7 The Commission's peer mediation program trained
8 another 187 students to be peer mediators and
9 established peer mediation programs in 13 schools.
10 These student mediators assist their classmates in
11 finding nonviolent solutions to their problems and
12 help reduce violence in our school system. To
13 date, the program has trained over 1200 high or
14 middle school students and set up peer mediation
15 programs in 85 schools. Our other presentations
16 took us into 23 additional schools and 19 youth
17 centers city wide teaching classes to over 6,000
18 students. These classes in grades 6 to 12 address
19 the Human Rights Law, sexual harassment, conflict
20 resolution and cyber bullying. The Commission has
21 conducted training for parent and student groups
22 including day long trainings on bias, sexual
23 harassment, and cyber bullying for school
24 administrators and guidance counselors in
25

1
2 conjunction with the Department of Education's
3 Office of School and Youth Development. The
4 Commission and DECAS also presented a cyber-
5 harassment in the workplace training for city EEO
6 [phonetic] and HR professional. Representatives
7 from the Department of Education, the Manhattan
8 District Attorney's Office, and the Department of
9 Investigation joined us on the panel. Our
10 successful equal access program negotiated 165
11 modifications for disabled individuals last year.
12 These far reaching accommodations in housing and
13 public accommodations include portable or
14 permanent ramps, braille signage, parking
15 policies, storage facilities for wheelchairs and
16 service animals. The Commission is successful in
17 negotiating or ordering the accommodation in 78%
18 of the cases. The remaining investigations are
19 closed by the Commission due to the infeasibility
20 or unreasonableness of the accommodation or
21 withdrawn by the complainant. I've highlighted a
22 few of our accomplishments over the past year and
23 invite you to review our yearend report, which is
24 online and has been mailed to you previously. I
25 look forward to working with you to make the

1
2 Commission better and more responsive to the
3 public we serve, and I'll be happy to answer any
4 of your questions. Thank you.

5 CHAIRPERSON ROSE: Thank you.

6 CHAIRPERSON RECCHIA: Thank you,
7 Commissioner, and I want to thank you for your
8 report. We're joined by Council Member Reyna,
9 Council Member Chin. I just have one quick
10 question. You're cut about \$700,000, and that's
11 from a grant and 200 from tax levy?

12 COMMISSIONER GATLING: Yes, 500
13 from the grant and 200 from tax levy 'cause I have
14 such little tax levy money.

15 CHAIRPERSON RECCHIA: And were
16 there any other cuts that you're facing? Any
17 other—are you losing staff through attrition? Are
18 they not rehiring?

19 COMMISSIONER GATLING: That's
20 correct.

21 CHAIRPERSON RECCHIA: And that's
22 how you're going to make up for the \$200,000 cut
23 in tax levy?

24 COMMISSIONER GATLING: Yes.

25 CHAIRPERSON RECCHIA: Okay. And

1
2 any of the money that you collect from different
3 settlements and stuff like that, do you get to
4 keep that money?

5 COMMISSIONER GATLING: No. No, we
6 don't. That's not done by anyone. I mean, the
7 settlements that we negotiate are settlements for
8 the individuals, so the million dollars last year
9 went to the harmed individual—the complainant.

10 CHAIRPERSON RECCHIA: Okay.

11 COMMISSIONER GATLING: The fines
12 went to the city, so - - \$250,000 in fines.

13 [crosstalk]

14 CHAIRPERSON RECCHIA: Okay, so how
15 much did you collect in fines?

16 COMMISSIONER GATLING: \$250,000/

17 CHAIRPERSON RECCHIA: Okay. The
18 reason why I ask that is because there are
19 agencies out there that collect different monies
20 and they get to keep that money to offset the peg
21 [phonetic], and this is a question I asked.
22 That's why I asked that question.

23 COMMISSIONER GATLING: Well, we've
24 never been deemed a revenue generating agency like
25 some of the others only because—

2 CHAIRPERSON RECCHIA: [Interposing]
3 No, some of these agencies are not—

4 COMMISSIONER GATLING: We never
5 collected a fine.

6 CHAIRPERSON RECCHIA: Okay. Thank
7 you. Okay. Council Member Debbie Rose?

8 CHAIRPERSON ROSE: Thank you,
9 Chair, and thank you, Commissioner and everyone
10 here. I want to thank you for hosting the Human
11 Rights Committee at our tour of the Staten Island
12 Community Service Center. It was very
13 enlightening, and I want to thank you for that.
14 In terms of the six positions that were lost
15 through the community development block grant, are
16 there any discussions with OMB [phonetic] to
17 substitute tax levy monies for them?

18 COMMISSIONER GATLING: Every day.
19 [laughter]

20 CHAIRPERSON ROSE: Is it a real
21 conversation or is it that it's not something
22 they're looking to do.

23 MALE VOICE: I think that one of
24 the issues is that they're expecting further cuts
25 in the community development block grant, so

2 they're hesitant to do anything until they know
3 what's going to happen with that grant, so they
4 are real conversations, but that's the issue.

5 CHAIRPERSON ROSE: So does that
6 mean that once the community block grant issues
7 are resolved, that they might entertain it?

8 MALE VOICE: I would hope so.
9 Yeah, but I don't know if they're going to be
10 resolved until next year, so..

11 CHAIRPERSON ROSE: Okay. In terms
12 of the fact that the money came out of your
13 personnel budget, was there any reason why you
14 didn't take it out of your OTPS?

15 MALE VOICE: Well, again, we did
16 save money from giving up a floor and that's OTPS,
17 so we were able to move money around with regard
18 to that, so..

19 CHAIRPERSON ROSE: Okay, but so,
20 the monies that you took out of personnel you
21 wouldn't have thought about taking out of OTPS?
22 Or is there not enough?

23 MALE VOICE: Well, I guess the
24 position would be that you could use the OTPS to
25 supplement the PS budget, but again, because of

2 these looming additional cuts, OMB is hesitant to
3 make any decisions just now on that.

4 CHAIRPERSON ROSE: Okay. And how
5 will the loss of these six positions impact your
6 ability to deliver the services in the law
7 enforcement bureau?

8 MALE VOICE: I mean it hasn't had
9 an impact so far, and we've been down those people
10 for most of last year, so there hasn't really been
11 an impact. We are still able to do all the things
12 that we've outlined and as far as the other
13 aspects of the agency to see that we're focusing
14 more on trying to partner with other agencies and
15 spread our resources that way.

16 CHAIRPERSON ROSE: I've been
17 advised that the preliminary budget still included
18 those six positions.

19 MALE VOICE: Well, I mean we knew
20 that we were going to lose them so we accounted
21 for it. We knew it was going to happen.

22 CHAIRPERSON ROSE: Okay. Okay.
23 And according to the annual report in Fiscal Year
24 2012, you received about 85,000 from the Equal
25 Employment Opportunity Commission contract. What

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were those funds primarily used for?

MALE VOICE: We used those funds to pay our salary and part of another salary for a member of our staff.

CHAIRPERSON ROSE: Okay, but the funding to support the EEOC [phonetic] is not in the Fiscal Year '13 budget. How do you plan to compensate for...?

MALE VOICE: I'm not sure that the city accounts for it because it's something that's not guaranteed. It's based on the number of cases we close, so it could fluctuate from year to year, so I'm not sure how they factor that into the budget or if they factor it in at all, but we use it to pay salaries.

CHAIRPERSON ROSE: Do you anticipate getting those funds?

MALE VOICE: Yeah, we've already—we just signed the contract with the EEOC. Of course, it depends on performance, but we don't anticipate that we won't be able to fulfill the contract.

CHAIRPERSON ROSE: And is that sort of the same situation with your Department of

1 Justice grant for the ESO [phonetic] program?

2
3 COMMISSIONER GATLING: We've been
4 notified by the Department of Justice that that
5 particular grant is not being renewed in the
6 upcoming year, not that the grant isn't being
7 renewed to the Commission, but they did not have a
8 call for proposals they did not entertain. It's a
9 national competitive grant that we have received a
10 number of years, but they did not issue that call
11 for proposals this year.

12 CHAIRPERSON ROSE: Are you looking
13 to try to continue that program and if so, how?

14 COMMISSIONER GATLING: We've been
15 aggressively talking to ESOL teachers about coming
16 to their classes during the day. We used to do
17 quite a number of evening classes and weekend
18 classes and a portion of those funds were used for
19 overtime expenses, so we've been—and as these
20 classes have expanded and we've moved to the
21 beginning level, there are a lot of beginning
22 level classes that they are eager for us to come
23 to during the day, so that does not involve, but
24 we do not anticipate reducing the program at all.

25 CHAIRPERSON ROSE: I'm glad to hear

2 that. We have some questions from some of the
3 Committee members, but first I'd like to announce
4 that we've been joined by Council Member Joel
5 Rivera and Council Member Foster. Council Member
6 Chin?

7 COUNCIL MEMBER CHIN: Thank you,
8 Madam Chair. Commissioner, I also wanted to
9 extend my thank you to you and your staff for the
10 Staten Island visit. It was quite enlightening
11 and I'm glad that we had a chance to chat. I'm
12 looking at the FY '13 budget. Some of the
13 programs has been zeroed out and one of them is
14 the immigration employment program that you
15 received \$41,742, which is not a lot of money, so
16 can you kind of tell me how are you going to sort
17 of continue the good work that was done to be able
18 to do that with no funding? Is the program that
19 you partner with the New York Immigration
20 Coalition?

21 COMMISSIONER GATLING: Yes, that's
22 correct, and as I was indicating, we're moving
23 some of those funds that you're point to, Council
24 Member, were used for overtime expenses for the
25 staff doing these classes in the evenings and on

1
2 the weekends, and now what they're doing is they
3 are seeking beginning level classes during the
4 day, which will not involve those overtime
5 expenses. We only recently developed a beginning
6 curriculum and most of the classes that are
7 offered in ESOL literacy, adult literacy classes
8 are at the beginning level, and we didn't have as
9 much latitude in selecting those classes, but now
10 that we have a curriculum that we've been doing
11 this past year for beginning level students, there
12 are a lot of classes available to us during the
13 day and so we will be picking up those day time
14 classes and not incurring those overtime costs.

15 COUNCIL MEMBER CHIN: Commissioner,
16 from your testimony, it seems like I can make the
17 correlation that the program is successful since
18 that 65% of the complaints are around employment,
19 so I just want to make sure that we were able to
20 continue these employment programs and my position
21 is that your agency definitely needs more funding,
22 and I think one of them is really looking at the
23 federal support because one thing that I question
24 is whether there's duplication of work because the
25 HUD federal agency, I mean, they use resources to

1 do outreach and so if there's a way for them to
2 give the city more resources to do the outreach.
3 The bottom line is that residents will look more
4 towards the city in terms of filing complaints and
5 getting information then actually the federal
6 government, so if they are also doing those kinds
7 of programs, I think we need to advocate to the
8 federal government that they need to give us, the
9 city, the resources to do that work rather than in
10 terms of they doing it. And the other point as
11 Chair Recchia mentioned, I mean, when I heard that
12 you collected \$250,000 in fines for the human
13 rights violations and here I see the city cutting
14 that amount from your budget, it doesn't really
15 make sense. I mean the amount of money that you
16 have collected based on doing your outreach and
17 education and getting people to file complaints
18 that money needs to go back to your budget so that
19 you can enhance the enforcement part. So I would
20 really request our Chair of Finance and our
21 Committee Chair to really get that message to the
22 Mayor.

24 CHAIRPERSON RECCHIA: We will bring
25 it up to Mark Page [phonetic]. That's why we have

2 Mark Page testifying last at the budget hearing,
3 and we will bring this up to him to see if there
4 is some way he can forgive the peg [phonetic] to
5 this wonderful agency since they produce 250,000
6 in fines. Okay. Council Member Diana Reyna.

7 COMMISSIONER GATLING: One thing
8 about the fines though—

9 CHAIRPERSON RECCHIA: [Interposing]
10 Don't worry. We're not going to get you in
11 trouble.

12 COMMISSIONER GATLING: No. Just so
13 you understand, we levy the fines. We are
14 essentially a prosecution agency and so we
15 determine what the fines are—

16 CHAIRPERSON RECCHIA: Yeah, no. We
17 understand that.

18 COMMISSIONER GATLING: I don't
19 want, you know...

20 CHAIRPERSON RECCHIA: No, no, no,
21 no, no, no, you have to understand. There are
22 other agencies out there that settle claims and
23 fines and they get to offset their pegs. This is
24 bigger than you. This is bigger than other... this
25 is for us. Alright? This is a Finance issue.

2 COMMISSIONER GATLING: Well, we're
3 very proud of the fact that we're the first
4 Commission to ever bring in any fines.

5 CHAIRPERSON RECCHIA: Okay.
6 Council Member Diana Reyna?

7 COUNCIL MEMBER REYNA: Thank you,
8 Mr. Chair—both Chairs. I wanted to just take a
9 moment to ask the Commissioner in your testimony
10 you refereed to the work sharing agreement with
11 the Equal Employment Opportunity Commission and
12 the renewal of a contract based on performance,
13 and I was trying to understand first of all, what
14 is the role as far as the agreement with the Human
15 Rights Commission as an agency for the City of New
16 York, and the second part of my question is, where
17 is the performance in this document as far as the
18 2011 annual report because I was trying to look
19 through it to see the performance and I don't see
20 any information.

21 MALE VOICE: Whenever a complainant
22 comes to us and files a claim of—

23 COUNCIL MEMBER REYNA:
24 [Interposing] And the complaint is coming from
25 where?

2 MALE VOICE: It's coming from an
3 individual, a city resident.

4 COUNCIL MEMBER REYNA: A city
5 resident? It doesn't have to be a city employee?

6 MALE VOICE: No, absolutely not.

7 COUNCIL MEMBER REYNA: --in an
8 agency, but it doesn't exclude a city employee
9 within an agency?

10 MALE VOICE: Correct, so a
11 complainant comes to us and wants to file a
12 complaint and we file that complaint, and if that
13 complaint would also be jurisdictional under
14 federal law, then we dual file it with the EEOC
15 [phonetic], and we investigate that complaint and
16 when we resolve that complaint, the EEOC pays us
17 \$500 for each one of those complaints. So we have
18 a contract—I think it went up to \$600 this year.
19 \$650. We have a contract to settle 130-something
20 complaints with them each year, and if we meet our
21 contract, we can ask them to give us credit for
22 more, but that's essentially what the performance
23 is. We have to settle cases or resolve them and
24 in exchange for resolving the cases, they will pay
25 us money.

2 COUNCIL MEMBER REYNA: They as in
3 the federal government?

4 MALE VOICE: As the Equal
5 Employment Opportunity Commission.

6 COUNCIL MEMBER REYNA: But the
7 funding is coming from the federal government?

8 MALE VOICE: Well, it's a federal
9 agency, but I believe the funding comes from the
10 Equal Employment...

11 COUNCIL MEMBER REYNA: And just to
12 understand, as far as the city agencies are
13 concerned and the claims that have come in from
14 different agencies, do you track where there are
15 internal complaints?

16 MALE VOICE: We would track
17 complaints that come to us, so they are no longer
18 internal if they've come to us. So we do track
19 where our cases are coming from, and we know what
20 agencies may have more cases than others—

21 COUNCIL MEMBER REYNA:
22 [Interposing] But it's not published, correct?

23 MALE VOICE: It's not in the
24 report. No.

25 COUNCIL MEMBER REYNA: Wouldn't

2 that be helpful for the City of New York to have
3 it published as part of the report?

4 MALE VOICE: I don't know if it
5 will or not. I mean we can figure it out and
6 discuss it.

7 COUNCIL MEMBER REYNA: I would like
8 to request that. I don't know what the status of
9 diversity and complaints regarding the Human
10 Rights Law as the Commission continues to be what
11 would be the authorized agency to review a lot of
12 this information and therefore because it's not
13 public, it seems to go under the radar and so to
14 raise it becomes an issue unto itself. So I would
15 like to understand what is the internal cases per
16 agency and what cases are out there that have not
17 been resolved.

18 MALE VOICE: Okay, and again, the
19 internal cases within the agency, we would have no
20 knowledge of. The only time we become involved is
21 if the employee decides to come to us and file a
22 complaint.

23 COUNCIL MEMBER REYNA: So it's
24 complaint driven based on the employee's-

25 MALE VOICE: [Interposing] Decision

1
2 to come to us.

3 COUNCIL MEMBER REYNA: Does
4 anything—is there a different procedure that they
5 would have to follow?

6 COMMISSIONER GATLING: No, see,
7 there are two issues here, I think. When there
8 are say complaints about discrimination within an
9 agency, a city agency, some of those complainants
10 may choose to go and complain outside of our
11 agency. Only if they decide to come and file the
12 complaint with us would we know. Often sometimes
13 they may go to—they may private counsel, they may
14 retain their own counsel. They may go to EEOC,
15 but you know, we could tell you how many people
16 have come say from DOE to us and made a complaint
17 and how those cases—

18 COUNCIL MEMBER REYNA:
19 [Interposing] And that's what I want.

20 COMMISSIONER GATLING: If that's
21 what you want, I mean we could probably tell you
22 that now. That's just not something that we've
23 ever really published say--the number. We usually
24 encompass it all in. It's either employment or
25 disability claims or that kind of—so that's... If

2 that's what you would like to know, we can
3 certainly give you that information.

4 COUNCIL MEMBER REYNA: I want a
5 report per agency because it just allows us to
6 understand what is going in within our own
7 jurisdiction as far as the function of the City of
8 New York, and that's a whole segment of residents
9 that get vacuumed into or perhaps their voice gets
10 drowned because perhaps, they're the least known
11 to know that they can come to the Human Rights
12 Commission.

13 COMMISSIONER GATLING: Council
14 Member, we will follow up and we'll get that
15 information for you.

16 COUNCIL MEMBER REYNA: I would
17 appreciate that. Thank you.

18 COMMISSIONER GATLING: Okay. Thank
19 you so much.

20 CHAIRPERSON ROSE: The other place
21 would be EEPC.

22 COUNCIL MEMBER REYNA: Yes.

23 CHAIRPERSON ROSE: EEPC would have
24 sort of all of those complaints that have gone
25 through-

2 COUNCIL MEMBER REYNA:

3 [Interposing] Because wouldn't an executive, they
4 won't be coming to us? And that's part of my - -
5 , but I will reach out to them as well. Thank
6 you.

7 CHAIRPERSON ROSE: Thank you.

8 We're running a little behind schedule, so I just
9 have one other question. The educational programs
10 and services that you have, you stated that some
11 are supplemented through private sources. How do
12 you find these or pursue these funding
13 opportunities and will you be able to identify
14 additional source for FY '13?

15 COMMISSIONER GATLING: Dr. Hudson
16 is very good at identifying sources and
17 individuals that may have interests in common with
18 what we do. You know, for instance, we do a lot
19 of work in prisons, so we know who is in the re-
20 entry business, and we'll reach out to all of
21 those different sources in re-entry and we ask. I
22 mean, we go knocking on doors. That's probably
23 half of what she does most of the time is we go
24 knocking on doors and ask individuals that we know
25 receive a pod [phonetic] of money and would you be

2 willing to share and maybe we could work it out
3 and most people are willing to work with us
4 because we have such a good foothold in the city
5 and so we've been real successful thanks to - - .

6 CHAIRPERSON ROSE: Do you get YMI
7 money?

8 COMMISSIONER GATLING: No. I don't
9 even know what that is.

10 CHAIRPERSON ROSE: Okay. Thank
11 you. Okay. I thank you so much.

12 CHAIRPERSON RECCHIA: This
13 concludes today's hearing. Thank you,
14 Commissioner. The Finance Committee will resume
15 budget hearings on Tuesday May 22nd at 10 a.m.
16 Tuesday we will be joined by the Committee on
17 General Welfare chaired by my colleague Council
18 Member Annabel Palma to hear from the Human
19 Resource Administration, the Administration of
20 Children's Services and the Department of Homeless
21 Services. The hearing will be held in the Council
22 Chambers. Please try to be on time. As a
23 reminder, the public will be allowed to testify on
24 June 6th beginning at 4 p.m. For members of the
25 public who wish to testify, but cannot be here,

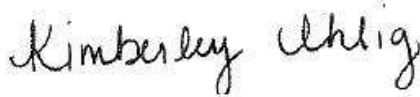
1
2 you can fax testimony to my counsel, Tanisha
3 Edwards, and she will make it part of it the
4 official record. This concludes today's hearing.

5 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature _____

Date _____6/12/12_____