



New York State Office of the State Comptroller
Thomas P. DiNapoli

Division of State Government Accountability

Administration of Fellowship Leaves

City University of New York



Executive Summary

Purpose

To determine whether the instructional staff employed by the City University of New York (CUNY) who are granted fellowship leaves (fellowships), formerly known as sabbaticals, are awarded such leaves for authorized purposes and are in compliance with all applicable requirements. The audit covered the period January 1, 2007 through December 1, 2011.

Background

Fellowships are to be used to improve the recipient's teaching skills, perform research in the recipient's respective field of study, or to conduct creative works in literature or the arts. Fellowship recipients are required to submit written summaries of their activities within 30 days of completion of their leave and must serve in the employ of CUNY for at least one year upon their return. Six of CUNY's 11 senior college campuses (Brooklyn College, the Graduate Center, Hunter College, John Jay College, Lehman College, and Queens College), granted 665 fellowships at a cost of approximately \$57 million during the Spring of 2007 through Spring of 2011 semesters. At the time of our audit field work, 616 of the 665 fellowships had been completed.

Key Findings

- Although the majority of fellowship recipients complied with CUNY guidelines, improvements are needed to protect taxpayer dollars and the integrity of CUNY's fellowship program.
- CUNY officials did not have a comprehensive, accurate record of CUNY instructors who were granted fellowships during our review period.
- At least two fellowship leave recipients were not eligible and should not have been granted them. These recipients were paid \$93,632 while on such leave.
- Ninety-six fellowship recipients failed to submit the required written summaries upon their return from leave detailing the activities they performed while on fellowship; the aggregate compensation paid to them while on leave approximated \$6.7 million. Such documentation is important to ensure that the benefits of this taxpayer investment are being realized.
- One instructor did not remain in CUNY's employ for the required 12-month period upon her return from leave. This instructor was paid \$96,908 while on such leave.
- CUNY policies governing fellowship leaves do not provide for recoupment of benefits or other follow-up measures when instructors do not comply with the above noted requirements.

Key Recommendations

- Ensure that an accurate and complete database of all CUNY fellowship leaves is maintained.
- Ensure that instructors granted fellowship leaves are eligible and comply with all necessary requirements upon their return.
- Revise Fellowship policies to address potential actions to be taken in the event of instructor noncompliance.

Other Related Audits/Reports of Interest

[City University of New York Kingsborough Community College: Selected Financial Management Practices \(2008-N-9\)](#)

State of New York
Office of the State Comptroller

Division of State Government Accountability

October 9, 2013

Dr. Matthew Goldstein
Chancellor
The City University of New York
535 East 80th Street
New York, NY 10021

Dear Chancellor Goldstein:

The Office of the State Comptroller is committed to helping State agencies, public authorities and local government agencies manage government resources efficiently and effectively and, by so doing, providing accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit of the City University of New York entitled *Administration of Fellowship Leaves*. This audit was performed pursuant to the State Comptroller's authority under Article V, Section 1, of the State Constitution and Article III, Section 33 of the General Municipal Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

Office of the State Comptroller
Division of State Government Accountability

Table of Contents

Background	4
Audit Findings and Recommendations	5
Accuracy of Fellowship Leave Database	5
Compliance With Fellowship Leave Requirements	5
Recommendations	8
Audit Scope and Methodology	8
Authority	9
Reporting Requirements	9
Contributors to This Report	10
Agency Comments	11

State Government Accountability Contact Information:

Audit Director: Frank Patone

Phone: (212) 417-5200

Email: StateGovernmentAccountability@osc.state.ny.us

Address:

Office of the State Comptroller
 Division of State Government Accountability
 110 State Street, 11th Floor
 Albany, NY 12236

This report is also available on our website at: www.osc.state.ny.us

Background

The City University of New York (CUNY), the largest urban public university system in the United States, is governed by a 17-member Board of Trustees (Board). CUNY's 24 institutions (11 senior colleges, six community colleges, a graduate school, and six other specialized and professional schools), serve more than 540,000 students. CUNY received over \$2 billion annually in taxpayer support from New York State and New York City for the five-year period ended March 31, 2012.

CUNY's Central Administration (CUNY Central) provides general oversight of CUNY operations, and is responsible for monitoring academic development and other activities at the individual colleges. Each college is responsible for complying with governing laws, regulations, policies, and Board guidelines.

The CUNY system employs about 5,000 full-time faculty. Paid fellowship leave (fellowship), formerly known as sabbatical leave, is a fringe benefit available to tenured faculty (instructional staff) with at least six years of continuous paid full-time service. CUNY's fellowship policy is set forth in the CUNY's Bylaws and in the agreement between CUNY and the Professional Staff Congress (PSC), the labor organization that represents CUNY's instructional staff. Fellowship applicants can apply for either a full-year fellowship, at 80 percent of their annual compensation (salary and fringe benefits), or a half-year fellowship, at 100 percent of their annual compensation.

Fellowships are to be used to improve the recipient's teaching skills, perform research in the recipient's respective field of study, or to conduct creative works in literature or the arts. Fellowship recipients are required to submit written summaries of their activities within 30 days of completion of their leave, and must serve in the employ of CUNY for at least one year upon their return.

According to available data, 1,081 fellowships were granted by CUNY's 11 senior colleges during the spring of 2007 through spring of 2011 semesters. Approximately \$92.5 million was paid to these employees while they were on leave. Six-hundred and sixty-five of those fellowships were granted to staff at our six sampled institutions (Brooklyn College, Hunter College, John Jay College, Lehman College, Queens College, and the Graduate Center), for which the associated compensation approximated \$57 million. In addition, 616 of these 665 fellowships were completed during our audit scope period.

Audit Findings and Recommendations

Although most of the fellowship recipients we reviewed complied with CUNY policy, improvements are needed to protect taxpayer dollars and the integrity of CUNY's fellowship leave program. For example, there was no single comprehensive record maintained by CUNY listing all fellowships granted during our audit period. We found instances where fellowships were granted to ineligible employees and to some where no supporting paperwork was available. Further, the required activity summaries were not submitted by many fellowship recipients upon their return, and one recipient did not remain in the employ of CUNY for the required period of time upon his return from leave. Lastly, CUNY guidelines do not provide for any potential measures to be taken when recipients do not comply with fellowship requirements.

Accuracy of Fellowship Leave Database

When we initiated our audit, we asked CUNY Central for a listing of all faculty members granted fellowships during our review period so we could select our sampled recipients for audit. After we received such a listing, we asked our liaisons at the six sampled colleges (Brooklyn, Hunter, John Jay, Lehman, Queens, and the Graduate Center) whether each had their own lists so we could compare them to the list received from CUNY Central. When we compared the listings from the six sampled colleges (which we were told were pulled from the New York State PayServ System) to the central listing, we found that they did not agree. The fellowships for these six colleges per CUNY Central totaled 667, while the fellowships per the colleges totaled 682.

For example, according to CUNY Central, Lehman College granted 62 fellowships during our review period. Yet, the listing we received from the college listed 35 grantees.

Similarly, CUNY Central noted 59 fellowship grantees for the Graduate Center while the Graduate Center's listing noted 84 grantees.

As such, we compared the two listings for each of the six colleges, deleted any names that appeared twice on either listing, and prepared our own comprehensive listing from which to select our sample.

Without such a comprehensive listing, CUNY officials do not have accurate information readily available about which of their staff are on fellowships and the associated costs.

Compliance With Fellowship Leave Requirements

CUNY instructors (e.g., professors, assistant professors, etc.) requesting fellowships are required to submit an application to their respective Department Chair outlining: their proposed activities while on leave, the length of leave they are requesting, and any prospective income that would be derived from said activities. Applicants are also asked to denote how their respective day-to-day course loads would be covered in their absence. Once approved by the Department Chair, the fellowship application must be endorsed by a college-wide committee established at

each institution. If approved by the committee, the applicable College President transmits the application to CUNY's Office of the Vice Chancellor for Faculty and Staff Relations and subsequently to the CUNY Board.

Fellowship applicants may use their paid fellowships to conduct research (including study and related travel), improve their teaching skills, or to conduct creative work in literature or the arts. Instructors granted fellowships are required to submit a written summary of their fellowship leave activities within 30 days after the completion of their leave. In addition, each fellowship recipient is required to serve at a CUNY institution for at least one year upon their return from leave, unless that requirement is expressly waived by the Board. Unlike State University of New York officials, CUNY officials have not developed or instituted any measures (e.g., compensation recovery, etc.) in the event of instructor noncompliance with any part of CUNY's fellowship policy.

Ineligible Fellowship Recipients

We reviewed the 611 available applications for the 616 instructors who were granted fellowships during our review period. Each appeared to include the required information, and the respective planned activities outlined in the applications were compliant with the authorized reasons for CUNY fellowships. However:

- For three of the faculty at John Jay College, there was neither an application nor activities summary. We could not confirm that the necessary approvals were given for these fellowships, or that their associated activities while on fellowship were compatible with CUNY guidelines. The associated payments to these instructors while on fellowship totaled \$186,966.
- One Hunter College professor had no application on file and did not have qualifying tenure as an instructor. This employee had been reinstated as a professor just before the leave was granted after he served several years in a non-instructor position as a CUNY administrator. This employee was paid \$77,382 during his fellowship.
- An employee of the Graduate Center, a non-instructor higher education officer, applied for and received a 2010 fellowship from the Guggenheim Foundation. This individual was ineligible for a CUNY fellowship because he was not a member of the tenured instructional staff. However, to complement the Guggenheim fellowship, CUNY and PSC officials agreed to waive their eligibility requirements and allow the applicant to receive \$16,250 (a half-year CUNY fellowship at 21.64 percent of his annual \$77,382 compensation). According to the application agreement, this was done so that the employee would not lose his CUNY income and health insurance coverage, or his PSC Welfare Fund benefits, while on the Guggenheim fellowship. Both CUNY and PSC officials indicated that the terms of this agreement were without precedent.

Activity Summaries

Out of the 665 fellowships that were granted during our review period, 616 were completed prior to the end of our audit field work. As such, a written activity summary should have been on file for each. We found that fellowship recipients did not routinely submit written activity summaries

in compliance with CUNY requirements as follows:

- Ninety-six of the 616 summaries that should have been on file during our audit field work (16 percent) were not. The dollars associated with these fellowships aggregate \$6.7 million. After notifying CUNY officials of the missing summaries, they apparently made some inquiries (including some via email), and an additional 54 were eventually received. Without the activity summaries, there is no evidence as to what benefits were achieved as a result of these fellowships.
- Ninety-one of the 520 summaries that were on file were submitted to CUNY within the required 30 day period.
- One-hundred and thirty-two of the summaries on file were submitted after the 30 day grace period, and, in some cases, up to 48 months late.
- Two-hundred and ninety-seven of the summaries on file were not dated. Therefore, we could not determine whether they were submitted on time or only after we requested them from CUNY officials.

The absence of the activity summaries leads us to question whether these fellowship recipients performed the authorized activities they had included in their leave applications. Moreover, there is no evidence that college administrators made any efforts to obtain them.

We interviewed several of the instructors at three of the six sampled institutions whose activity summaries were not on file to determine the reasons why. The most prevalent reasons for non-submission were, “I forgot,” or “No one ever asked me for it.” These comments raise questions as to whether CUNY officials are attentive to, or are ensuring accountability as to, the benefits to be achieved from such paid fellowships.

We also found that CUNY officials had neither established guidelines for preparing summaries nor developed an appropriate mechanism for collecting, reviewing, and evaluating them. As a result, summaries were inconsistent in their detail. Some summaries were one or two sentences long, while others were two or more paragraphs. For example, one recipient, after completing a one-year fellowship, provided a two-sentence summary stating, “I revised a manuscript on contemporary multicultural American fiction. This involved updating my secondary sources and rethinking my first draft.” In contrast, the State University of New York requires approved applicants to provide a summary report that includes substantive and complete fellowship leave information providing details on exactly what was done during the fellowship, and how the work performed relates to their instructional duties. Without sufficient details, CUNY administrators lack adequate support to determine what activities the employees were actually engaged in while on fellowship, and whether the fellowships benefited CUNY.

In response to our preliminary findings, CUNY officials advised that the reporting requirements were not intended to be the only indication of faculty productivity while on leave. They did not offer any alternative indications but agreed to immediately require the colleges to develop reporting standards.

Other Fellowship Leave Requirements

- One Brooklyn College instructor, who was granted a full-year fellowship at a cost of \$96,908, did not serve the required one-year period at CUNY upon her return from leave. Instead, this employee served only five months and then was granted early retirement as a result of an early retirement incentive offered by CUNY. This employee did not receive the required waiver from the CUNY Board.
- Three of the fellowship grantees noted in their activity summaries that they were teaching at other institutions while on leave. However, they did not denote whether they were compensated for doing so.

Recommendations

1. Reconcile CUNY Central's listing of fellowship grantees to the listings maintained by the individual colleges and prepare a comprehensive centralized listing. Periodically reconcile the two records to maintain an up-to-date and accurate listing.
2. Enhance internal controls to prevent ineligible CUNY Staff from obtaining fellowships.
3. Investigate the circumstances surrounding the fellowship leaves granted to the three John Jay College instructors for which no supporting paperwork was available. Institute controls to prevent similar occurrences from happening in the future.
4. Follow up on all returning fellowship leave grantees in a timely manner to ensure they prepare and submit the required activity summaries to evidence the activities performed while on leave, and to provide accountability as to the benefits that are to be obtained from such. Provide guidance on the proper preparation of activity summaries.
5. Enforce the "one year of service upon return" requirement. Determine why the Brooklyn College instructor noted in this report was able to leave CUNY service prematurely without the required waiver.
6. Enhance CUNY policies to address potential measures to be taken by CUNY when fellowship grantees do not comply with fellowship requirements, such as the possible recovery of salaries paid while on fellowship, and non-CUNY income earned by grantees while on fellowship.

Audit Scope and Methodology

Our audit determined whether the instructional staff employed by CUNY, who were granted fellowships during the period January 1, 2007 through December 1, 2011, were granted such fellowships for authorized purposes and that they complied with all applicable fellowship requirements.

To accomplish our objectives, we interviewed selected CUNY Central and college officials to gain an understanding of CUNY's fellowship policies. We reviewed selected fellowship applications, activity summaries, and other relevant documentation. The six senior campuses we reviewed were selected because they had the highest number of staff who received fellowships during our review period and covered four out of the five New York City boroughs.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

Authority

We performed this audit according to the State Comptroller's authority in Article V, Section 1 of the State Constitution and Article III of the General Municipal Law.

Reporting Requirements

We provided a draft copy of this report to CUNY officials for their review and comments. Their comments were considered in preparing this final report, and are included in their entirety at the end of the report.

Within 90 days of the final release of this report, as required by Section 170 of the Executive Law, the Chancellor of the City University of New York shall report to the Governor, the State Comptroller, and the leaders of the Legislature and fiscal committees, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, the reasons why.

Contributors to This Report

Frank Patone, Audit Director
Kenrick Sifontes, Audit Manager
Christine Chu, Audit Supervisor
Adrian Wiseman, Examiner-in-Charge
Legendre Ambrose, Staff Examiner
Jonathan Bernstein, Staff Examiner
Daphnee Sanon, Staff Examiner

Division of State Government Accountability

Andrew A. SanFilippo, Executive Deputy Comptroller
518-474-4593, asanfilippo@osc.state.ny.us

Elliot Pagliaccio, Deputy Comptroller
518-473-3596, epagliaccio@osc.state.ny.us

Brian Mason, Acting Assistant Comptroller
518-473-0334, bmason@osc.state.ny.us

Vision

A team of accountability experts respected for providing information that decision makers value.

Mission

To improve government operations by conducting independent audits, reviews and evaluations of New York State and New York City taxpayer financed programs.

Agency Comments



Office of Internal Audit and Management Services
230 West 41st Street, 5th Floor
New York, NY 10036
Tel: 646-746-4290
Fax: 646-746-4299

September 6, 2013

Mr. Frank Patone
Audit Director
Office of the State Comptroller
123 William Street, 21st Floor
New York, NY 10038-3804

Re: Draft Audit Report 2011-S-20
Administration of Fellowship Leaves

Dear Mr. Patone:

We have reviewed the above-referenced draft report of the State Comptroller's audit of the *Administration of Fellowship Leaves at The City University of New York*, and we appreciate the opportunity to respond to the report and provide some necessary clarification and proposed corrective actions.

It should be noted that CUNY, like most universities, regards fellowship leaves (sabbaticals) as a wise investment in the overall quality of the institution through instructional staff development, for which the expected return is the delivery of a more enriched and relevant educational experience to the students. As the draft suggests, the process established by the University for granting fellowship leave to tenured instructional staff is highly structured and deliberate. The process involves many levels of review and approval at a college before applications are presented to the Board of Trustees for final approval. Notwithstanding the rigors of that process, many of our colleges have further intensified the review process by establishing additional levels of subcommittee evaluation so that more thorough consideration is given to a leave's impact on the institution. All in all, the university places a great deal of confidence in the review and approval controls that work to ensure the integrity of the fellowship leave process.

It also bears noting that the University's investment in quality through the considered granting of fellowship leaves, or sabbaticals, reflects an evolution over the purposes for which sabbaticals were originally granted when the concept of the sabbatical leave was developed at Harvard University over 130 years ago. For almost a century, institutions granted sabbatical leaves to instructional staff for such purposes as rejuvenation and restoration of health. Sabbatical leaves at CUNY, as governed by the Fellowship Leave provisions of Article 25 of the collective bargaining agreement between the University and its instructional staff, are only granted for the following enumerated reasons: 1) Research (including study and related travel), 2) Improvement of teaching, and 3) Creative work in literature or the arts. Furthermore, the university

INVEST IN CUNY

expects that it will receive a return on its investment with the requirement that barring extenuating circumstances faculty returning from leave serve the university for at least another full year. As noted in the draft report, compensation while on sabbatical is a percentage of the participant's regular pay.

With respect to the representation in the draft report that approximately \$92.5 million was paid to the 1,081 fellowship-leave recipients at the University's senior colleges over the four-year audit period and that approximately \$57 million was paid to recipients at the six sampled colleges during the same period, it must be noted that these figures include a fringe benefit factor of 33 percent which is a factor that is based on the total cost of fringe benefits (health, pensions, workers' compensation, etc.) for the entire system as measured against total salary costs. The fringe benefit figure does not represent the actual amount of fringe benefits an individual employee receives as overall compensation, and it should not be included in the calculation of payments an employee actually receives as the report indicates.

We believe that the record is clear that the fellowship leave process at the University is designed to only permit leave for purposes that benefit the leave recipient and the University. Here are a just a few examples of projects undertaken by faculty on fellowship leave during the period under audit:

- A one-year sabbatical leave was granted a professor who wrote for publication two science texts: one entitled *Doing Science with Children*, and the other, *Science Safaris in New York City*.
- A one-semester leave was granted a professor for the development of a manuscript on grant writing. Based on the work done on the prospectus during the sabbatical, a publisher was secured.
- A one-semester sabbatical leave was granted a professor for the publication of a critical, annotated translation of the ancient Chinese classic text, *The Nine Chapters on the Art of Mathematics*.
- A one-year sabbatical was granted a professor who produced a feature documentary on human rights abuses in Dubai and also studied film production in Dubai with award-winning filmmakers.

The above projects and the others that are approved at the University are the types of projects that are best accomplished when faculty are given some time away from their regular university duties, and they are the types of projects that inform curriculum development and bring distinction and renown to the University. That, in turn, results in other benefits such as increased donor support and grant funding in support of further University growth and enhancement.

Ineligible Fellowship Recipients

Contrary to what the draft report indicates, none of the individuals referenced under Ineligible Fellowship Recipients was ineligible for the fellowship leave granted them.

John Jay College

John Jay College officials disagree that there was neither an application nor an activity summary for the three faculty leave recipients cited in the draft report. Each of the three individuals cited was eligible for the leave granted, and documentation exists to support that contention. The applications and summaries were all available for the auditors at the time of the audit; although, the application for one of the cited faculty was not in that individual's personnel file at the time of the audit. Nevertheless, that application too was available for the auditors.

Hunter College

The Hunter College faculty member cited was also eligible for her leave. She received tenure at the college many years before she received her fellowship leave and was eligible for leave before she left her faculty position temporarily to serve as Associate Director at the Macaulay Honors College. Upon her return to her faculty position at Hunter College several years later, the College and University Board of Trustees approved her fellowship leave so that she could update herself in her field of scholarship and prepare herself for a return to the professoriate as both teacher and scholar. Based on her activity reports, her leave was highly productive and her research has even resulted in the acquisition of several grants for the college.

Graduate Center

The employee cited at the Graduate Center as having been ineligible for the fellowship leave he received was in fact eligible but only because of an agreement between the two parties that set the rules for the granting of fellowship leaves: CUNY and the Professional Staff Congress(PSC)—the collective bargaining body representing the CUNY instructional staff. As indicated above, fellowship leave at CUNY is governed by Article 25 of the collective bargaining agreement between CUNY and the PSC. Here, the individual was a member of the Graduate Center's non-teaching instructional staff and would not have been ordinarily considered for a fellowship award; however, both parties agreed that the Guggenheim fellowship was of such importance to the individual and the institution that a waiver should be granted in this particular instance. Article 43.2 of the PSC/CUNY collective bargaining agreement clearly recognizes the parties' right to waive provisions of the Agreement in appropriate circumstances, as was done in this case. When CUNY and PSC officials indicated in the agreement that the terms of the agreement were without precedent, the purpose of that statement was to prevent the agreement from necessarily establishing a precedent. It was not meant to be construed as an admission that there was no basis for such an agreement.

Missing Activity Summaries

With respect to the number of activity summaries that had not been timely collected by the colleges, we agree that the colleges need to be more diligent in collecting the reports within the 30-day period following one's return from leave. However, as we noted in our response to the preliminary draft report, the reports were not intended to be the only indication of fellowship leave outcomes. As we indicated before, irrespective of what leave activities a faculty member may describe in their report, the colleges evaluate their faculty's post-fellowship leave development and edification on the basis of faculty presentations, scholarship reports, teaching evaluations, and a host of other indicators. Nevertheless, we do acknowledge that faculty in their fellowship leave applications pledge to submit an activity report within 30 days of their return from leave, and we are therefore making every effort to ensure that faculty honor their commitment. Towards that end, we are immediately requiring the colleges to develop reporting standards so that the reports will thoroughly describe the activities engaged in during the leave period.

Recommendations

The following represents the University's responses to the specific recommendations outlined in the draft report:

Recommendation 1

Reconcile CUNY Central's listing of fellowship leave grantees to the listings maintained by the individual colleges and prepare a comprehensive centralized listing. Periodically reconcile the two records to maintain an up-to-date and accurate listing

CUNY Response

Discrepancies between college and university data were largely due to fact that the University was upgrading its personnel system, and, therefore, the personnel data gathered for the audit had to be drawn from multiple sources. We are reconciling the discrepancies and are making any necessary adjustments to the various systems.

Recommendation 2

Enhance internal controls to prevent ineligible CUNY staff from obtaining fellowships

CUNY Response

The University will continue to ensure that all of the rules governing the granting of fellowship leaves are adhered to and that the colleges maintain adequate documentation to demonstrate that all fellowship leaves were properly authorized.

Recommendation 3

Investigate the circumstances surrounding the fellowship leaves granted to the three John Jay College instructors for which no supporting paperwork was available. Institute controls to prevent similar occurrences from happening in the future.

CUNY Response

As noted above, John Jay College has supporting paperwork for the three fellowship leaves cited by the auditors, and the college maintains that such paperwork was available for the auditors at the time of the review. All three leave recipients were eligible for the leave they were granted.

Recommendation 4

Follow up on all returning fellowship leave grantees in a timely manner to ensure they prepare and submit the required activity summaries to evidence the activities performed while on leave, and to provide accountability as to the benefits that are to be obtained from such. Provide guidance on the proper preparation of activity summaries.

CUNY Response

As noted above, the University will ensure that the colleges make every effort to collect the required reports when due and that the reports conform to a standard of thoroughness and completeness.

Recommendation 5

Enforce the "one year of service upon return" requirement. Determine why the Brooklyn College instructor noted in this report was able to leave CUNY service prematurely without the required waiver.

CUNY Response

The University agrees with this recommendation and will continue to enforce the return to service requirement and ensure that exceptions, if any, are granted only under extenuating circumstances. The Brooklyn College instance was such an extenuating circumstance inasmuch as New York State Early Retirement Incentives are relatively rare occurrences that advance an overarching state fiscal purpose. Nevertheless, the University will review the situation and will provide guidance to the colleges as to how to handle similar occurrences in the future.

Recommendation 6

Enhance CUNY policies to address potential measures to be taken by CUNY when fellowship grantees do not comply with fellowship requirements, such as the possible recovery of salaries paid while on fellowship; and non-CUNY income earned by grantees while on fellowship.

CUNY Response


The University reserves the right to impose the appropriate disciplinary sanctions on faculty who violate the terms of the collective bargaining agreement such as any of the Article 25 provisions. Nevertheless, the University will seek assurance

6

that any violation of the fellowship leave provisions, should one occur, is followed by the appropriate consequences.

Thank you again for the opportunity to respond to the draft report. Please let me know if you have questions or need any additional information.

Very truly yours,


Gordon Taylor
Director

cc: Interim Chancellor William P. Kelly
Executive Vice Chancellor and Provost Alexandra W. Logue
Executive Vice Chancellor and COO Allan H. Dobrin
Senior Vice Chancellor and Board Secretary Jay Hershenson
Senior Vice Chancellor Marc V. Shaw
Vice Chancellor Pamela S. Silverblatt
Vice Chancellor Gloriana B. Waters
Associate Vice Chancellor Matthew J. Sapienza