



Deputy Commissioner
Office of Higher Education

September 13, 2016

Dr. Kimberly Cline, President
Long Island University
1 University Plaza
Brooklyn, New York 11201

Dear President Cline:

I am writing in relation to complaints and inquiries received by the New York State Education Department (SED) concerning the lockout of faculty at Long Island University's Brooklyn campus.

While the SED has no role in labor negotiations between the University and its staff and faculty, media reports and contacts from students, faculty members and others, have raised allegations about the qualifications and credentials of individuals teaching as replacements at the Brooklyn campus.

SED has oversight over program registration requirements in colleges/universities, including minimum qualifications for college faculty, as defined under Section 52.2(b) of the Regulations of the Commissioner of Education. The Regulations include the following provisions (in part):

- (1) All members of the faculty shall have demonstrated by training, earned degrees, scholarship, experience, and by classroom performance or other evidence of teaching potential, their competence to offer the courses and discharge the other academic responsibilities which are assigned to them.
- (2) To foster and maintain continuity and stability in academic programs and policies, there shall be in the institution a sufficient number of faculty members who serve full-time at the institution.
- (3) For each curriculum the institution shall designate a body of faculty who, with the academic officers of the institution, shall be responsible for setting curricular objectives, for determining the means by which achievement of objectives is measured, for evaluating the achievement of curricular objectives and for providing academic advice to students. The faculty shall be sufficient in number to assure breadth and depth of instruction and the proper discharge of all other faculty responsibilities. The ratio of faculty to students in each course shall be sufficient to assure effective instruction.
- (4) At least one faculty member teaching in each curriculum culminating in a bachelor's degree shall hold an earned doctorate in an appropriate field, unless the commissioner determines that the curriculum is in a field of study in which other standards are appropriate.

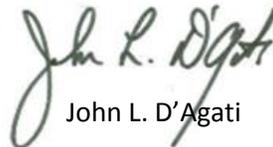
(5) All faculty members who teach within a curriculum leading to a graduate degree shall possess earned doctorates or other terminal degrees in the field in which they are teaching or shall have demonstrated, in other widely recognized ways, their special competence in the field in which they direct graduate students....

Media and other reports allege that some replacement faculty at the Brooklyn campus lack the credentials required by regulation. In addition, it has been alleged that some replacement faculty are altering courses such that they no longer reflect the content or level of the associated registered programs. In addition, we have been told that LIU has moved up the add/drop period from its usual date, causing students to be concerned that they will not be able to get tuition refunds if unqualified replacement faculty continue to teach courses. If these allegations have a factual basis, the University is putting the investments of its students, the proper training of licensed professionals and certified teachers and leaders, and the integrity of its programs at stake. I ask that you respond to these allegations and provide assurances that the qualifications of replacement faculty and the content of registered programs at the Brooklyn campus are in compliance with Part 52 of the Commissioner's Regulations (8 NYCRR 52).

Please note that the Department reserves the right to conduct a review of the University's compliance with State regulations. Such a review may include a site visit conducted by Department staff and peers; a random audit to reconcile faculty assignments, faculty qualifications, and course content; and/or other reviews as determined by the Department. Findings that support the allegations may result in the deregistration of programs (under Sections 52.1 and 52.23 of the Commissioner's Regulations), the unfortunate interruption of students' programs of study, and the need to refund tuition and other payments made by students to the institution.

I ask that you respond in writing to me by September 21, 2016

Sincerely,



John L. D'Agati

c: President Elizabeth H. Sibolski, Middle States Commission on Higher Education
President Randi Weingarten, American Federation of Teachers, AFL-CIO
Chancellor Betty A. Rosa
Regent Roger B. Tilles
Commissioner MaryEllen Elia
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