

PSCcuny/ Professional Staff Congress / City University of New York

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June 12, 2020

Derek Davis

Sr. Vice Chancellor for Legal Affairs

City University of New York

205 East 42nd Street, 10th Floor

New York, NY 10017

Dear Mr. Davis:

Pursuant to Article 14 of the New York Civil Service Law, Article 5 of the parties' collective bargaining agreement, and Article 6 of the New York Public Officers Law, the union requests the following information. We are aware that CUNY has already committed to providing certain items of information requested here, on college and University budgets for FY 2020-2021, but the information has not yet been provided. The PSC requests:

1. Any and all documents relating to any "Recipient's Funding Certification and Agreement for the Institutional Portion of the Higher Education Emergency Relief Fund Formula Grants Authorized by Section §18004(a)(1) of the Coronavirus Aid, Relief, and Economic Security (CARES) Act" ("Institutional Certification") to which CUNY or any of its constituent units is a signatory, recipient, or beneficiary or third party beneficiary.
2. Any and all documents relating to any "Recipient's Funding Certification and Agreement Emergency Financial Aid Grants to Students under the Coronavirus Aid, Relief, and Economic Security (CARES) Act" ("Student Certification") to which CUNY or any of its constituent units is a signatory, recipient, beneficiary or third party beneficiary.
3. Any and all documents relating to any correspondence concerning or affecting any Institutional Certification.
4. Any and all documents relating to any correspondence concerning or affecting any Student Certification.
5. Any and all documents relating to any funds received, whether directly or indirectly, by CUNY under or pursuant to the CARES Act, including but not limited to funds from the Education Stabilization Fund created by the CARES Act.
6. Any and all documents relating to any budget adjustments or modifications by CUNY from January 1, 2020, to the present.
7. Any and all documents relating to any budget allocations, within the CUNY budget or to college budgets, or changes to such budget allocations from January 1, 2020, to the present.
8. Any and all documents relating to any plan for compliance and/or compliance with §18006 of the CARES Act, including but not limited to any plan submitted to any federal or state agency or governmental entity.
9. Any and all documents relating to information upon which CUNY relied in whole or in part in certifying its compliance with §18006 of the CARES Act.

American Federation of Teachers Local 2334

New York State United Teachers • New York State AFL-CIO

American Association of University Professors • New York City Central Labor Council



10. Any and all documents submitted by CUNY to demonstrate compliance with §18006 of the CARES Act.
11. Any and all documents relating to any CUNY budget analysis for spring semester 2020, fall semester 2020, or academic year 2020-2021.
12. Any and all documents relating to any budget response or guidance issued by or received from any New York State governmental entity from January 1, 2020, to the present.
13. Any and all documents relating to any budget response or guidance issued by or received from any New York City governmental entity from January 1, 2020, to the present.
14. Any and all documents relating to planning or projections of enrollment at CUNY for the summer session 2020, fall semester 2020 and the spring semester 2021.
15. Any and all documents relating to any directive, order, request, or instruction regarding reappointment/non-reappointment of instructional staff, including but not limited to part-time instructional staff, from January 1, 2020, to the present.
16. Any and all documents relating to any directive, order, request or instruction regarding reappointment/non-reappointment or discontinuance of CUNY employees from January 1, 2020, to the present.
17. Any and all documents relating to any contemplated, planned or ordered closing, termination or cessation of any program or course of study, including but not limited to Continuing Education programs.
18. Any and all documents that demonstrate that CUNY pursued alternative measures for conserving financial resources before considering the reappointment/non-reappointment or discontinuance of CUNY employees from January 1, 2020, to the present.

Please note that in this request the term “document” or “documents” is intended to mean any tangible thing, within the custody or control of CUNY or its constituent units or their attorneys or agents, upon which any expression, communication or representation has been recorded by any means. In addition, please note that the term “relating to” should be construed to mean and include “evidencing,” “referring to,” “reflecting,” “involving,” “concerning,” “summarizing,” “comprising,” “constituting,” “consisting of,” “containing,” “mentioning,” “showing,” “discussing,” “describing,” “alluding to,” “memorializing” and “commenting upon.”

Please provide the requested information no later than close of business on June 22, 2020.

Very truly yours,

Peter Zwiebach

Peter Zwiebach
Director, Legal Affairs

Cc: Sr. VC Pam Silverblatt