

OPEN ADMISSIONS AND REMEDIATION: A CASE STUDY OF POLICYMAKING
BY THE CITY UNIVERSITY OF NEW YORK BOARD

By

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Abstract

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An open admissions policy for the City University of New York was approved by the University's Board of Higher Education in 1969, ushering in a new era of greater access to college for the city's poor and working class Blacks, Latinos, and white youth. This policy change was made in response to demands from students, civil rights organizations, minority elected officials, and civic organizations for access to higher education for historically underserved populations in the city. It also satisfied the political exigencies of the time, allowing the city and Mayor John Lindsay, who was seeking to tamp down civil unrest, to support open admissions as a response to the demands of the civil rights movement. As part of the implementation of open admissions, CUNY developed an infrastructure to support remedial work for students starting college without adequate academic skills.

Almost thirty years after the open admissions proposal was approved, in a markedly different political climate, the CUNY Trustees voted to end remediation at the system's baccalaureate degree-granting colleges, bringing the era of open admissions to an end. This time, the decision was made in response to the demands of the Mayor and Governor and strong advocacy on the part of some of the City's media. The debate took place within the context of a shift away from programs for the disadvantaged and back toward the focus on quality and prestige that had been CUNY's hallmark before 1969.

Both the vote to institute open admissions and the vote to remediation came at the end of a highly visible, highly contested policy debate in which internal and external constituents weighed in, the mainstream media highlighted the debate, and city and state elected officials played a significant role. As well, both policy debates were highly ideological in nature, with Board members and other participants acting on deeply held beliefs regarding the mission and purposes of public higher education. This comparative case study discusses both decisions within their larger social context, considering how they were shaped by politics and the ideologies of the respective CUNY Boards and key constituencies.

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Introduction

An open admissions policy for the City University of New York was approved by the University's Board of Higher Education in 1969, ushering in a new era of greater access to college for the city's poor and working class Blacks, Latinos, and white youth. This policy change was made in response to demands from students, civil rights organizations, minority elected officials, and civic organizations for access to higher education for historically underserved populations in the city. It also satisfied the political exigencies of the time, allowing the city and Mayor John Lindsay, who was seeking to tamp down civil unrest, to support open admissions as a response to the demands of the civil rights movement. As part of the implementation of open admissions, CUNY developed an infrastructure to support remedial work for students starting college without sufficient academic skills.

Almost thirty years after the open admissions proposal was approved, in a markedly different political climate, the CUNY Trustees voted to end remediation at the system's baccalaureate degree-granting colleges, bringing the era of open admissions to an end. This time, the decision was made in response to the demands of the Mayor and Governor and strong advocacy on the part of some of the City's media. The debate took place within the context of a shift away from programs for the disadvantaged and back toward the focus on quality and prestige that had been CUNY's hallmark before 1969.

Both the vote to institute open admissions and the vote to remediation came at the end of a highly visible, highly contested policy debate in which internal and external constituents weighed in, the mainstream media highlighted (and even influenced) the

debate, and city and state elected officials played a significant role. As well, both policy debates were highly ideological in nature, with Board members and other key participants acting on deeply held beliefs regarding the mission and purposes of public higher education.

Sheila Slaughter has written that the debate about balancing access and equity against quality is one of the defining preoccupations of American higher education since World War II. (Slaughter, 1990) This tension is clearly manifest at CUNY which, under state education law, must be committed to both “academic excellence and to the provision of equal opportunity...” (New York State, 1979) The two votes of the CUNY Board are examples of two different responses to the question of which takes precedence in public higher education: providing access or ensuring quality.

As part of a focus on access vs. quality, much has been written about open admissions and remediation at CUNY. There is also an extensive literature on higher education governance and policymaking. But there has been no examination of the role of ideology in the public higher education policymaking process.

This study compares two related cases within a single institution, the City University of New York, and a single policymaking body, the CUNY Board. It examines the policy decisions to authorize open admissions and to end senior college remediation¹, and the ideologies underlying those decisions, placing them within a larger context of contemporaneous city, state and national political and ideological debates regarding education and programs benefitting the disadvantaged.

¹ It is debatable whether or not the decision to end remedial coursework at the CUNY senior colleges in effect ended open admissions at the senior colleges. However, since the CUNY community colleges continued to be open admissions, requiring only a high school degree or General Education Diploma (GED), in this study I have chosen to refer to the “end of remediation at the senior colleges” rather than to the end of open admissions.

Ideology is inescapable in public higher education, along with its soul mate, politics. Jerome Karabel wrote about this in 1972, countering some of the statements criticizing open admissions, including that of Irving Kristol, who had written that “open admissions had precious little to do with education itself, and almost everything to do with ethnic and racial politics.” Karabel’s response was that “the decision as to who shall be given access to college is not made in a social vacuum... The way in which a society distributes its rewards is a profoundly political matter, and...the admissions process is inherently political.” (Karabel, 1972b) This is just as true today; if anything, it has only grown more true as the financial rewards of a college degree have grown. (Isaacs, Sawhill, & Haskins, 2008)

The look at how this tension between access and excellence played out at two different points in time through the open admissions and remediation debates at CUNY provides a valuable opportunity to illuminate and advance this perennial discussion about how to balance the two.

My perspective

I could take the position that the end of remediation in the CUNY senior colleges spelled the end of open admissions. But I do not think that was the case. Rather, I agree with one interviewee who described the open admissions policy and the changes it wrought as an instance in which, “The dam had broken and there was no going back.” (Murphy, J. P. 2009)

In a short, to-the-point interview, Herman Badillo clearly stated that the 1998 policy shift ended open admissions at CUNY. (Badillo, 2009) I hesitate to contradict the

man many consider the primary architect of the new policy, but do not agree. Open admissions at CUNY did not end with the change in policy because access to the community colleges continued; such is the definition of open access in public higher education systems across the U.S. As well, I support the idea that in a large public university system, one must have a degree of differentiation in admissions standards in order to appeal to a wide range of prospective students.

On the other hand, the complete end to remedial coursework stands out as an exceptional policy in American higher education. As the literature shows, which students get assigned to remediation and which do not is a highly imperfect and even biased process. Given that the definition of remediation itself is not widely agreed upon, and the tests used to determine who needs it are flawed, using scores on those tests to draw a clear line between those ready for senior college and those who are not is somewhat arbitrary.

Sheila Gordon's 1975 dissertation at Teachers' College remains the only broad study of a particular time at CUNY. She focused her work on the 1960s and Chancellor Albert Bowker's three signal achievements: creation of the Graduate Center; growth in the community colleges; and the design and implementation of open admissions. I have relied on her work tremendously. Michael Thomas wrote a dissertation in 2002 that discussed "activist" higher education boards and compared the remediation battle with the fight to revise faculty tenure policies at the University of Minnesota. His was also an excellent piece of work in which I found useful insights.

Methodology

This chapter describes the structure of the study, lists a set of research questions and provides definitions of key terms used in the research.

Study Structure

This research project is an explanatory, holistic case study in which the unit of analysis is the CUNY system Board during two different time periods. As is appropriate for a study of “decision processes,” data collection was entirely qualitative. (Hardy, 1990, p. 410) Data was collected through semi-structured interviews, reviews of documents from primary sources, and other archival material.

My research and analytical process drew upon hermeneutics, specifically on the concepts of the “hermeneutic circle” and “fusion of horizons” as described by Georgia Warnke in her book on Hans-Georg Gadamer. The concept of the hermeneutic circle is that the researcher “must anticipate or project meaning in order to understand” the object of study. (Warnke, 1987, p. 83) The researcher adjusts his or her understanding of the object of study throughout the process of learning more about it. In keeping with the hermeneutic circle, my data analysis and the process of building a case study database was cumulative and dynamic, rather than a static process in which analysis is conducted only at the end of data collection. As Warnke describes it, a fusion of horizons comes about when the researcher is able to “understand the object (of study) from the point of view of our assumptions and situation” while then developing a “final perspective (that) reflects the education we have received through our encounter with the object.”

Achieving this perspective brings one to “a new understanding of the issues in question.”

(Warnke, 1987, p. 107)

Following Yin, the study addressed validity issues in the following ways:

- *Construct validity* was established by using multiple sources of evidence.
Construct validity was also addressed by asking key informants to review a draft of the case studies.
- It worked to establish *internal validity* by using the process of “explanation building” and by addressing different possible explanations regarding why the open admissions and remediation debates played out as they did.
- It addressed *external validity* issues through replication logic, describing the similarities and differences in conditions and context between the two different case studies.
- And *reliability* was addressed by creating a “case study database” that includes extensive notes from interviews, analyses of individual archival documents, and successive drafts of the case studies themselves. (Yin, 2003, p. 34)

In addition, data from different sources was also used to test corroborations and contradictions that informed later data-gathering as part of a process of “triangulation.”

(Yin, 2003)

Trying to capture the ideological essence of a particular group of policymakers and how they reflect the politics and values of a particular time period is by nature a somewhat amorphous process. The case study structure and process itself is also open to

multiple interpretations and perspectives on the data collected. Given this, I tried to conduct my research in the most open-ended and flexible fashion possible.

Given the amount of time lapsed since the open admissions policy was approved in 1969, my research into this case was almost exclusively archival. I interviewed two people with some first-hand knowledge of the open admissions debate; William Birenbaum, then president of Staten Island Community College, and his wife, Helen Birenbaum, who became an administrator at CUNY when open admissions was being implemented and later was a special assistant to Vice Chancellor Julius Edelstein. Otherwise, I was dependent on the CUNY archives, which for the 1960s and 1970s are incomplete.

In particular, the Board of Higher Education files were missing key documents, including transcripts of the public hearings held after the student takeover of City College at which there was extensive testimony on the idea of open admissions. There were helpful files on the implementation of open admissions in the archives. And the archives of Julius Edelstein, cataloged by his daughter Suzy after his death and given to CUNY, were an invaluable source of information and perspectives on the debate. Mr. Edelstein conducted his own extensive research on CUNY during the 1980s for which he recorded dozens of interviews, some of which were transcribed. Those transcripts provided an invaluable first-hand perspective of participants in the open admissions debate.

Interviews were an especially important part of the case study on ending remediation. I utilized an “open-ended” interview protocol in a flexible and conversational manner, in order to act as a “friendly,” “non-threatening” interviewer and elicit productive responses. (Yin, 2003, p. 90) I interviewed a number of individuals on

the Board of Trustees in 1998 and 1999, and several CUNY administrators who provided information and support to the Board in its deliberations.

A complete list of interviewees is included as part of a bibliography. All interviewees were told that they would have an opportunity to review any quotes that I wanted to use in the dissertation if they wished to do so. A few did request that review. As well, I was asked in a few instances not to attribute specific information and quotes. I only used unattributed quotes where I was unable to get the same information directly from another source and felt that the quote represented an important contribution to my research.

Some interviewees were especially frank during interviews. This research might have served a purpose for them by providing an opportunity to unburden themselves of some of the weight of what had taken place. Even ten years later, it was still felt as a highly charged, emotional experience for many.

Research Questions

The questions used to frame my research were as follows:

1. What mission and purposes did the Trustees envision for CUNY at the point when each of the respective policy debates took place?
2. What were the ideological perspectives and underlying beliefs regarding the mission and purpose of public higher education that informed the action of the CUNY Board as it voted to institute open admissions in 1969, and to end remedial coursework at the CUNY senior colleges in 1999?

3. In what ways was the ideological perspective of individual Trustees in both case studies, and of the Board as a whole, influenced and even shaped by contemporary political and social concerns regarding access to public higher education?
4. How was this influence of social trends manifested in terms of the process of arriving at each decision?
5. What factors and priorities informed the respective decisions of the CUNY Board, i.e. political pressures and considerations, fiscal concerns, and power relations?
6. In what ways were both decisions informed by, consistent with, or anticipating general societal concerns and ideological perspectives regarding access to public higher education?
7. In what ways were both decisions a reflection of a specific ideological perspective on the part of both the Trustees themselves, and society at large?
8. How do controversial decisions on major issues by public higher education governance structures reflect overall societal values and concerns regarding social equity, equal opportunity, and access to higher education?

Definitions of Terms

- **Board of Higher Education** – This was the governing body for the municipal colleges in New York City starting in 1926, when the City College and Hunter College Boards were consolidated and taken out from under the City Board of Education, through the establishment of the formal University system in 1961, and up until 1979.

- **Board of Trustees** – The CUNY Board of Trustees took the place of the Board of Higher Education in 1979, when state legislation re-named the body and gave the Governor the majority of appointments to the Board as well as the ability to name the Chairperson and Vice Chairperson.
- **Ideology** - Ideology, in this study, is defined as a “relatively systematic set of specific value-judgments on desirable directions for social change” or an implicit or explicit “belief system that aspires to offer a unified answer to problems or (to) organize social action.” (Krause, 1968, p. 130; Shaw, 1997, p. 285) Krause wrote that, “All ideologies... contain explicit or strongly implicit value-judgments, statements of the desirable, of the *ought*, couched in the form of a plan of action or at least an incitement to achieve this ought.” (Krause, 1968, p. 132)
- **Liberalism** – Lakoff defines “political liberalism” as a set of views that cohere around “social responsibility” and the idea that morality is a social construct, leading to society being responsible for providing individuals with opportunity and fair treatment. (Lakoff, 2002, pp. 20-21)
- **Conservatism** – A “conservative” political perspective has at its center a focus on personal responsibility, personal discipline, and competition. (Lakoff, 2002, p. 69)
- **Open Admissions** – This was the policy put in place by the Board of Higher Education in 1969 for implementation in Fall 1970. The policy, which is described in detail in this study, essentially made a place at CUNY for every high school graduate in the City who wished to attend.
- **Remediation** – While the term may be broadly defined to include a number of different kinds of interventions that boost students’ reading, writing and/or math

skills, remediation in the context of the policy debate at CUNY during the late 1990s referred to remedial coursework. More specifically, it was used to describe any course that students were required to take “because of unsatisfactory performance” on one of the University’s Freshman Skills Assessment Tests (FSAT) tests in reading, writing and mathematics. (Watson, J. 1997)

Literature Review

In order to provide context for research into the open admissions and remediation policies of the CUNY Board, this literature review discusses the following topics: access to higher education and the resulting need for remediation in order to improve students' basic math, reading, and writing skills; policymaking by governance boards in higher education; and theoretical perspectives on access and quality in higher education. While remediation and access issues are well-documented in the higher education literature, and indeed represent the single most fundamental policy debate within American higher education, a review of the literature shows a particular gap around the roles of politics and ideology in higher education governance.

Access and Remediation

The policy debate around open admissions evolved over time into a debate regarding how and whether to address the extensive need among CUNY students for remediation of skill and knowledge deficits in areas fundamental to college work; reading, writing and mathematics. The term as it was used in the 1990s at CUNY actually referred to remedial coursework in math, reading and writing, though other types of interventions, such as tutoring, can also be termed remedial. (Kozieracki, 2002)

Whatever the time period, the characteristics of the student body, or the admissions requirements and standards of institutions, the need for remediation among college students has been a historical constant in American higher education. This is despite the fact that “institutions have long considered remedial education to be a temporary solution to a fleeting education dilemma” and “not a respectable or legitimate

aspect of the undergraduate curriculum.” (Soliday, 1996, p. 96; Clowes, 1992, p. 463)

Clowes quotes Martin Trow, giving reasons why remediation has historically been a necessity in American higher education—“a powerful democratic ethos, weak secondary education, the pressure of the market felt through enrollment-driven budgets, and the absence of any central agency for setting or enforcing high school curricula or standards for college entry.” (Clowes, 1992, p. 464)

Harvard College is documented as having provided Latin tutors to students as early as the 1630s. (Breneman & Haarlow, 1998) The first formal remedial education course in reading, writing and math was offered at the University of Wisconsin in 1849. (Shaw, 1997; Breneman & Haarlow, 1998) In general, remediation was widespread in higher education in the 1800s, through college preparatory programs run by colleges and universities. “The practice was so extensive that in 1889 eighty percent of all postsecondary institutions had such programs.” (Clowes, 1992, p. 461)

In general, higher education shifted away from remediation in the 1900s, with the institution of widespread secondary education, standards for college preparatory curricula, increasing enrollments, and the consequent ability of institutions to develop and enforce higher admissions standards. The growing number of junior colleges took over the remediation function up until the post-war expansion and transition to mass higher education of the mid-1960s. (Breneman & Haarlow, 1998; Clowes, 1992) Undergirding this expansion was the G.I. Bill, which greatly boosted numbers of older students, as much as two-thirds of whom “lacked the reading and study skills needed for college.” (Clowes, 1992, p. 461)

Several sources agree not just that the need for remediation increased in the 1950s and 1960s, but also that the new populations of students coming into higher education as a result of open access were more likely to need remediation than their forebears. (Mac Donald, 1994; Soliday, 1996; Attewell & Lavin, 2007) Remediation was even used as a tool to help public higher education institutions fulfill their missions of open access and to carry out their “strongly held values.” (Mills, 1998, p. 673)

Attewell and Lavin discuss the general trend in the United States during the 20th century toward providing greater access to higher education. In fact, they argue that by the early 1980s, the majority of U.S. higher education institutions had essentially become “open access,” showing the prescience of CUNY in making the shift back in 1970. (Attewell & Lavin, 2007) Slaughter has written that, “After 1972, higher education was increasingly defined as a state welfare rather than a production function. Access was conceived of as unlimited, making higher education no more than an entitlement program...” (Slaughter, 1990, p. 251) She argues that this “entitlement” perspective on education as a tool to redress economic stratification actually helped make public higher education vulnerable to retrenchment.

This trend was followed by a “political backlash against mass higher education,” which led to curtailing or ending many policies, such as affirmative action, that were favorable to previously underserved populations. (Attewell & Lavin, 2007, p. 1) During the 1980s and 1990s, there was instead a national trend toward both measuring student progress and limiting access to remedial coursework. (Attewell & Lavin, 2007; Otte, 2008) Over half of the states had eliminated or at least considered eliminating remediation at public baccalaureate institutions at the point at which remediation became

a policy concern at CUNY. (Mazzeo, 2002) Many systems and states were also in the process of cutting back on open admissions or had already done so. (Attewell & Lavin, 2007; Lewiecki-Wilson & Sommers, 1999; Otte, 2008) These changes had political support from both liberals and conservatives. (Mcalexander, 2000)

Remediation was not the only casualty of the backlash against opportunities for the disadvantaged. Orfield catalogs the policy shifts that took place in the 1980s that tended to create greater stratification and lessen access. These included the shift away from grants and toward loans in financial aid, other financial policies that favored middle-class over lower-income students, reductions in remedial course availability, and public policies that viewed higher education through the prism of economic development rather than economic opportunity. (Orfield, 1990) These types of actions with regard to programs and policies aimed at economically disadvantaged people were not limited to education. Soliday writes that, “so much ideological debate about remediation involves a critique of the ‘60s that began to gain adherents from the neoliberal center and that culminated, among other things, in changes to welfare and other Great Society programs.” (Soliday, 2002, p. 122)

Some writers have taken the position that individuals in need of remediation have themselves only, or mostly, to blame for their situation and do not deserve special treatment. (Drasgow, 1960; Mac Donald, 1994) More often, it seems, responsibility for the fact that students need substantial remedial work is placed on the institutions that educate them, whether secondary schools or colleges and universities. (Otte, 2008) High schools are seen as having failed to do a good enough job of educating students. (Cohen A. , 1985) Some argue that the existence of remediation gives high schools an incentive

to do a poor job of educating their students. (Mac Donald, 1994; Mac Donald, 1998; Deil-Amen & Rosenbaum, 2002; Costrell, 1998; Manno, 1995; Steinberg, 1998)

This can lead to a justification for remediation, in the sense that individuals are not at fault for their remedial needs and should therefore be assisted rather than penalized. As well, the fact that a student went to a bad high school is not indicative of capability—these individuals deserve a “modest level of support” to bring them up to college level. (Everett, 1999)

Deil-Amen and Rosenbaum, in their discussion of “stigma-free” remediation, blame the colleges attended by remedial students for misleading them about the nature of their remedial studies. Students’ ignorance about the fact that they are in remediation and cannot earn a college degree delays their progress on other, potentially more productive, paths toward adulthood and careers. (Deil-Amen & Rosenbaum, 2002) Such arguments became particularly relevant at CUNY during the remediation debate of the late 1990s.

In general, it is the case that low-income individuals, individuals from minority groups, and non-native English speakers make up a disproportionately large share of remedial coursework students. (Attewell, Lavin, Domina, & Levey, 2006) At the same time, however, the remedial student population is much more diverse than might be concluded from policy and political debates about remediation. For example, one study showed that nearly a quarter of students in the highest income quartile took remedial courses. Even students who scored high on math and reading assessments took remedial courses. Conversely, many low-scoring students did not take any remedial courses. As well, data suggests that student’s own skill levels and qualifications only partly determine placement in remedial coursework. (Attewell, Lavin, Domina, & Levey, 2006)

Evidence regarding remediation and student success is mixed. In “The Toolbox Revisited,” Adelman concluded, based on an analysis of a national data set, that remediation does not make a “strategic difference” in terms of whether or not a student completes a college degree. (Adelman, 2006, p. 24) But Adelman also wrote that “the evidence that students who successfully pass through remedial coursework gain momentum toward degrees is beginning to build.” (Adelman, 2006, p. 81) Such evidence was presented in other studies. Lavin and Weininger found in one study using CUNY senior college student data that over half of minority students who earned degrees did so after taking remedial courses. (Lavin & Weininger, 1999) Another study found that those students who completed remedial coursework were more likely to graduate than their peers with similarly low skills. (Lavin, Alba, & Silberstein, 1981) Passing, rather than just taking, remedial coursework seemed to be a key hurdle. (Bettinger & Terry Long, 2004)

However, not all studies have shown positive benefits. An analysis of the NELS:88 data set showed that students in bachelor’s degree institutions who did not take remedial courses were seven percent more likely to graduate than those who did. Specifically, taking remedial reading courses was correlated with a lower likelihood of graduating. (Attewell, Lavin, Domina, & Levey, 2006) A recent study of community college students in Florida described “mixed benefits” from remedial math and reading courses, showing greater persistence among remedial students but no greater likelihood of getting a degree or transferring. (Calcagno & Terry Long, 2008)

Higher education policy and governance

Policy-making in a higher education context was clearly defined by Peterson:

Policy decisions are those which are concerned with a university's major goals and priorities, its general program strategies for achieving them, and its strategies for obtaining the resources needed to achieve them. In this sense policy decisions are long term, affect all individuals or units and are primarily concerned with obtaining agreement on desired ends for the institution. (Peterson, 1972, p. 212)

Descriptions in the literature of the process of making policy, both in general and in higher education specifically, have over time come to emphasize the political nature of the process. Policy decisions are made in an environment of significant ambiguity and even confusion. Cohen and March branded this “organized anarchy,” which they defined as having problematic goals that are “a loose collection of changing ideas” rather than a “coherent structure;” “unclear technology” in the sense that “it does not understand its own processes” but rather operates through “trial and error”; and “fluid participation” and organizational boundaries. (Cohen & March, 1974, pp. 3-4)

Building on the idea of organized anarchy, Baldrige and his colleagues articulated the “political model” of policy governance and decision-making in higher education. Within this political model, conflict is “normal” and indeed, increasing over time in response, for example, to financial pressures, as the balance of power within institutions shifts more heavily to those who control finances. Conflict around the goals of institutions is also increasing over time. (Baldrige, Curtis, Ecker, & Riley, 1978)

In addition to being conflictual, the policy-making process is illogical and non-linear. Weiss identified boundedness, purposiveness, calculation, perceived significance, and sequential order as potential elements of any policy-making process, but wrote that none of these elements are absolutely necessary. “Much decision making differs from the

traditional model because one or more of the five characteristics is low or even absent. Policies, even policies of fateful magnitude, often take shape through jumbled and diffuse processes that differ in vital ways from the conventional imagery.” (Weiss, 1982, p. 626)

This idea was echoed by Stone, who articulated a policy decision-making model that acknowledges the “messiness” of the policymaking process, and the complicated web of connections and relationships within the “community” in which any policy decision is made. She also wrote that, “Political reasoning... is primarily a reasoning of sameness and difference, and of good and bad or right and wrong.” (Stone D. , 2001, p. 380) This returns us to Peterson, who wrote that differences among university trustees are “based more on value concerns than on factual ones.” (Peterson, 1972, pp. 212-213)

The role of ideology in both decisions

As stated previously, ideology in the proposed study is defined as a “relatively systematic set of specific value-judgments on desirable directions for social change” or an implicit or explicit “belief system that aspires to offer a unified answer to problems or (to) organize social action.” (Krause, 1968, p. 130; Shaw, 1997, p. 285)

There is little discussion in the literature regarding ideological perspectives that informed, or may have informed, the CUNY decision to authorize open admissions. Sheila Gordon’s 1975 dissertation is the one place to look for such discussion, though the document primarily focuses on the political dimensions of the policy debate and on the role of Chancellor Bowker. So, while she cited New York City’s “distinctive liberalism and progressivism” during the late 1960s as a factor in support of the ultimate decision for open admissions, she primarily focused on the idea that many different ethnic, racial,

civic, and community groups came to see open admissions as offering the most potentially favorable admissions policies for their own members. (Gordon, 1975, p. 8) In this sense, she describes open admissions as a product of self-interest, or at most enlightened self-interest, rather than the product of any particular ideological perspective.

As the remedial infrastructure at CUNY and in other places developed during the 1970s, some of the literature came to have an overtly ideological cast. For example, Shaughnessy described the failure of the public schools to educate students to minimal levels of reading, writing and math in moralistic terms, writing that it constituted “an unconscionable failure to meet the educational needs of the poor and the dark-skinned.” (Shaughnessy, 1997, p. 265)

More discussion is available in the literature regarding the ideological perspectives underlying the decision to end remedial coursework at the CUNY senior colleges. In general, it was remarked that the CUNY remediation debate of the late 1990s was deeply ideological. (Zemsky, Boylan, Glasper, Gonzalez, & Thornton, 1999) The end of remediation was also seen both as a reaction against the ideologies embodied in 1960s policies such as open admissions, and as part of a larger trend in social policy away from political progressivism toward conservatism. Ideas regarding access for the historically disadvantaged, strongly held beliefs regarding CUNY’s mission of access, and access to baccalaureate degrees specifically (rather than associate degrees) motivated many of remediation’s defenders. And those in favor of ending remediation were identified by their critics as right-wing conservatives, at least in part because the CUNY Board members who wanted to end the policy were those newly appointed by Mayor Giuliani and Governor Pataki.

Some saw racist and classist motivations and an attempt to limit access to higher education for people of color and working class students. (Cooper, 1998; Soliday, 1996; Soliday, 2002; University Faculty Senate, CUNY, 1999) The mainstream media was also seen as a culprit attempting to advance “an exclusionary, meritocratic ideology whose end result is aimed at *closing* doors and reducing education opportunity” for supposedly unqualified individuals. (emphasis in original) (Shaw, 1997, p. 286)

Others saw it as an attempt to “downsize” CUNY. (Cooper, 1998; Soliday, 2002) The remediation battle was also described as a stand-in for debates regarding affirmative action, i.e. “remediation has become a code word for the evils of affirmative action.” (Shaw, 1997, p. 286) It was considered a reaction against the fact that CUNY was enrolling large numbers of new immigrants and people of color. (Soliday, 2002) As well, it was described in terms of the flight of global capital, the idea being that CUNY should be downsized because many of the workers it educated were no longer needed in a global economy. (Smith, 1998)

Other ideological themes came up as well. There was the idea that ending remediation was part of a push to make CUNY smaller, driven by a desire to see public sector institutions in general shrink in size and scope. (Cooper, 1998; Soliday, 2002) The critique of open admissions was even used as an opportunity to attack postmodernism and multicultural subjects in the curriculum. (Mac Donald, 1994)

It is also interesting to note the deeply ideological perspective with which those who wished to return to the “good old days” of CUNY before open admissions viewed that somewhat distant past. For example, Mac Donald wrote that “CUNY was once part

of New York's traditional opportunity culture" and "did not pander to its students." (Mac Donald, 1998)

Theoretical perspectives

Slaughter has written that the access vs. excellence debate has been one of the central questions of higher education policy since World War II, and that most higher education policy literature is focused on either access and equity concerns, or on countervailing questions about "cost containment, quality, and autonomy, which, in functional terms, frequently serve to protect privilege." (Slaughter, 1990, p. 5) In keeping with this, several different theoretical perspectives on policy debates are present in the literature.

One theory identifies two perspectives on mass higher education – "egalitarian" and "elitist." Egalitarians seek to "replace differences of quality by differences of function." Elitists seek "to retain as much as possible of the old university while continuing to admit greater numbers" of students and are focused on the "maintenance of academic standards." (Wasser, 1973, pp. 93, 96) Wasser also wrote that it is difficult to maintain "equilibrium" between quality and equality – one perspective ends up being the focus. (Wasser, 1973)

Some analyze access vs. quality in terms of capitalism and a market-driven system, as "inequalities of income, access, opportunity and power (are) inherent in the nature of economic production." Connected to this is the idea that there is "a contest between demands for efficient public resource allocation in support of economic

production and demands for social and economic programs designed to maximize opportunity and reduce inequality.” (Pusser & Ordorika, 2001, p. 160)

Institutional responses to socioeconomic inequality can also be analyzed from the perspective of how far they go toward addressing stratification. As described in this study, some observers of open admissions felt that it was unnecessary to provide extensive remediation because one could have open admissions and still require that prospective students meet certain academic standards. McPherson described two different ways of responding to an equity demand, such as that for equal opportunity. First, there is “formal equality” in which there are no formal or legal barriers to opportunity for the disadvantaged. The second concept, which is of “fairness” in providing access to opportunity, is a “more demanding” standard. (McPherson, 1983, p. 259) One might claim that, while the “formal equality” definition did not necessarily come into play at CUNY (since the university was not legally compelled to change its admissions policies), an open admissions policy implemented without providing access to extensive remediation would not have constituted a “fair” policy.

Ultimately the way in which an institution addresses the tension between offering access and preserving quality comes down to fundamental ideas about what public higher education is for, and whom it is meant to benefit. Engel described the perspective of those who view higher education within the framework of a “market-driven” model, in which “investments” in higher education generate returns to individuals and possibly to society. (Engel, 1984; McPherson, 1983) The alternative to buying into the market model, according to Engel, is to critique that perspective and to instead view higher education “as an expression of mutual responsibility between government and its

citizens,” i.e. as integral to the social contract. (Engel, 1984, p. 29) Similarly, tensions around democracy and equal opportunity vs. purely economic objectives for education have also been described as being between “public rights” and “private rights.” (Labaree, 1997)

Tensions over access can also be expressed in terms of class conflict, i.e. “Unentitled groups press for the expansion of higher education as a way of improving their class position, while representatives of elite institutions, whether private or public, attempt to constrict easy access to maintain control over institutions central to perpetuating class privilege.” (Slaughter, 1990, pp. 5-6)

A related question is that of whether education serves to create opportunity and mobility, or rather, to propagate social reproduction for those in power. The first perspective is that higher education has expanded opportunity, particularly in the United States. Education is seen as the pathway to upward mobility. (Isaacs, Sawhill, & Haskins, 2008; Karabel, 1972a) American education is “characterized by striking level of openness and fluidity.” (Brint & Karabel, 1989, p. 220) This system “gives students with undistinguished academic records multiple chances to succeed.” (Brint & Karabel, 1989, p. 221; Clark, 1960) Education is also seen as “a means of solving our social problems, especially poverty.” (Thurow, 1977, p. 325)

The second perspective says that education serves primarily to transmit social capital across the generations. (Jencks, et al., 1972; Bowles & Gintis, 1976) This position contradicts the thesis that education allows for social mobility by pointing out that educational opportunity expanded in the U.S. in the 1950s and 1960s at the same time as economic inequality also increased. (Boudon, 1977) Rather than increase

opportunity, our system of higher education actually serves to “reinforce the differences associated with family background.” (Isaacs, Sawhill, & Haskins, 2008, p. 12)

Institutions themselves reflect the inequalities of society, rather than transcend them. (Orfield, 1990)

The fact that education is perceived as a vehicle for creating opportunity actually makes it an especially well-suited mechanism for transmission of social privilege. Such concealment also makes it more acceptable that such social reproduction takes place in a society that does not like to acknowledge that it even exists. (Bourdieu, 1977) The social reproduction function is not necessarily intended, but it does “veil... some of the gaps between American ideals and American practice.” (Brint & Karabel, 1989, p. 224) It has even been stated that open admissions as it was instituted at CUNY in 1970 was an instrument of social reproduction, though the more prevalent view is the opposite. (Youdelman, 1978; Karabel, 1972b)

The question of which theory is correct is perhaps irresolvable, as was noted by Lavin, Alba and Silberstein in their landmark study of the effects of open admissions at CUNY. (Lavin, Alba, & Silberstein, 1981) They concluded, based on an intensive analysis of the data from open admissions, that they could not resolve the fundamental tensions between the two theoretical perspectives of opportunity and social reproduction. This analysis showed that minorities did indeed gain much greater access to CUNY because of the policy, but that white students actually benefited even more from the change in admissions policies, and that white students admitted through open admissions were even more likely to graduate from CUNY than were the minority students also

admitted through open admissions. Their results paradoxically confirmed both theoretical perspectives.

Conclusions from the literature

While there is much literature to draw from concerned with issues closely related to the research questions proposed in this study, the literature review makes clear that these specific questions have not yet been addressed. While one can place the open admissions decision within the context of civil rights concerns and New York City's liberalism during the 1960s, there is nothing in the literature that explicitly makes the connection. Nor is there discussion specifically of the CUNY Board's role in the decision.

As discussed previously, critics of the 1998 remediation decision at CUNY in particular attributed ideological motivations to the Board's decision. As well, the literature offers discussions of the overall trend during the 1990s away from a focus on access in higher education. However, there is nothing in the literature that specifically examines ideology and the remediation decision within the context of larger societal trends around access during the 1990s.

A study that examines both the open admissions decision and the decision to end senior college remediation, compares the two, and discusses both within the context of larger societal ideologies regarding social equity, equal opportunity and access to higher education would fill a gap in the literature. It would also respond to the identified lack of discussions in the literature of the connection between higher education governance and ideology.

CUNY Prior to Open Admissions

As CUNY evolved from a single free public college for men into the third-largest public university system in the United States, concerns regarding addressing both needs for access and quality arose frequently.

Development of the City University of New York System

City College, established by citizen referendum in 1847 as the Free Academy, is the original institution of the City University of New York (CUNY). Townsend Harris, then president of the newly-created New York City Board of Education, pushed to establish the school in order to provide male graduates of the city's growing secondary schools with a free advanced education. This was needed because Columbia College was quite small and elite, in addition to being affiliated with the Episcopal Church, and the University of the City of New York (later renamed New York University) was considered a weak institution educationally. Harris' focus in the program of the new college was on liberal arts courses and classics, and preparation for professions as well as for careers in business. In a letter to the editor of a local newspaper, he wrote, "Open the doors to all—let the children of the rich and the poor take their seats together, and know of no distinction save that of industry, good conduct and intellect." (Roff, Cucchiara, & Dunlap, 2000, p. 4)

Early students at the Free Academy took an oral examination in a wide range of academic subjects. Written exams were added later, and the oral exams eventually discarded when the number of applicants grew. Student retention was a problem during the school's earliest years, as the lack of a standard high school curriculum meant that

many young men were unprepared for the “rigorous mathematics and foreign language curriculum.” The Free Academy was re-named the College of the City of New York in 1866. (Roff, Cucchiara, & Dunlap, 2000, p. 10)

Hunter College, then called the Normal College, was founded in 1870 as a school to prepare young women for teaching and was unusual for being a “unique haven for women of all races, religions and classes.” (Roff, Cucchiara, & Dunlap, 2000, p. 24) In 1926, both City and Hunter began offering courses through satellites in downtown Brooklyn, laying the groundwork for what would turn into Brooklyn College in 1930. (Gordon, 1975) Also in 1930, Hunter opened another satellite campus in the Bronx, and City College opened a Queens satellite in 1936, which was quickly renamed Queens College. (Roff, Cucchiara, & Dunlap, 2000)

Initially, both City College and Hunter were under the governance of the New York City Board of Education. In 1900, City College was taken out of the Board of Education and allowed its own, independent, board, by state legislative action. The same thing happened to Hunter in 1915. Brooklyn College and Queens College came under the governance of the Board of Higher Education, which in 1926 was created out of merged City College and Hunter boards. (Gordon, 1975)

Mayor Fiorello LaGuardia pressed for creation of a chancellor position in 1945, well before CUNY became a formal university system, but the Board did not yet support it, in part out of concern about the potential impact on its own authority over the colleges. Nor did the college presidents like the idea of giving up or even sharing any of their power. (Gordon, 1975) It was also during LaGuardia’s terms in office that the Board first

hired an administrative staff person, and that individual college budgets were coordinated and records organized for the first time. (Gordon, 1975)

By 1950, both the Board and the municipal college presidents had realized that the system was becoming more difficult and complicated to manage and acknowledged the need for a chancellor, at least to oversee academic programs, though the position was authorized by Board by-law amendment only in 1955. The new Chancellor would be nominated by the presidents and selected by the Board. Funding for the position was identified in 1957, and the first Chancellor was appointed in 1960. Gordon stated that the Chancellor position as then defined “was a pawn of the Board...” (Gordon, 1975, p. 246)

Both the Board and the tremendously powerful college presidents were deeply ambivalent about even having a Chancellor, so it is perhaps not surprising that the first man appointed to the position did not flourish. John Everett started work in September 1960 and quickly ran up against structural and political impediments to his success, including the commitment of the Board and powerful alumni groups to the cause of free tuition at the expense of other priorities, such as that of developing a strong Ph.D. program. Everett resigned in May 1962, not even two years later. (Gordon, 1975)

One of the indicators of the Chancellor’s relative status in the University was his salary, which was equal to that of the college presidents. Recognizing this as an issue, the Board increased the position’s salary, but it did nothing about other structural impediments to success in the position; the scope of the position and its formal powers, and the Board’s over-involvement in administrative matters. (Gordon, 1975)

It does not seem as though the process of recruiting and hiring Albert Bowker as the second Chancellor was highly structured or that the terms of his appointment were

clearly defined at the outset of his tenure. Bowker himself did not even read the job description that he was given by Board Chairman Gus Rosenberg. (Bowker, 1985) The Board also apparently was not terribly impressed by Bowker when he interviewed for the position. He presented himself as a “mumbling” academic, perhaps leading some to underestimate his considerable political skills and strong will. (Bowker, 1985; Edelstein, 1987)

Creation and Growth of the University System

Over time, the municipal colleges were transformed into a university. The move toward formal designation of the colleges as a multi-campus university had begun in 1944 with publication of the “Strayer Report,” which directed the Board to create “an integrated system of higher education” for the City. (New York Legislature Joint Committee on the State Education System, 1944) The municipal colleges were officially transformed into the City University in 1961 by Governor Rockefeller. (Axelrod, 1974) Not incidentally, the bill signed by Governor Rockefeller also “eliminated the legislative mandate for free tuition,” though the Board chose not to take advantage of this new flexibility. (Roff, Cucchiara, & Dunlap, 2000)

CUNY had also continued to grow in size and, despite mixed feelings about two-year degree programs on the part of the Board, to develop a network of community colleges. (Gordon, 1975) Starting in the mid-1950s, additional CUNY colleges were opened or developed out of satellite programs of the existing four colleges. Staten Island Community College was the first community college under the Board of Higher Education, founded in 1956. It was followed by Bronx Community College in 1959,

Queensborough Community College in 1960, Kingsborough Community College and Borough of Manhattan Community College in 1964. (City University of New York, 1973)

By the end of the 1960s, CUNY also included The Graduate School and University Center, John Jay College of Criminal Justice, Richmond College (later merged with Staten Island Community College to become the College of Staten Island), York College, Baruch College, Lehman College, and New York City Community College (later named New York City College of Technology). Medgar Evers, Hostos Community College, and LaGuardia Community College all took in their first classes of students in Fall 1971. The Mount Sinai School of Medicine was also part of CUNY (though that relationship was later severed). (City University of New York, 1973)

Standards Prior to Open Admissions

One source describes the colleges as having had an “open admissions” policy from the 1890s through 1924, because of the fact that a high school diploma had replaced admissions exams as the criteria for entrance into the colleges. This ended when applicants began to outnumber available seats. (Roff, Cucchiara, & Dunlap, 2000)

Admissions standards began creeping up, to the point where the municipal colleges, in the years before the institution of open admissions, had become relatively elite. The great majority of students enrolled at City College and the other senior colleges were Jewish, most of them immigrants or the children of immigrants. (Traub, 1994)

The University clearly chose to offer quality and prestige rather than to focus on access. This was true both of its senior and, perhaps surprisingly, of its community

colleges, which in most places across the United States had been created specifically as vehicles for broad access to higher education. (Gordon, 1975) Pressure for expansion and increased access came from post-World War II demands, GI Bill enrollments, and starting in the early 1960s, from the baby-boomer progeny of the war, as well as from the civil rights movement. (Roff, Cucchiara, & Dunlap, 2000; Gordon, 1975)

CUNY was slow to respond to these demands, partly because of the individual colleges' attachment to their elite status and partly because of institutional conservatism. (Gordon, 1975) The lack of space in college facilities was also a major factor in driving up admissions standards. (Roff, Cucchiara, & Dunlap, 2000) In 1964, almost two-thirds of all applicants to a CUNY college were rejected. While admissions requirements at each college varied somewhat from year to year, both the senior colleges and the community colleges of the time required successful applicants to have relatively high grades, typically over 80. (Gordon, 1975) This was at a time before the phenomenon of grade inflation, when B-level schoolwork represented a relatively high level of effort and accomplishment. (Mucciolo, 2008) Interestingly, citizenship was also a requirement to enter CUNY; this requirement was dropped only in 1970. (Roff, Cucchiara, & Dunlap, 2000)

This is not to say that the University did not also have a history of commitment to access. For example, in 1909, City College was the first college in the U.S. to create a night program in which men could earn a bachelor's degree. (Rudolph, 1990) As well, it is documented that City College offered remedial coursework even when its admissions policies were most restrictive. (Soliday, 2002)

Over time, however, the colleges that made up CUNY had evolved from being engines of opportunity and access into bastions of relative privilege. Demographic data on race was not tracked until the mid-1960s, but it was clearly the case that, in a city where Blacks and Latinos made up a large proportion of the population, the public university enrolled relatively few African-American students (those who were generally came in through the small equal opportunity programs set up at the colleges during the 1960s) and almost no Puerto Rican students. (Gordon, 1975)

The CUNY system's relatively elite admissions standards were becoming deeply out of touch with the times. Across the country, a movement was taking shape to demand more accountability of public higher education to the public. "[E]xternal forces (were) demanding greater control of resources." (Peterson, 1972, p. 209) Demands for responsiveness came from local and state elected officials, from faculty, from organizations advocating civil rights for minority groups, and from current and prospective students. (Smart, 1970; Peterson, 1972; Peterson, 1974) The media was paying more attention to what was happening on campus, making decision-making more visible. (Ikenberry, 1971) And internal and external constituents of higher education were increasingly questioning institutional policies and policymaking processes in an outspoken and at times openly conflictual fashion. (Ikenberry, 1971; Peterson, 1974)

Higher education was in part the object of such scrutiny because of the fact that it was becoming a gateway to economic mobility. "In the postwar era, American higher education monopolized upward social mobility not only by regulating access to graduate and professional school, but now by regulating access to at least the white-collar portion of the middle class." (Wechsler, 1977, p. 259; Karabel, 1972a)

This fact and the growing demand for civil rights and equal opportunity for all were leading toward the idea of open access to higher education. There was “(g)eneral acceptance of the principle of open access to higher education, and increasingly of open admissions...” (Ikenberry, 1971, p. 427) “During the 1960s, educational progressives began to speak of universal higher education as a desirable national goal,” toward reaching “true equality of opportunity.” “Coming at a time of heightened social concern for groups that had been the victims of past discrimination, the prospect of rectifying past injustice simply by providing an opportunity for a college education seemed highly attractive.” (Wechsler, 1977, p. 260)

Controversy over the relatively exclusive admissions policies at the public municipal colleges and in higher education in New York in general was not new. As far back as 1946, New York Governor Dewey’s administration was “disquieted by mounting pressure for expanded higher education facilities, charges of racial, ethnic, and religious discrimination in college admissions, (and) claims that low-income groups lacked opportunities...” (Axelrod, 1974, p. 132)

There were ongoing pressures on the colleges to increase enrollments starting after World War II. But the institutions chose to ignore these recommendations, and the number of admissions of bachelor’s degree candidates actually declined from 1950 to 1962. The CUNY Board commissioned strategic master plans in 1950 and 1962; both recommended significant enrollment expansions to address the educational needs of veterans and historically underserved populations. However, the Board chose to ignore the recommendations of its own master plans. (Wechsler, 1977) Wechsler wrote that the City Board of Higher Education after World War II was not actively discriminatory

against the new populations of students wanting to enter higher education, but rather, had what he termed a “concern for exclusiveness.” (Wechsler, 1977, p. 264)

One of the key issues driving proponents of ending remediation at the CUNY senior colleges was the idea that CUNY should go back to the time when it was a refuge for especially hard-working and motivated immigrants and children of the poor. This nostalgic argument is compelling on one level; certainly those who worked so hard to get into CUNY and to succeed there deserved prestigious degrees that carried status and paid off for them when they started their careers. But it is also problematic, in a few ways. First was the fact that City College itself offered remediation. This has been pointed out on at least a couple of occasions; once, when Mary Soliday described listings of remedial courses in City College course catalogs, and then again during Elliot Weininger’s testimony before the CUNY Board during hearings on the end of remediation. (Soliday, 2002; Board of Trustees, CUNY, 1998b)

Former Chancellor Joseph S. Murphy described the competitive, high-achieving hothouse of City College in its glory days as an “historical accident... dependent on two things: the poverty of the children of immigrants and the discrimination against them by other institutions.” (Murphy, 1985) Certainly, Eastern European Jews, in particular, had found a home in public education in New York. Gordon wrote that, while “early Irish immigrants may have stopped first at the political clubhouse, Jews went to school” and “literally” took them over. “Almost as soon as the City opened its first public high schools, nearly half of the graduates were Jewish.” After graduating, they went to the City colleges, which were “transformed into Jewish preserves.” (Gordon, 1975, p. 18) Albert Bowker agreed with the idea of this being an “historical accident,” saying,

I have always felt that a lot of the sentimental or the attachment to quality at City College was based on a wonderful generation of people... the bright academics and bright scholars who came about when City College essentially had a monopoly on the children of the Jewish immigrants to this country in the late '20s and '30s, that that had already gone even by the time that I was appointed Chancellor. It began to erode after World War II. I mean Dartmouth (which Bowker attended) didn't take New York Jews before the War... And the Jews began to move out of New York and the bright ones went to Harvard and to MIT or wherever. (Bowker, 1985, pp. 117-118)

Bowker spoke about prestigious private institutions starting to open their doors to Jews after World War II, a pattern that has been well-documented elsewhere. (Lemann, 1999). It certainly didn't happen all at once; in 1946, Dean Harry Carman of Columbia admitted to *The New York Times* that Columbia still had quotas in place for admission of Jewish students. (Wechsler, 1977) But by the time open admissions was even an inkling of an idea at CUNY, the University was well-entrenched as the province of children of middle-class families looking to consolidate their gains through higher education, in the fashion described by Nicholas Lemann in *The Big Test*. (1999) Said former CUNY administrator Larry Mucciolo, "I went to Queens in '66 – it was middle class high-achieving kids. The days of working class students at CUNY were long since over." (Mucciolo, 2008)

The CUNY Board

The CUNY Board evolved from a body initially created to provide oversight to the Free Academy under the aegis of the City Board of Education. Control of Board appointments shifted from the sole concern of the New York City Mayor to being shared with the Governor as state investments in CUNY grew. Relationships between the Board and the elected officials who appoint and approve its members have varied depending on Board structure, governance approach, contemporaneous political concerns and the personalities and interests of elected officials.

Current Structure According to Statute

State law clearly grants the Board broad educational and administrative authority over the university. (New York State Education Law, Section 6204) Under the structure put in place in 1979, ten members of the Board are appointed by the Governor, with the consent of the Senate, and five are appointed by the Mayor of New York City, also with the consent of the State Senate. There is a representative of the student body (the president of the University Student Senate), and a non-voting faculty representative (president of the University Faculty Senate). Both the Governor and Mayor must appoint at least one Trustee from each of the five boroughs. The Mayor must appoint at least one CUNY alumnus; the Governor must appoint at least two, at least one of whom must be a community college alumnus. (New York State Education Law, Section 6204)

Members are appointed for a seven-year term, which is renewable for an additional seven years. (Gill, 1999) The chair and vice-chair of the Board are appointed

by, and serve at the pleasure of, the Governor. (New York State Education Law, Section 6204)

Appointees may be removed by the Mayor or Governor (whoever appointed them initially) “upon proof of (i) official misconduct or neglect of official duties; or (ii) mental or physical inability to perform his duties.” Removal requires a hearing and “timely notice” of the charges. (New York State Education Law, Section 6204) This means that appointees cannot be removed around simple issues of disagreement over policy positions. (Gill, 1999)

Early History of the Board of Higher Education

Initially, City College (founded in 1847) and Hunter College (founded in 1870) were under the governance of the New York City Board of Education, which primarily oversaw public primary and secondary education. In 1900, City College was taken out of the Board of Education and allowed its own, independent, board, by state legislative action. The same thing happened to Hunter in 1915. (Gordon, 1975) The City College Board was considered prestigious and a stepping-stone to judgeships and other important positions. (Wechsler, 1977)

A Board of Higher Education for New York City was created to oversee City College (which by this time had programs in Brooklyn), Hunter College, and any other future municipal colleges, in 1926. (Wechsler, 1977) The new Board, which included representatives from the different boroughs, was designed to be able to “resist local political pressure.” (Gordon, 1975, p. 22) The Board was to include twenty-one members; over time, it came to be tradition that there would be seven Jews, seven

Catholics, and seven Protestants on it at any given time, according to former Vice Chancellor Julius Edelstein. (Lane, 1987)

Mayors and the Board

Mayors varied in their approaches to working with the Board of Higher Education. Some focused on making high quality, prestigious appointments. Others used the Board to grant political favors. Board members tended to reflect the perspective of their appointing Mayor—those Mayors who primarily wanted to grant political favors appointed individuals who were looking to use the Board as a platform for their personal advancement. Since, once appointed, members tended to be reappointed, any given Board could be a mix of individuals appointed by a few different Mayors. The mix of appointees had an impact on the quality of the Board over time and on its focus and policies.

Mayor Fiorello LaGuardia (in office from 1934-1945) took public stances on Board of Higher Education issues of importance to him, and made appointments to the Board a matter of prestige. “Several of his appointees, reappointed by subsequent mayors, were to provide long and distinguished service to the Board well into the 1960s,” including Ruth Shoup, Ordway Tead, and Mary Ingram. “LaGuardia appointees carried a broad sense of ‘trusteeship’ for the public college system.” Members were upper-middle or upper class “cosmopolitans.” (Gordon, 1975, p. 25) Pearl Max, whom the Board hired as its first secretary while LaGuardia was Mayor, recalled that, “Fiorello did a magnificent job into the appointments to the Board of Higher Education and in the way in which he admitted and encouraged the Board to really make the colleges outstanding

institutions.” She said that, “he was the one who appointed these people and let them do their job as it should be done.” (Max, 1985, pp. 16-17)

Subsequent Mayors O’Dwyer and Impellitteri made political appointments to the Board rather than prestige appointments. Their appointees saw themselves as representing narrowly defined constituencies. (Gordon, 1975)

Mayor Wagner (1954-1965) made stronger appointments than had O’Dwyer and Impellitteri, and created a screening panel for new appointees in 1964 to make it easier to insulate appointees from political considerations.

Mayor Lindsay (1966-1973) continued the screening panel. Gordon wrote that Mayor Lindsay’s appointments were of people with national prominence and education credentials and that he “re-established the notion of ‘trusteeship’ which LaGuardia had introduced to the governance of the colleges; and...had built a board which worked in tandem with the zealous Chancellor to contend with the volatile forces of the times...” (Gordon, 1975, p. 39) This is borne out by her mention of a few members of Lindsay’s Board screening panel, which included: the head of the Carnegie Corporation; Antonia Pantoja, a sociologist and head of the Puerto Rican Forum; and the prominent education historian Lawrence Cremin, who was on the faculty at Columbia. Based on the screening panel’s recommendations, Wagner had appointed the first Puerto Rican, Luis Quero-Chiesa, to the Board. Quero-Chiesa later became Board Chair.

Lindsay let Bowker recommend Board member appointments; Bowker claimed Francis Keppel and Frederick Burkhardt, two Board members during the open admissions debate, as his recommendations (Bowker, 1985) It has also been stated that Lindsay stopped using the screening panel for his appointments at some point and started using

more overtly political criteria for picking trustees, and that this was the end of the tradition of high quality and prestigious appointments to the Board. (Schmeller, 1987)

The Board as it Entered the 1960s

In the 1950s, the Board's primary focus was on rooting out Communists from the colleges. Charles Tuttle, then a long-time member of the Board, chaired what referred to as the "903 Committee" of the Board of Higher Education, which pursued and reviewed cases of supposed Communist affiliations among faculty and administrators. Some people were dismissed, of whom some sued and some were reinstated. Others on the Board, specifically those appointed by LaGuardia, tried to moderate Tuttle's influence. However, the debate and process consumed the Board. According to former Board secretary Pearl Max, "in terms of overall policy, that took an inordinate amount of time, which it shouldn't, because it meant that you didn't have time for other things on items of educational policy which would have been very useful to discuss and debate and to find out about." (Max, 1993, p. 5)

After Rockefeller became governor in 1960, he appointed a commission on higher education led by Henry Heald. Since state funding for city municipal colleges had been granted starting in 1948, the Heald report recommended that the state have representation on the City Board of Higher Education in proportion to the amount of state funding coming to CUNY. (New York State Committee on Higher Education, 1960; Axelrod, 1974)

In the mid-1960s, boards of higher education institutions across the United States were buffeted about, becoming the object of student protest, faculty demands for shared

governance, and community demands for participation. Demands from students, faculty and communities for greater openness and transparency in decision-making in public institutions represented a direct “challenge” to the “authority of the trustee.” (Hartnett, 1971, p. 130) At the same time, trustees in public institutions overall, not just at CUNY, saw themselves as having oversight of “academic” policies and exhibited varied and contradictory responses to demands for increased access and relaxed admissions standards. (Hartnett, 1971)

The Rosenberg Board

In 1964, when Albert Bowker became the second Chancellor of CUNY, Gus Rosenberg, an appointee of Mayor Impellitteri who had joined the Board in 1952, was the Board Chairman. Rosenberg, along with Charlie Tuttle (who in the 1950s had led the hunt for Communists at CUNY), was part of a faction of the Board appointed by Mayors O’Dwyer and Impellitteri. The Board’s way of functioning was left over from the days before CUNY officially existed and before there was a Chancellor or even a central staff. (Gordon, 1975)

The Board’s agenda was tightly controlled by Rosenberg, which meant that a number of important issues, concerns and proposals did not come before the Board for its consideration. (Re, 1988) Rosenberg does not seem to have been liked or trusted by some of his colleagues. Ruth Shoup, a longtime member, would have Chancellor Bowker call her from pay phones because she believed that Rosenberg had Bowker’s phone tapped. (Bowker, 1985)

Rosenberg did not see his role as advocating for the university system. This became a growing issue as the facilities of the colleges became more and more stretched by increasing enrollments, and the need for significant additional funding became a serious concern for University administrators. It was said of Rosenberg and the Board that “respect for the political leaders... was their first consideration. If the political leader says no, we can’t give you more money, why that was it.” (Edelstein, 1987, p. 7)

Bowker’s relationship with Rosenberg was difficult from the start. (Gordon, 1975; Edelstein, 1987) Bowker later gave a candid and highly critical assessment of Rosenberg, calling him “kind of a silly old man with an enormous ego, lots of leisure and not much to do...” and “an ambulance chaser of the lowest sort.” (Bowker, 1985, pp. 38, 40) Bowker viewed Rosenberg as purely interested in “exercising power” and was particularly incensed by what he considered to be Rosenberg’s attempt to use the Chairmanship for personal gain, which led to Rosenberg’s refusing to take positions that might offend elected officials from whom Rosenberg might later seek personal political favors. (Bowker, 1985, p. 38) In one instance, Bowker was lobbying for resources to support College Discovery, the program created to encourage enrollment of minority students in the community colleges. “We’d asked for half a million dollars. And he said we can’t do that, we can’t do that. We’ve got to do it and I would do it. And he would say the Board isn’t for this. I said, the Board will be for it, don’t you worry.” (Bowker, 1985, p. 35)

Bowker and Rosenberg had irreconcilable views of the Board’s role. “He came in and said to me I don’t understand you. He said you’re paid \$40,000 a year and you cause all this trouble. Look at me, I do all this for nothing. I said I don’t know Gus, there’s

something wrong with the system.” (Bowker, 1985, p. 98) The fact that the University press office reported directly to Rosenberg rather than to the Chancellor was perhaps another indication that Rosenberg viewed his chairmanship in rather utilitarian terms. (Max, 1985)

One proposal that Rosenberg did not formally take to the Board came from Bowker. It was to create “shadow tuition” as a way of convincing the State to significantly increase support for the University’s massive capital development needs. (Re, 1988) Bowker, realizing that Rosenberg would not seriously entertain the idea, went ahead and announced the proposal in public, risking the Board’s wrath. As a result, “Well, the Board exploded...” (Edelstein, 1987, p. 7)

The proposed approach, which was actually unveiled by the presidents of Hunter and City College in speeches before alumni groups in late 1965, would have technically instituted tuition but then paid for it through City and State “scholarships.” Governor Rockefeller took advantage of the fracas over the proposal within CUNY to himself propose building a SUNY campus in each of the five boroughs, claiming that clearly the City University was incapable of managing rapidly growing enrollment demands. (Gordon, 1975)

State Senator Manfred Ohrenstein, who was the chair of the Senate Higher Education Committee, became concerned about leadership at CUNY and sponsored a hearing in December 1965 at which Bowker’s proposal for shadow tuition and the creation of a “construction fund” was discussed. Rosenberg’s ally, Charlie Tuttle, officially represented the Board at the hearings. Bowker later commented of Rosenberg that “he was nervous about them (the hearings) but it never I guess occurred to them that

they would lose them. And when they put on their big gun, Charlie Tuttle, and he didn't know the first thing about the University or its needs or construction, that was really devastating to them.” (Bowker, 1985, p. 101) Long-time Board members Mary Ingraham and Ruth Shoup testified in support of Bowker. And *The New York Times* published an editorial calling for changes in governance at the University. (Gordon, 1975)

Ohrenstein stated that, “somehow I instinctively got concerned about what I perceived to be a kind of mediocre political leadership at the Board of Higher Education. You know, politicians seizing control of the University...” (Ohrenstein, 1984, p. 4) “I didn't know Bowker from a hole in the wall I just instinctively felt he was right and that Gus Rosenberg was wrong.” (Ohrenstein, 1984, p. 30) Ohrenstein's joint legislative committee released a report that included recommendations for revisions to the governance structure of the University, the primary of which was to officially expand the role of Chancellor from oversight of academics alone to both academic and administrative concerns. Edelstein said that “the relationship of the Chancellor to the Board had not been defined hitherto. He (Bowker) defined it.” (Edelstein, 1987, p. 7)

A Board press release demanding “undivided fealty on the part of all its officers of the administration to the policies and by-laws of the Board,” provoked resignation letters from Bowker and some of the college presidents. (Gordon, 1975, p. 190) Edward Re, a Board member not allied with Rosenberg, took a number of actions to prevent Bowker's resignation, including going to Julius Edelstein, at the time a Deputy Mayor, to ask him to bring Mayor Wagner to a Board meeting as a way of shedding some light on the Board's discussion and encouraging it to transcend Rosenberg's narrowness. (Re, 1988) At the meeting, there was, Edelstein recalled, an attempt to persuade the Board not

to accept Bowker's resignation; "Mayor Wagner... we called the Board together and said they couldn't do it, that this would destroy the University." (Edelstein, 1987, p. 10; Bowker, 1985) As a direct result of the Mayor's intervention, "the Board backpedaled and asked him to withdraw his resignation." (Edelstein, 1987, p. 8)

The Chandler/Bowker Board

Bowker returned as Chancellor, Rosenberg resigned to take a judgeship (a long-time personal goal), and new Mayor John Lindsay appointed Porter Chandler to the Chairmanship. University by-laws were also modified in early 1966 to make the Chancellor both the academic and administrative officer of the University. (Gordon, 1975) Gordon wrote that the Board's relationship to the Chancellor was "transformed" by Albert Bowker and referred to the Chandler Board as Bowker's "own board." (Gordon, 1975, p. 246) Bowker himself said that, "Porter was one of the Board members who encouraged me to come back after I had resigned and... implicit then that he would be the Chairman... And his idea of being Chairman was to be my lawyer and to do what I wanted." (Bowker, 1985, p. 38)

Chandler was a patrician New Yorker, wealthy and privileged, a partner in a prestigious law firm and personal attorney for Cardinal Francis Spellman. (Bowker, 1985) Far from seeking personal gain from the position, Edelstein said, "he was far more of a statesman and a man who saw the possibilities of the University." (Edelstein, 1987, p. 8) Bowker agreed that Chandler's status was an important factor in changing perceptions of the Board. "It...meant he was doing it as a public service, not for any...

personal advantage, and it gave a moral position to the Board which was badly needed.”
(Bowker, 1985, p. 38)

While Bowker and Edelstein spoke about Chandler, very little said or done by Chandler himself is in the historical record. In the one available public hearing transcript from his tenure, he comes across as genuinely engaged and even solicitous of those testifying. (Board of Higher Education, CUNY, 1968) After that hearing, which was on the 1968 Master Plan, Chandler directed a CUNY administrator to send follow-up letters to individuals who had testified, pointing out to them where their comments had resulted in changes to the draft. (Chandler, 1968b) And there is some evidence that Chandler himself wanted CUNY to make a “dramatic” statement in opening up access to minorities. (Chandler, 1968a)

The CUNY Board After Open Admissions

Growing financial support for CUNY coming from New York State finally resulted in the shift from all Mayoral appointees to a split between the Mayor and Governor. Starting in 1974, the twenty-one member Board was replaced by a Board of Higher Education with ten members, three of them appointed by the Governor, and with a Mayor-appointed Board Chairman rather than one elected by the members. This board, led by Alfred A. Giardino and considered weak by some, had the difficult task of trying to provide leadership during the New York City fiscal crisis. (Bowker, 1985) The imposition of tuition, forced by President Gerald Ford as a condition of federal assistance to the City, resulted in the resignation of a number of the Trustees. (Board of Higher Education, CUNY, 1976b; Murphy J. P., 2009)

In 1979, another major structural change was made to the Board, through new state legislation on CUNY governance and finance, as the state consolidated its support for CUNY as well as its authority in governance. It was at this point that the number of members was increased to the current seventeen, the role of appointing the Chairperson given to the Governor, and the body's name changed from the Board of Higher Education of the City of New York to the Board of Trustees of CUNY. (Roff, Cucchiara, & Dunlap, 2000) This new name in part reflected the diminished control of the Mayor over CUNY. There was a sense among some that the stature of the Board was diminished over time, as well as its level of access to key policymakers. (Schmeller, 1987)

In keeping with repeated Democratic administrations at the State and City levels, Board appointees were themselves liberal or "progressives" "who favored access." One long-time CUNY administrator said that in this era, "The Blanche Bernsteins (a Trustee known for being outspoken), and on some days Edith Everetts of the world would criticize low graduation rates, but otherwise the Board really didn't talk about it. They saw it as resulting from the mission of access." (Mucciolo, 2008)

The CUNY Board of the 1990s

The election of Rudolph Giuliani (1993-2001) as New York City Mayor, and of George Pataki (1994-2002) as Governor, heralded the end of an era for the CUNY Board. This was manifested in both men's appointments to the Board; their appointees in general reflected their more conservative ideologies. The shift from a Democrat-appointed Board to a Republican-appointed Board happened more quickly than it might have because several members were serving expired terms. (Everett, 2009) In 1997, Governor Pataki

asked James Murphy to step down as Chairperson and appointed Anne Paolucci in his place.

Paolucci did not trust information she was given by University administrators and moved to dedicate staff and resources to gathering information that she felt would be more trustworthy. (Watson J. , 2009) As part of this process, she put before the Board a resolution to allocate one million dollars for her to use to hire staff specifically for the Board. The resolution was approved. With the funds, she hired an outside lawyer, Michael Hess, and a former journalist, Judith Watson, to conduct research.

Louise Mirrer, who joined CUNY in 1997 as Vice Chancellor for Academic Affairs, described the administration she joined as “quite hamstrung, because the Board had basically asserted its authority in all decisions.” “It wasn’t Ann Reynolds’ board,” she said. (Mirrer, 2009)

As individual members began to become more interested in re-examining the University’s commitment to open admissions and remediation, relations between the Board and Chancellor Ann Reynolds soured amidst concerns that the administration was not effectively implementing policies set by the Board. These concerns came to a head over a scandal at Hostos Community College, during which the Board found out shortly before spring graduation that a number of Hostos students had never passed the University’s required writing assessment test. The Chancellor’s relationship with the Board never recovered and she left the CUNY shortly thereafter, in July 1997. (Gill, 1999)

As part of its activities, a task force created by Mayor Giuliani’s to study CUNY hired the RAND Corporation to, among other things, develop a report on CUNY’s

system of governance. This highly critical document stated that the University's governance situation bore "much of the responsibility for CUNY's problems" because of poorly defined responsibility and accountability structures, "rancorous" leadership battles, and a system in which the individual institutions acted far too autonomously. (Gill, 1999, p. 1)

The report pointed out that New York State education law was silent regarding any attempt to ensure the independence of individual board members from whomever appointed them, something important for all public sector boards. And it noted that three of the current members worked for the City of New York and others were closely connected to City government, thereby implicitly critiquing the independence of some of Mayor Giuliani's appointees. The report also noted that state law made no mention of appointees having particular qualifications, and said that it was unusual that the chair and co-chair be appointed by the Governor rather than elected by the members themselves. (Gill, 1999)

The report was also critical of the fact that the Board was gathering information and data about CUNY from "non-administrative sources." Even after Reynolds and her top staff had left the University, Board members had lingering concerns about the trustworthiness and credibility of University administrators. This led not just to their attempts to gather information independently but also to over-involvement in mundane administrative matters, diminishing the Board as a policymaking body. (Gill, 1999, p. 11) This level of administrative oversight was the case not just under Chairperson Paolucci, but also under Herman Badillo, who succeeded her. (Mirrer, 2009; Calandra, 2009)

Gill described a “lack of consensus among the Trustees about the fundamental mission and goals of the University” that led to “only limited and painful progress in matters of major policy.” (Gill, 1999, pp. 12-13)

RAND did not shy away from critiquing the Mayor’s influence on the Board, pointing out that “(s)ome observers believe that elected officials (especially the Mayor) have used their influence to undermine the traditional independence of the board,” and even using the 1999 change in remediation policy as an example of inappropriate Mayoral influence. (Gill, 1999, p. 12)

The Open Admissions Policy Debate: The Context

Prior to describing what took place in the open admissions policy debate itself, this chapter places the debate in context of University leadership of the time, and of outside influences on CUNY such as various constituent groups, the media, and particularly the student protesters.

Political Influence on CUNY

City and state elected officials were always a key constituency for the University, but there are a number of key examples of this influence during the time when Chancellor Bowker was building up CUNY's resources. For one thing, Mayor Wagner exerted his personal influence with Assembly Speaker Tony Travia to have Travia introduce the 1966 CUNY Supplemental Aid and Construction Act, helping to ensure its passage. Wagner's support had been crucial to Travia's gaining the position of Speaker. (Edelstein, 1987) When Black and Puerto Rican state legislators, who were becoming a significant political force, balked at supporting a measure to increase financing for a system that did not enroll great numbers of minority students, the SEEK (Search for Education, Elevation and Knowledge) program for minority enrollment in the senior colleges was included in the Act. (Gordon, 1975) Percy Sutton and Shirley Chisholm, two key Black legislators, had supported Wagner at a time when the Democratic party machine in New York had not. This made the Assembly Speaker, elected with Wagner's support, especially sensitive to their requests. (Edelstein, 1987)

Mayor Robert F. Wagner, Sr.

Mayor Robert F. Wagner, Sr. had a long-lasting influence on CUNY, starting during his terms in office (1954-1965). His liberal politics and commitment to social policy as an engine to affect socioeconomic inequities were in keeping with the times. For example, in May 1965, he appointed a “New York City Council Against Poverty, Economic Opportunity Committee, and Anti-Poverty Operations Board,” of which Julius Edelstein was executive secretary. (Wagner, 1965)

Wagner took some credit for the creation of CUNY by state legislation in 1961. (Wagner, 1983) His influence on behalf of CUNY was again felt in Albany in 1966 when he convinced Assembly Speaker Travia to sponsor legislation for increased aid to CUNY and to create the SEEK program. (Edelstein, 1987) As well, he played a key role in resolving the conflict between Gus Rosenberg and Albert Bowker by attending the Board meeting at which he convinced members not to allow Bowker to resign. (Re, 1988) Not surprisingly, Mayor Wagner was also a strong proponent of free tuition. (Knowles, 1967)

His legacy at CUNY reached well into the 1990s through his former associates, such as Julius Edelstein, who became CUNY administrators and Trustees. As one source said, after Wagner left office, “The Wagner administration went off to run the University and that group was connected to the civil rights movement ideologically and philosophically, and to uplifting the poor.”

In a speech accepting an award from the CUNY Professional Staff Congress, Wagner declared, “I have always been a friend of the City University. I was brought up, at my father’s knee, as a friend of the City University. My father was proud of his alma

mater, City College... As Mayor of the City, I was fortunate to be able to translate my friendship for CUNY into very concrete support for the municipal system of colleges.” In that same speech, he clearly articulated his view of CUNY’s “special mission,” saying that it was to bring “together, on each of its campuses, large numbers of people of diverse social, racial, religious, and economic backgrounds from all over the City; it is the only City institution which, in fact, and on a daily basis, provides an arena of interaction and integration reflecting the rich diversity of the City itself. That is a glorious achievement. It is the proper role for a democratic institution...” (Wagner, 1983)

Mayor John Lindsay

John Lindsay (1966-1973), who as Mayor shared Wagner’s liberal political leanings, had a very different relationship with CUNY. He did not have the personal connections of Wagner. He thought “that they (the colleges) should be provided for, but he felt... that that was really part of a state enterprise (rather) than a city responsibility, and that colored his judgment to some degree.” (Max, 1993, p. 12) Mayor Lindsay had actually suggested in 1967 that the State University take over CUNY, so that the state could become responsible for CUNY operating costs, prompting immediate protests from Board of Higher Education Chairman Porter Chandler. (Special to The New York Times, 1967a) Chandler’s and other protests forced Lindsay to issue a statement in favor of free tuition the next day. (Buder, 1967a; Knowles, 1967; Special to The New York Times, 1967b) At the time of the open admissions debate, he was in the midst of a difficult campaign for reelection in which his most serious competitor, Mario Procaccino, was a City College graduate who was strongly in favor of free tuition. (Knowles, 1967)

A more cynical view of Lindsay was that he used open admissions as a way to placate student protesters and claim that he was keeping the city under control, as well as to build a platform to run for President. (Badillo, 2009)

Whatever his motivations, Lindsay's support for open admissions was clearly linked to the student protests, to concerns and even fears about violence and bloodshed and to his being "baffled, confused and scared" by the activists. (Goldmark, 1986, pp. 12-13). With respect to the student takeover of City College, Julius Edelstein said that Lindsay was "in a state of frenzy about it, both politically... and he was sincerely moved by the conflict and disruption." Edelstein felt that this was what convinced him to support open admissions when Bowker proposed it, even though it would cost the City a great deal of money. (Edelstein, 1987, p. 13) Bowker's recollection of Lindsay's role differed somewhat. "I don't remember him being particularly involved at that time. In fact my impression was that he was kind of staying out of sight... Off and on he would want to send police onto the campuses." (Bowker, 1985, p. 60)

Edelstein, speaking during an interview of Lindsay, stated that, "My question to him was whether he, in retrospect...took pride in that accomplishment. His answer was very definitely yes, he took great pride in it. It was a very courageous thing to do, he said. It was also a very necessary thing to do at the time, with so much passion and anger focused on the City University because of the lack of access for minorities." (Lindsay, 1988, p. 1)

Peter Goldmark was Mayor Lindsay's budget director and seemingly one of the deciding factors in Lindsay's support for open admissions. He said that "faced with the arguments of whether to support open admissions or not Lindsay understood right away

what was at stake.” (Goldmark, 1986, p. 22) Goldmark described his own thought process in deciding that the City should support the policy:

(T)he central strategic judgment in my thinking... was that there were in fact very few institutions in the City... that provided opportunity for advancement that was open, or potentially open on a roughly equal basis, to middle and low income people of all races and colors, that despite all of the words about equality of opportunity if you looked at the institutions that actually afford that there were either none or very few. And that City University, unlike the secondary school system...might have some fiber, enough flexibility and enough initiative and vital motive power to assume a broader role in that regard. And the alternative to pit young teenage or 20-year-old Blacks, Hispanics and Whites, Italians, Irish against each other when they all wanted the same thing could be no greater folly...in the context of the...time. (Goldmark, 1986, pp. 8-9)

Lindsay did have concerns about open admissions. He later said, “The accusation was made, as it was bound to, because we anticipated it, that its standards would deteriorate. And as one who cares about standards as much as I’d like to think I do, it was a very difficult problem.” (Lindsay, 1988, p. 2)

Governor Nelson Rockefeller, Sr.

As Governor, Nelson Rockefeller (1959-1973) was a major proponent of public higher education and made the establishment and expansion of the State University of New York the hallmark of his administration. His relationship with CUNY was more ambivalent. For one thing, he was a long-time proponent of tuition charges in the City’s colleges, starting at least as early as the 1961 state law establishing CUNY. (Roff, Cucchiara, & Dunlap, 2000)

He questioned whether or not universal access by 1975 was realistic or even a good thing. “There may be several questions about the desirability of this policy. It is far from clear, for example, what impact the present enrollment policies are having on

private institutions in the City, much less what the impact will be in future years...”

(Rockefeller, undated) In the same document, found in the CUNY archives, he stated that the University’s enrollment projections were unrealistic because of a lack of available funding.

As the open admissions debate heated up, Rockefeller critiqued a request for additional resources for CUNY, saying that it asked for too many faculty members and failed to look for savings and efficiencies in return for more money from the State.

(Rockefeller, 1969a) Even after the proposal had been passed by the Board of Higher Education, Rockefeller was still critiquing it (though not the fundamental idea of access), perhaps in order to put forward his own.

The “open admissions” concept of the City University of New York is in harmony with the objectives which this State administration established in 1959 and has responsibly advanced ever since with a program unparalleled in the history of higher education... Unfortunately, the City University’s proposal may well raise hopes and aspirations among young people which the City University as such cannot fulfill on sound educational grounds and which may seriously jeopardize the quality of education and the integrity of City University degrees... I will set forth a “Full Opportunity Program”... The key to the success of this effort is a balanced, carefully planned approach which utilizes all types of higher education institutions... No one part of the higher education structure...can assume the entire responsibility for this effort... (Rockefeller, 1969b)

There was ongoing jousting between Bowker and Rockefeller over state funding, with Rockefeller claiming that Bowker’s threats about cutting enrollments were false threats, something that Bowker years later admitted had some truth to it. Their battle over resources was one that Rockefeller took personally. Bowker said, “I actually kind of like Nelson but he got really pissed off at me because I beat him a couple of times. He hated that.” (Bowker, 1985, p. 138) Rockefeller also seems to have disliked Lindsay, to the point where Bowker said that, when he went to see the Governor, “We used to

pretend we didn't know John Lindsay when we talked to Nelson Rockefeller – who's that?" (Bowker, 1985, p. 138)

Bowker said the feeling was mutual between Rockefeller and Lindsay; "they just hated each other." (Bowker, 1985, p. 138) Lindsay's retrospective view, at least, was rather sunny. He said of Rockefeller that "he was good on education in general... And he did a lot for CUNY as well. I mean sure there were some disagreements always, there always are. But he... was a doer, he was a doer. Boy, he was a doer." (Lindsay, 1988, p. 12)

When it came to open admissions, Bowker declared that "the Governor was dead set against going as fast as we did." (Bowker, 1985, p. 110) Rockefeller tried to impose tuition as a condition of supporting the policy, but did not have the legislative support needed to do so. (Edelstein, 1987) Rockefeller was also facing his own political difficulties, seeking election to a third term as a Republican Governor and having to deal with a State legislature that had become overwhelmingly Democratic in the 1964 elections, which President Lyndon Johnson had won in a landslide. (Gordon, 1975)

In the end, he "went along with open admissions with great reluctance and never really fully forgave the Chancellor of the City University of New York." (Murphy J. S., 1985, p. 13) Without question, Rockefeller found himself in a difficult position. He was politically maneuvered into supporting a major policy that he did not believe in on a number of levels: he did not believe in free tuition; he perhaps felt that CUNY should not be allowed to dominate the private institutions in the City; and he was forced to greatly increase funding of a system that he had absolutely no control over because he did not appoint its Trustees. The fact that he also did not appoint the state Board of Regents

members, who functioned as the University's oversight at the state level, is also of some import.

The Role of Constituent Groups

Many different constituent groups with widely varied concerns and interests weighed in on the policy debate that ultimately led to open admissions.

Civic organizations

Chancellor Bowker carefully cultivated civic organizations, even privately briefing them before he announced in 1965 that he was going to cut enrollment in response to a proposed State budget cut. These groups then formed a coalition they called the Ad Hoc Committee for City University, and as a group publicly supported CUNY and pressed the City and State for resources. (Rosen, 1972) It was at that time typical for groups such as the Women's City Club (in which CUNY Board member Mineola Ingersoll had been active) to conduct studies of CUNY and make recommendations regarding how it could best be expanded, and to attract press attention for their work. (Gansberg, 1967a)

Blacks

The earliest public statements regarding lack of access to the colleges for minorities seem to have been made by Lester Granger, president of the New York City Urban League. He is on record "denouncing" lack of access to city colleges, and, in 1962 proposing that ten percent of admissions to the colleges be of minorities. (Weaver, 1984, p. 10) As Robert Weaver, who later became president of Baruch College, put it, "it was

in part a consequence of the beginning of the emergence of a larger middle class so that a larger number of blacks were going to colleges. And a lot of them were saying well why don't we get in the college that's here rather than having to (go) away. Its costs up more money and we get a better education here." (Weaver, 1984, p. 10)

There was certainly a strong sense in the organized Black community and amongst elected officials that CUNY was not welcoming, and that one of the reasons why was the City's ongoing policy of free tuition at the colleges. Lester Granger's 1964 letter to State Senator John Marchi used the term "educational colonialism" to describe treatment of Black and Puerto Rican students in the CUNY system, and criticized free tuition as a tool of that colonialism, also implicitly criticizing Jews, the major beneficiaries of the policy. (Granger, 1964)

Black legislators used their leverage in Albany to block the 1965 bill creating the CUNY Construction Fund, first demanding that the bill also include a means test and tuition, then backing down on those demands and accepting funding for the SEEK (Search for Education, Elevation, and Knowledge) program at the senior colleges. (Gordon, 1975) Assemblymembers Shirley Chisholm and Percy Sutton were key figures in this debate. Both later came out in support of open admissions. (Edelstein, 1969b) Gordon points to the development of a "sophisticated, effective minority group caucus" in the State legislature, and gives SEEK as an example of this sophistication in building up their constituent bases, because students qualified for the program according to where they lived rather than based on family income. (Gordon, 1975, p. 198)

There was also strong sentiment against relegating Black students to "lesser" institutions within CUNY. This led to extensive efforts for integration in the design and

implementation of open admissions; Bowker himself acknowledged that the policies were shaped in order “to try and increase the Black students at Brooklyn and Queens and Hunter and keep some of the community colleges from being all Black.” (Bowker, 1985, p. 111) And plans to locate a community college in Bedford Stuyvesant were strongly protested, resulting in the creation of a college that awarded baccalaureate degrees. (Gordon, 1975)

Jews

In any debate about opening up access to the CUNY colleges, Jews had the most to lose because they were the largest beneficiaries of the status quo. Jewish organizations and individuals expressed concerns about potential imposition of quotas for admissions, something about which Jews were sensitive because of the history of quotas limiting their enrollment in elite institutions such as Columbia. (Gordon, 1975; Wechsler, 1977)

There were also tensions between Jews and Blacks, as well as Puerto Ricans, particularly around education. Ocean Hill-Brownsville and the citywide battle over public school decentralization was itself on some level a battle between Jews, who made up the majority of members in the teacher’s union, and organizations and activists representing Black and Puerto Rican community residents. After the teacher strike precipitated by Ocean Hill-Brownsville was over, a group of Black and Jewish leaders came together as the Temporary Commission on Black-Jewish Relations, and warned that cuts in admissions created by budget and capacity shortfalls would exacerbate tensions between the two groups. (Gordon, 1975) Bowker, not someone to miss an opportunity, also said publicly that Rockefeller’s proposed cuts would exacerbate the “tension

between Negroes and Jews” if CUNY had to cut its freshman class. (Bowker, 1985, p. 75) Open admissions appealed to Jewish constituents partly because it was a way to avoid imposition of quotas.

The particular concerns and even fears of Jewish constituents were often quite evident. One example; a letter to Chancellor Bowker from a Jewish City College professor about an article in *The Times* saying that the Ford Foundation wanted CUNY to meet with a Bedford Stuyvesant group headed by Albert Vann, said Vann’s group was anti-Semitic and Nazi-like. (Strauss, 1969)

Jewish organizations took a strong interest not just in the policy but also in its implementation. When it was discovered by the CUNY administration that open admissions had not integrated the senior colleges to the extent hoped for, various revisions in the policy were considered, including one under which the University started collecting religion as part of its demographic information. This clearly was too stark a reminder of the era in which private colleges collected such information on college applications and used it to limit Jewish enrollment. Among several documents in the CUNY archives from Jewish groups protesting this policy is a detailed report on recommended modifications to the policy written by the Metropolitan Council of the American Jewish Congress. (Metropolitan Council, American Jewish Congress, 1972)

White Ethnic Groups

White ethnic constituencies, and the religious and organized labor groups that typically represented them in the public dialogue, did not have a history of support for public higher education. This was in large part because Catholics in New York, and in

other large cities, had created parallel primary, secondary and postsecondary institutions rather than let their children be exposed to non-Catholic influences and anti-Catholic discrimination. (Perlman, 1988) Bowker's own recollection of meeting Catholic leaders near the beginning of his tenure was that they were initially uninterested in CUNY, partly out of bigotry. (Bowker, 1985)

But this quickly changed, to the point where Catholics and labor unions became key supporters of expanded access. As Bowker remembered of the foremost labor leader of the time, "I still remember Harry van Arsdale, it finally dawning on him that we were not doing very well by the ethnics in Queens, and coming in and demanding open admissions so the children of labor union people, Catholics could go." (Bowker, 1985, p. 112) Five members of the powerful New York City Central Labor Council, including van Arsdale, testified before the Board at its June 16, 1969 meeting, though nothing of their testimony is recorded in the meeting minutes. (Board of Higher Education, CUNY, 1969f) And the Catholic Archdiocese of New York was invested enough in CUNY admissions policies to direct its Secretary of Education to weigh in on open admissions implementation. (Kelly, 1969)

Constituent support was crucial to development of the open admissions policy, partly, as stated earlier, because Albert Bowker had taken care to cultivate such support and was able to call upon the Ad Hoc Committee for City University during his battles with Governor Rockefeller and others. Gordon called it "(a)n unexpected coalition of support for open admissions" amongst a range of groups, all of which were exerting growing influence over New York City politics and policy concerns. (Gordon, 1975, p. 221) This coalition included civil rights groups advocating on behalf of African-

Americans and Puerto Ricans, but also politically liberal civic organizations, the United Federation of Teachers, and the Central Labor Council. (Gordon, 1975)

It should be noted that William Birenbaum, former president of Staten Island Community College and the one person describing first-hand experience in the policy debate for this study, did not agree with the idea that there was broad public support for the policy. (Birenbaum, 2009)

Student Protesters

Student activists demanding greater access to CUNY for minorities were also a strong constituency. While student activism at CUNY colleges seems to have taken root somewhat later than it did at other institutions, when it did so in 1969 it spread quickly. Bowker believed that the protests came to CUNY relatively late because student unrest was more typically exhibited by the children of “the upper class and middle class,” “educated families,” professionals and especially the children of academics. To his mind, CUNY was instead an institution “whose primary clientele was first generation students going to college.” (Bowker, 1985, p. 56) (It should be noted that this view contradicts Bowker’s own statements and those of others about student body at CUNY being at that point primarily middle class.)

Julius Edelstein’s notes indicate what was being demanded by student groups. A Brooklyn College group wanted for all Black and Puerto Rican applicants for admission to be accepted. Activists at Lehman wanted Black and Puerto Rican students represented in the student body in proportion to population of city public schools, as did groups at Baruch, Queensborough Community College, and Queens College. There were demands

for minority faculty and staff members. And a group of Bronx Community College students wanted separate orientations for minority students. (Edelstein, 1969c)

Elsewhere, Edelstein detailed requests at Lehman College, writing, “Today, Monday, SEEK students presented President Lief with a four point ultimatum...appointment of a new Black director...A ten percent quota of Black students on the campus” as well as the establishment of a new college with a Black dean of admissions with the ability to waive all admissions requirements. (Edelstein, 1969a)

In their own flyers, the student protestors come across as uncompromising and even violent. One group wrote, “Our only alternative was to shut down the administrative offices,” because “the administration refuses to recognize the legitimate needs of black students for an education that helps them fight racism.” (Ad Hoc Committee, 1969) According to another group, “All over the city students are responding to the ‘normal’ function of the City University.” “We must stop these ‘normal’ functions.” (Unnamed Queensborough student group, 1969) Open access and other policies facilitating minority enrollment were a primary focus of the demands, but not the exclusive focus. (QCC Student Faculty Coalition to End Political Suppression, 1969)

Most notably, student activists at City College occupied the South Campus on April 22, 1969, closing it down. This development, which is described in more detail in the next chapter, was what pushed Chancellor Bowker, the Board and Mayor Lindsay to expedite plans for full access to the colleges.

Not all of the protests were against the University’s administration. A reported 13,000 students took a day off from school to protest proposed CUNY budget cuts in

Albany in March, 1969, prompting a sympathetic “open letter” from Governor Rockefeller. (Kifner, 1969) This action was welcomed by the Chancellor. (Board of Higher Education, CUNY, 1969c)

The tremors of activism at the colleges were certainly felt by Bowker and the Board. William Birenbaum described the Board’s response, “They were afraid of the politics of the larger community. They were afraid of mobs of people walking down upper Fifth Avenue breaking Tiffany’s windows. They were reactive to community leadership, by which I mean Black leadership, coming in and saying ‘do something.’ The Blacks were putting on pressure.” (Birenbaum, W., 2009) And Julius Edelstein later said, “those of us...in the Central Office – were deeply concerned... From our point of view it paralyzed the University. It was spreading, the fires were lighted in Queens College, and almost every college was having difficulty...” (Edelstein, 1987, p. 15) Bowker himself said, “I was very nervous about it, although I determined that the best thing to do in our situation was to be tough and to try to keep the colleges open and not make concessions or give in to student radical groups or demonstration group(s).” (Bowker, 1985, p. 57)

Mayoral candidate Procaccino used the City College takeover to his own political advantage, painting Lindsay as weak in the face of violence and unrest. Lindsay later won the mayoral election by a slim margin. Speaking about the political effects of the protests, Edelstein said that, “It had a tremendous role. It had a great impact... on the City officials. I mean it was in the headlines for days and days.” (Edelstein, 1987, p. 13) Lindsay had managed to keep the City from erupting in massive protests, riots and looting, as had happened in other cities across the U.S., and was genuinely fearful of potential violence. (Goldmark, 1986; Edelstein, 1987)

In that sense, there are some who say that the riots led directly to open admissions, convincing Mayor Lindsay to support the policy. (Fields, 2009; Edelstein, 1987) David Lavin later stated that “the role that the unrest in 1969 played was that it really did have some impact on modifying the ultimate structure, as well as of course the timetable.” (Lavin D. , 1985, p. 4)]

Role of the Media

The print media closely covered CUNY, typically referring to it as “City University” or “City U,” during the late 1960s. *The New York Times* in particular reported in great detail on events at CUNY—actually, the sheer amount of coverage of CUNY in *The Times* is worthy of comment. It could have been because there were so many newsworthy things happening at CUNY, or more likely, that *The Times* understood CUNY to be an important institution for its readers. Small developments in the ongoing debates about the status of Baruch College as a liberal-arts school, a professional school, a unit of City College, or a fully independent college, were covered in great detail. (The New York Times, 1967a; The New York Times, 1967b) Even the University’s Middle States accreditation was covered. (Farber, 1967b)

The Times weighed in on the issue of whether CUNY should become part of SUNY in order to ensure long-term State support of the colleges, arguing for preserving independence even with increased State support, and calling Lindsay’s suggestion that this take place “an irritant” and “deplorable.” (The New York Times Editorial Board, 1967) It came out in favor of increased State support of CUNY when cuts were proposed for the 1969-1970 budget. (The New York Times Editorial Board, 1969a) And the paper

consistently covered CUNY budget allocations from the City and State and the huge unmet demand for enrollment, even from students who met, or nearly met, CUNY admissions requirements. (Farber, 1967c)

Coverage in the *New York Post* and the *Daily News* seems to have focused much more on CUNY in the context of student protests at a range of higher education institutions and in the public schools. This was especially true in 1969, when there was frequent coverage of different protests at several different public and private colleges in the City, and even at Harvard and Cornell, along with reactions by college administrators, law enforcement and elected officials. (Cunningham, B. 1969; Mathieu, 1969; O'Grady, 1969)

While there was clearly some impatience with and even criticism of the student protests in both tabloids, the coverage in general seems rather evenhanded. (Hand, 1969; Pugh & Hand, 1969; Gross & Sostchen, 1969) The *Post* at one point did call upon Mayor Lindsay to “crack down unmercifully” on student protesters, but none of the three papers otherwise exhibited a particularly conservative political bent, as was the case with editorials in both the *Daily News* and *Post* during the 1990s remediation debate. (Daily News Editorial Board, 1969a)

The Times and the *Daily News* editorialized about the open admissions policy after its passage. *The Times* editorial was quite positive, stating that the new policy “has had overwhelming educational and civic support... The outcome transcends even the desperate needs of this city; it may point the way for higher education in urban America.” (The New York Times Editorial Board, 1969b) The *News* editorial was not nearly so positive, calling the new policy “noble” but questioning whether such broad access to

college made sense for large numbers of high school graduates. (Daily News Editorial Board, 1969c) The *Post* covered passage of the policy, but did not publish an editorial about it. (Mullane & Dembart, 1969)

CUNY Leadership

Chancellor Albert Bowker

Chancellor Albert Bowker essentially created the position of Chancellor at the University, and over the course of the 1960s acted decisively to create a public system that was more responsive to the needs of its constituents. He is the key figure in the open admissions debate. Despite a demeanor that led some to underestimate his considerable political skills, he first confronted and displaced Gus Rosenberg from the Board Chairmanship, then re-defined the role and position of Chancellor (or rather, defined it for the first time), and finally, presided over an expansion of a major university system rarely equaled in the history of American higher education. Not just open admissions, but also the creation of the Graduate Center and the expansions of the community colleges are credited to him. (Gordon, 1975) If anything, open admissions became the least talked-about of his creations, perhaps because of the controversy that always surrounded it.

Julius Edelstein described Bowker as inexperienced in politics when he first came to CUNY, but by implication progressing quickly under Edelstein's tutelage. "(W)hen he first came here... he knew very little about politics, nothing about it, had never had any experience with it. Academic politics, yes, but with external politics, relating of the

University to the power sources, he never had... But he was a fast learner.” (Edelstein, 1987, pp. 4-5)

Bowker later said that he had quickly assessed the role of the University and developed his own vision. “(I)t seemed to me almost from the beginning that the big job was to build an institution roughly numerically adequate to the demands for high education. And the City of New York by then was one of the worst... places in the country in terms of access to higher education. It simply was. And I had the feeling from the beginning that that would be the job.” (Bowker, 1985, p. 33) Given this, he developed a vision of what CUNY had to do to serve the City. “(I)t seemed clear to me that we had to do something for the minority communities for New York City. We were, to simplify a little but not much in a tipping city. And it (the existing admissions policy) was just nonsense. Not only nonsense politically but the mission of the City University was to educate the youth of New York City, not to educate the elite of New York City. In my view, that’s what a public system is about.” (Bowker, 1985, p. 35)

His shadow tuition proposal was one attempt to put the University on the road to a more appropriate size. As he said later, “I felt I had (a) chronically underfunded... an institution much smaller than it had to be to serve the needs of the City...” (Bowker, 1985, p. 118) He did not hold free tuition to be sacrosanct, perhaps because he came from a private institution (Stanford University) and was perfectly willing to abandon it should that gain him his larger goals. (Edelstein, 1987)

His initial attempt at opening up the University in the way he thought more in keeping with its rightful role was a plan for full open enrollment by 1975. He advocated for it by saying, “The day is past when significant expenditures of public funds can be

permitted for the perpetuation of elite academic enclaves divorced from the needs of society.” (Bowker, 1968) In putting forward the initial plan, he credited the California Master Plan of 1960 and its tiered system that included full access to community colleges. Bowker realized that Governor Rockefeller was also looking at California as the model for his planned expansion of the State University. (Bowker, 1985)

Bowker opportunistically saw the student riots as a lever to advance his goal of open admissions. (Edelstein, 1987) This was in keeping with his idea of pursuing whatever structure and process would allow him “to build a system that was adequate to the needs of the City. Now whether that all had to be a total City responsibility or whether it should be divided with the State or whether we should merge with the State or whether we should become an independent segment of the State University, these things are always kind of up for grabs.” (Bowker, 1985, p. 34)

Bowker’s approach to management, negotiation and political situations in general was clearly a factor in his success. He was described by one former Board member as non-confrontational and conciliatory, an impression Bowker himself backs up in his recollections of discussions with Rosenberg. (Re, 1988; Bowker, 1985) In managing the University and its top administrators, he “was a master of ‘organized chaos...’” allowing each of them to pursue his own path without much of an attempt at control. (Edelstein, 1989)

It seems that some thought him unimpressive in his interviews for the position of Chancellor, which could conceivably have been a factor in Rosenberg’s willingness to offer him the job. In an interview transcript, Julius Edelstein quoted a letter he had found written by Harry Carman (a member of the search committee and dean at Columbia) as

saying, “Don’t worry about the fact that he mumbles and that he didn’t make a good impression.” (Bowker, 1985, p. 30) There is some indication that Bowker purposefully cultivated this impression. Manfred Ohrenstein said that, “I then got to know Bowker and first thought he was a rather bumbling figure. I must say I then as the years went by came to appreciate it that he was a very smart and extraordinarily gifted political man... I learned that his bumbling was an act which was very well calculated and very very effective.” Edelstein agreed, saying that his staff used to refer to Bowker as an “accomplished mumbler.” (Ohrenstein, 1984, p. 30) Joseph Murphy, Bowker’s successor, described him as “a great builder” who “had a terrific eye for two things – resources and horse flesh.” (Murphy J. S., 1985)

William Birenbaum, then-president of Staten Island Community College, countered the perspective of other sources. When asked if Bowker had used the student protests as an opportunity to carry out a long-held vision for open admissions, he said that, rather, “there was a political situation and Bowker developed a vision. Which is a typical Julius technique.” (Birenbaum, 2009)

Vice Chancellor Julius C.C. Edelstein

This purposeful conflating of the two individuals provides a good opportunity for discussion of the role of Julius Edelstein in the development and implementation of open admissions. No description of open admissions would be complete without acknowledging the crucial role of Edelstein, who was at the time a vice chancellor helping Albert Bowker to manage all aspects of the political strategies involved in building up the University. Edelstein had a key role in many major policy initiatives at

CUNY, in New York City and State more broadly, and even at the national level over the course of several decades, and himself warrants at least a book or two. In this context, a brief description of his role must suffice. The fact that it is even possible to try and present a reasonably complete description of the effort to sell and implement open admissions owes a great deal to his voluminous files and habit of having a secretary transcribe notes from meetings and phone calls for his records.

After serving in a variety of roles in the administration of Mayor Wagner, Edelstein became first a special advisor to the Chancellor and then a vice chancellor.

He built on Bowker's natural talents for politics and hobnobbing, turning Bowker into a powerhouse at City Hall and in Albany, and creating the political strategy behind open admissions that ultimately made an end run around Governor Rockefeller, putting Rockefeller in a position where his only viable option politically was to support open admissions financially. His massive role must be surmised from his files and from what others say about him – he was tremendously humble. Edelstein spent his last years trying to preserve the history and traditions of the open admissions institution he had helped to build and to which he was very loyal.

He himself at one point gave a sense of how he had helped Bowker. "I had been Deputy Mayor of the City... and I understood politics and I understood government, I had worked in Washington... We used to go up to Albany every single week... We went down to the City Council. And he had a great talent for it, although he was not by nature a mixer, he had never done anything like that." (Edelstein, 1987, p. 5)

Edelstein's files include large number of bound journal books, which he must have scribbled in constantly. Notes from the journal dated starting on May 8, 1969, give

some sense of the degree to which he kept tabs on activities within and outside the University as part of his (and Bowker's) strategy. Examples included the following:

- Notes saying that (State Assemblywoman and later Congresswoman) Shirley Chisholm met with activists at Brooklyn College, and told them she wouldn't help them unless they decreased their list of demands from 18 "non-negotiable" demands to 3 or 4. In the meeting, she said she indicated open enrollment would be one demand;
- Notes on (State Assemblyman) Percy Sutton stating that he wants "open enrollment";
- Draft outline for new master plan;
- A list of black political and community leaders;
- Note indicating that Ed Rogowsky (a CUNY administrator) had said "York will blow up in Sept.";
- Note from (State Senator Basil) Paterson, indicating that "negotiators are considered conservative"; and
- Notes from a CUNY vice chancellors meeting that took place on a Saturday - "A separate black college - 'No' - AHB" (Edelstein, 1969b)

The CUNY Board

Unfortunately, in a thesis that takes as its primary subject the perspectives of the CUNY Board on the open admissions debate, limited information was available to describe its role. William Birenbaum, the single first-person source for this research, described the discussions of the open admissions proposal that took place within the

Board as substantive and engaged, though he was not able to recall in specific details which Board members had taken which positions. (Birenbaum, 2009)

Luis Quero-Chiesa, then a Board member, also spoke about the effort involved in convincing the Board to support the policy, though, other than citing member Mineola Ingersoll as highly supportive, he declined to get into a discussion of the positions and perspectives of individuals. He was quite clear in stating that the majority of the Board members did not support the proposal when it was first raised and had to be convinced of its merits. (Quero-Chiesa, undated)

Chairman Porter Chandler

There is also a relatively small amount of information available about Porter Chandler. Albert Bowker and Julius Edelstein described him as tremendously supportive of their work and as explicitly taking a supportive role as Chairman, rather than the primary leadership role in developing and setting university policies. (Edelstein, 1987; Bowker, 1985) This is backed up by Sheila Gordon's assertion that the Chandler Board was actually "Bowker's Board." (Gordon, 1975)

And the one available public hearing transcript portrayed Chairman Chandler as sympathetic and genuinely interested and engaged in the policy debate around open enrollment and access. (Board of Higher Education, CUNY, 1968) Certainly, Chandler was far more willing to advocate on behalf of the University and to criticize political leaders for insufficient support than his predecessor, Gus Rosenberg. (Chandler & Bowker, 1967) When Chandler stepped down from the Board in September 1969, Bowker acknowledged his support, "I feel an enormous debt to Mr. Chandler. He

became Chairman in the first place to make it possible for me to stay on as Chancellor, and he has been a great aid to me and a great personal friend, and we owe him a great debt.” (Board of Higher Education, CUNY, 1969h) Bowker’s statement made it seem as though Chandler had not himself particularly wanted to be Board chair but had stepped into the gap left by Gus Rosenberg.

The Role and Impact of the Free Tuition Policy

There were a number of other key policy and political issues swirling around the debate about CUNY admissions standard. Free tuition is one that was inextricably intertwined with this debate. As stated previously, ending free tuition at the City’s public colleges was a long-term goal of Governor Rockefeller, only achieved when he became Gerald Ford’s Vice President. The enabling legislation for CUNY had made it possible to begin charging tuition, and the higher education planning committee Rockefeller appointed Henry Heald to chair in 1960 had actually recommended institution of tuition. (New York State Committee on Higher Education, 1960; Axelrod, 1974) The question of whether or not CUNY would start to charge tuition was clearly a constant in all discussions about CUNY financing with State officials. (Board of Higher Education, CUNY, 1969d)

There were others who felt that free tuition was an inappropriate use of resources, particularly when CUNY students were coming from families that were seemingly able to pay for their educations. At one point, the *Daily News* editorial board wrote, “And, by the way, is ‘free’ tuition at the city colleges sacrosanct? Or shouldn’t students whose families could pay reasonable tuition fees be asked to do so?” (Daily News Editorial

Board, 1969a) An internal memo of the Catholic Archdiocese, found in the CUNY files because a copy had been sent to Porter Chandler, referred to free tuition as a policy subject to “abuse by the hordes of middle class students.” (O'Brien, 1969) And Lester Granger, an important advocate for minority access to the colleges, went so far as to argue that free tuition “discriminate(d) unfairly against those very groups who are supposed to be aided,” essentially by creating incentives for the most competitive students (not Black and Puerto Rican) to go to CUNY. Granger even used the term “educational colonialism” to describe the system that free tuition was propping up. (Granger, 1964)

The Chancellor himself was not committed to it. (Edelstein, 1987) But it had a large and powerful constituency, including elected officials, important civic organizations and alumni of the colleges. (Gordon, 1975; Ohrenstein, 1984) Mayor Lindsay found this out when he offhandedly suggested in testimony before a state legislative committee that CUNY be merged into the State University, prompting immediate outrage from Porter Chandler, faculty, alumni and other organizations. (Special to The New York Times, 1967a; Buder, 1967a)

The need to continue free tuition was a frequent subject of public testimony about CUNY. (Board of Higher Education, CUNY, 1968) Bowker seemingly went along with the fight to preserve it in order to gain crucial support for his other plans.

Other Concerns: State Support of CUNY

Free tuition and student protests were the primary but not the only other issues affecting the open admissions discussion. There were also tensions between the Mayor

and Governor over state support of CUNY. Chancellor Bowker and Julius Edelstein had begun an aggressive campaign for additional resources subsequent to Gus Rosenberg's resignation, resulting in the State Supplemental Aid and Construction Act of 1966, which greatly increased state support for CUNY.

At the same time, there was an ever-present concern that Rockefeller's real agenda was to absorb CUNY into the growing State University system, and thereby consolidate control over it. (The New York Times, 1967c) Mayor Lindsay himself stoked these fears with his own public talk of urging SUNY to take over CUNY in order to cement State financial support. (Special to The New York Times, 1967a)

Then there were Bowker's threatened cuts in student enrollment in 1966, 1967 and 1968. In each instance, Bowker stated that the University was not being given sufficient support to pay for existing students, let alone for substantial increases in enrollment. He used demands for increased access to press the Governor and was helped in this by community groups angry over the rising admissions requirements at the University. (Gordon, 1975) Rockefeller claimed that Bowker's threats about cutting enrollments were false threats. Bowker later admitted there was some posturing. (Bowker, 1985) At the time, however, he held fast to his claim that CUNY was "in a fight for its life," even when in discussions with the Board. At its February 1969 meeting, the Board voted to delay notification of students for the coming fall from April 15th to July 1st or later because of concerns about adequacy of operating funds. (Board of Higher Education, CUNY, 1969b)

City funding for CUNY was also an issue and led to tensions around access. When Mayor Lindsay gave CUNY \$9.8 million less than it had asked for in the 1967-'68

budget, Bowker called it a “crippling, paralyzing blow” and warned that students would have to go to second-choice campuses and take smaller course loads. (Farber, 1967c) Two years later, problems with the City budget were similarly acute, if not worse. (Board of Higher Education, CUNY, 1969a)

Other Concerns: Centralization within CUNY

Bowker also moved to centralize some University operations, which Buell Gallagher and other presidents fought. According to Gallagher, central coordination was acceptable but not centralized operations. He asked, “Is the City University of New York to find its purposes and arrive at its goals by means of strengthening and nurturing each of its component units, or is it to find its future in taking over the operation of its units?” (Gallagher, 1967) Another president, Kurt Schmeller of Queensborough, later said that, “Al moved most decisively to establish central authority. There was no question in construction, in collective bargaining, in a whole series of areas...” (Schmeller, 1987, p. 12)

Over Bowker’s eight years in the position, the University went from having operational committees for things like facilities at each of the colleges to having a single centralized committee. Sheila Gordon, in her 1975 dissertation, went so far as to identify a desire for greater centralization in the University as one of the motivating factors for Bowker’s support of open admissions. (Gordon, 1975)

One additional issue that should be taken into account as context for the open admissions decision was Bowker’s move to create the Graduate Center and not allow the senior colleges to award doctorates. This was very much opposed by the presidents of

the four original senior colleges, which had begun offering doctoral degrees in 1962.
(The New York Times, 1967e)

Other Concerns: Shared Governance and Collective Bargaining

There were also tensions around collective bargaining and faculty governance. In the late 1960s, there was a move to organize the faculty into a collective bargaining unit for the first time. Faculty members had for 28 years been unofficially represented by a group called the “Legislative Conference,” which was being challenged for the right to represent faculty by the United Federation of College Teachers. (Buder, 1967c) Faculty voted for which of the two would represent them in 1968. (The New York Times, 1968b) Tenured faculty and those on “permanent staff” chose the long-standing Legislative Conference; lecturers and teaching assistants chose the upstart United Federation of College Teachers. (Board of Higher Education, CUNY, 1969a)

One of the two unions on the ballot, the United Federation of College Teachers, accused Chancellor Bowker of publishing a document that was “against collective bargaining.” (Hechinger, 1968) Bowker himself later admitted that, “I was really quite opposed to collective bargaining for faculty.” He said, “One of my worries was that I would have to be very tough in continuing negotiations and I would get a very anti-labor reputation.” (Bowker, 1985, p. 48) Another source said that Bowker encouraged the creation of a university-wide student organization specifically with the goal of balancing the growing power of the faculty senate.

Given the national trends and outcry over demand for more transparent decision-making in higher education, Bowker could not help but to allow CUNY to become swept

up in the move toward greater openness and participation in University decision-making. In 1967, faculty and students were for the first time given an opportunity to make recommendations for inclusion in the 1968 Master Plan. (The New York Times, 1967d) A large majority of faculty voted to charter a University-wide faculty senate in early 1968. (The New York Times, 1968b) Faculty Senate representatives were first invited to attend Board meetings in March 1969, and a student representative in May of that year. (Board of Higher Education, CUNY, 1969c; Board of Higher Education, CUNY, 1969d) At that May meeting, the Board passed a resolution setting up an extensive joint governance structure for the first time. (Board of Higher Education, CUNY, 1969d)

Other Concerns: Lack of Space to Accommodate Demands for Growth

Beyond free tuition, the most pressing issue for individuals wanting to go to CUNY was simply the lack of space. There were continual battles between the administration and City and State government over how to deal with excess demand for admissions. As early as 1963, CUNY staff had warned the Board of the impending space crunch, leading the Board to create what it called “Operation Shoehorn,” lengthening the class day substantially, adding Friday evening and Saturday classes, and other measures under which it increased enrollment by 3,000 students. (Board of Higher Education, CUNY, 1963)

The University had been permitted to set up a new Construction Fund in 1966. That year, CUNY set up five “temporary centers” to provide a freshman year college education to 2,300 students it could not fit at any of the CUNY colleges. A group of

those students protested in front of the central office after finding out that they still might not be allowed into a senior college for their sophomore year. (Farber, 1967a)

In the meantime, the number of institutions within CUNY continued to grow. Baruch spun off from City College, and Lehman was spun off from Hunter, gaining independent status as of July 1, 1968. (Gansberg, 1967b) As well, the Board voted in early 1968 to open three new community colleges by 1971; Hostos in the South Bronx, LaGuardia in Long Island City, Queens, and Medgar Evers in Bedford Stuyvesant in Brooklyn. (The New York Times, 1968a)

The Open Admissions Policy Debate: What Took Place

As the CUNY administration and Board began to address growing demands for increased access to its colleges, a chain of events started that would lead to the development of the open admissions policy in July 1969.

Establishment of the Opportunity Programs

The University's first small steps toward open access included the creation of the SEEK program, which stood for Search for Education, Excellence and Knowledge. The program was established in 1966 at the senior colleges, and was the first sizeable investment in recruiting Black and Latino students into CUNY. The program was included in the act that allowed CUNY to create the Construction Fund at the behest of Black members of the State legislature. College Discovery, the first such "opportunity program" and the model for SEEK, had been set up at the community colleges by Chancellor Bowker as one of his first initiatives, in 1964. (Office of University Relations, CUNY, 1969; Gordon, 1975)

SEEK had been preceded by a small Pre-Baccalaureate program that started at City College in 1965 with 81 students, most of them Black, providing remediation and academic support with the goal of raising student performance to the level needed to meet the college's entrance requirements. (City University of New York, 1967)

Both programs were being supported with State funds. Examples of initial student successes became another point of pressure on the University for increased access. State Senator Manfred Ohrenstein gave SEEK a platform at a hearing held at the

CUNY Graduate Center in February 1967 that was covered by *The Times*. (Buder, 1967b)

Minority Enrollments Grow

Significant populations of Blacks and Hispanics, most of whom were of Puerto Rican descent, lived in New York City. The 1970 census showed that the city was 20.5% non-Hispanic Black and 15.1% Hispanic (10.7% Puerto Rican). The percentage of Black and Latinos in the young adult population was slightly higher (21.1% Black and 16.2% Hispanic). (Mollenkopf, 2009)

In many cases, activist and other demands for greater access to CUNY for minority groups stated that CUNY's student body should more closely approximate the percentages of minority groups in the general population. At the time, collection of race and ethnic demographics of students was new for the CUNY colleges. The first estimate of minority enrollment, done in 1964 "on the basis of visual observation and other rough estimates," had determined that 7-10% of CUNY students were Black or Puerto Rican. In 1967, the first official survey of ethnicity at CUNY said that 8% of senior college students and 25% of community college students were Black or Puerto Rican, for a total of 13% minority enrollment. (Farber, 1967d) A year later, that percentage had increased to 16%. (Office of the Vice Chancellor for the Executive Office, CUNY, 1968)

However, at the same time as efforts to enroll minorities were increasing, enrollment demand in general was driving up admissions requirements for all applicants who did not qualify for admission through SEEK or some other special arrangement. (Farber, 1968c)

1966 Amendment to the Master Plan of 1964 – Full Access by 1975

The CUNY Board first put forward the idea of full access to CUNY for all high school graduates in the city in its 1966 Revision to the 1964 Master Plan (University Task Force on Open Admissions, CUNY, undated). This three-level plan included enrollment of the top quarter of high school graduates in senior colleges, community college admission for the next forty percent of graduates, an expanded SEEK program enrolling an additional 4% of high school graduates who met special admissions criteria, and a network of new Educational Skills Centers to primarily offer vocational programs. (City University of New York, 1967) Public hearing testimony on the Plan revision was split between support for the plan for open enrollment by 1975 and those saying that it was too long to wait. (Board of Higher Education, CUNY, 1968)

Chancellor Bowker saw the community colleges as the primary point of access. He later stated that the plan “was modeled on the California plan and it was modeled on what we finally did on open admissions. There was some division based on measures of ability... That was in the wind. It was a goal of the State University. It was a goal of the State. It was the goal of progressive looking states around the United States to have open admissions. California as I said adopted it in 1960 (in its community colleges). It seemed more startling in New York somehow.” (Bowker, 1985, p. 99)

At this point, the Board announced plans to lower admissions standards in community colleges “in or on the fringes of poverty areas,” as another strategy for increasing minority student enrollment at CUNY. (Farber, 1968a) Manhattan

Community College planned preferential admissions for Manhattan residents for the Fall of 1968. (Farber, 1968b)

However, it was not yet enough. After a summer of simmering tensions in the City, the Chancellor called a special meeting of the Board of Higher Education on August 1, 1968, at which the Board vowed to achieve “proportional representation” of minority students in the CUNY colleges. (Gordon, 1975) After that Board meeting, Bowker announced a plan to enroll the top 100 students from each of the city’s 60 “academic” high schools in order to increase minority enrollments. (Buder, 1968) In addition, the University immediately matriculated all SEEK students (some were not yet officially admitted because of their remedial needs).

Budget problems become acute

In March 1969, CUNY faced a difficult budget situation at both the City and State levels, with the Mayor’s staff telling CUNY to turn to the State for support, and vice versa. The City described itself as being in a “financial crisis” and asked CUNY to cut its spending by \$11 million in the last quarter of the current fiscal year. (Board of Higher Education, CUNY, 1969c)

Chancellor Bowker was fully aware that the demands of different constituent groups were narrowing his options for responding to the lack of seats at the colleges. Minority groups had made it clear they did not want to be relegated to the community colleges or otherwise given “second-class” status. And Jewish groups were clear that they would fight any attempt to decrease Jewish access to the elite senior colleges.

Bowker took the dramatic step of announcing that, without additional allocations of public funding, CUNY would not accept a freshman class in the Fall of 1969. City College president Buell Gallagher offered his resignation in solidarity with Bowker, writing, “For sixteen years, I have bent my back to the effort of holding wide the door of opportunity to the youth of this city and state who are so rich in everything but money. I am now asked by officers of the government to change my position, to stand in the door and keep students out. I shall not accede. I will not do it. I will not turn my back on the poor of all races... I will be unfaithful to none of my brothers, black or white.”

(Gallagher, 1969a) A day later, an editorial in the *New York Post* called Gallagher’s “melodramatic” gesture appropriate given the “grim financial facts” of the University’s budget situation and called for additional City and State investments in CUNY. (New York Post Editorial Board, 1969)

When resolution of the City budget for 1969-1970 made no progress on funds for CUNY, the Ad Hoc Committee held a demonstration at City Hall. (The New York Times, 1969a) *The Times* also wrote about anxiety on the part of prospective students. (The New York Times, 1969b)

The City College student takeover

It was at this point that the City College protests erupted into a takeover of the South Campus, on April 22, 1969. The student activists had presented “Five Demands” for changes in curriculum and admissions policies, including requiring that future teachers take Spanish and Black and Puerto Rican history college courses, the creation of a school focused on Black and Puerto Rican Studies within City College, separate college

orientations for Black and Puerto Rican students, a student role in administering the SEEK program, and admissions of Black and Puerto Rican students proportionate to their enrollments in the public school system. (Board of Higher Education, CUNY, 1969g) City College President Buell Gallagher responded to the situation by closing the college completely.

The Board passed a resolution telling the students, referred to as “the Black and Puerto Rican Student Community,” that it would negotiate with them around their demands only if they “voluntarily” vacated the South Campus “in an orderly manner consistent with their conduct up to this time...” (Board of Higher Education, CUNY, 1969d) The next day, the Board passed a resolution pointing out that it had “already taken major steps” toward shared governance (and implicitly did not need to be prodded in that direction by the protesters). (Board of Higher Education, CUNY, 1969e) Clearly, though, the protests were starting to have an impact.

Within a week of the shutdown, the Mayor had offered to increase CUNY funding, and Bowker withdrew his threat to not take in a new freshman class. But the protest continued. (Gordon, 1975)

Responses to Gallagher’s actions, and to the fact that he tried to negotiate and reason with the activists rather than call in the police immediately, were mixed—the CUNY archives have copies of letters supporting the student protesters and their efforts to open up access. (Easton, 1969; Wellins, 1969) There were even more letters criticizing Gallagher, including for “craven surrender to a band of hoodlums...” and for “perversion of the ideals and traditions of City College.” (Robinson, 1969; Rosenberg, 1969; Sirkin, 1969; Landzberg, 1969; Cunningham, J.A. 1969) One alumnus wrote,

“There were plenty of colored students in City College in my day, and they made it on their own.” (Gallin, 1969)

Coming in the midst of a highly contested mayoral campaign, with John Lindsay running for a second term against a range of rivals, the City College shutdown became a political football. Julius Edelstein said that, “It was big new(s) in *The Times*, on TV and at 80th Street (the CUNY central administration). And Senator Marchi who was a Republican candidate for Mayor attacked Mayor Lindsay for not taking swift police action to deal with disorders on our campuses while City Comptroller Procaccino called for immediate intervention by Governor Rockefeller to end violence and disruption on the campuses of the City University.” (Bowker, 1985, p. 58) Congressman Mario Biaggi, working with the newly started right-wing reactionary group, the Jewish Defense League, obtained a court order against the college for having closed down. (Gordon, 1975) And Procaccino, running for the Democratic nomination for Mayor, was able to get a court order issued that directed the Board of Higher Education to re-open City College. As Edelstein pointed out, “he made quite a point of this in his successful campaign for the Democratic nomination.” (Bowker, 1985, p. 59)

The college re-opened, but tensions were still high. Buell Gallagher resigned on April 1, 1969. He reflected on the student takeover in the press release announcing his resignation in terms sympathetic to the protestors,

I could have wished that the pace of institutional change had kept ahead of rising expectations born of the successes of the civil rights movement, and that there had been a little more patience or compassion mixed with the justifiable rising anger of the poor and the black. But institutional inertia did not yield fast enough and the pressures of long-deferred hope left no room for careful and considered action... With the intrusion of politically motivated outside forces in recent days, it has become impossible to carry on the processes of reason and persuasion.” (Gallagher, 1969b)

Bowker believed that Gallagher had mishandled the situation at City College by failing to act definitively to end the shutdown, and later said that Gallagher had to resign because he was unable to stand up to the student protesters. He felt that “there was something to the criticism” of Gallagher and other CUNY administrators for not taking strong enough stands against student activist demands. (Bowker, 1985, p. 58) Gallagher was not the only president criticized. Protests at other colleges attracted comment as well. (Queens College Alumni Association, 1969) One mother wrote, “Our daughters have worked very hard to be admitted to Queens College...” and that, “Every time the SEEK students go rampaging thru the school, Pres Mac Murray (sic) just closes the school for an afternoon or morning fiesta.” (Cohen F. , 1969)

An attempt to negotiate admissions policies with representatives of the Black and Puerto Rican communities (including State Senator Basil Paterson and Bronx Borough President Herman Badillo, who was at that point seeking the Democratic nomination for Mayor) resulted in a “dual admissions policy” proposal to admit half the incoming class using regular criteria and half under a special admissions policy for students from “poverty areas.” The proposal was roundly condemned by all candidates for Mayor except Lindsay and Norman Mailer. (Gordon, 1975, pp. 218-219)

It was around this time that Albert Bowker decided to propose an aggressive timeline for open enrollment.

The Board debates Open Admissions

Julius Edelstein had a simple summation of the Board’s process in reviewing open admissions; “We had that meeting of the Board, we had a retreat, the Board went along,

they passed the six-point program that included open admissions.” (Bowker, 1985, p. 115)

There was actually a series of meetings at which individuals spoke to the Board about admissions. The Board met, for example, on May 4, May 5, and May 9th, 1969. The specific context for discussions about admissions policies was as follow-up to the City College student takeover (transcripts of these meetings were not available). At its May 5 meeting, the Board introduced a comprehensive “shared governance” policy that included the creation of two Commissions; one on governance and the other on admissions policy. Each Commission was to include ten faculty senate representatives, ten student representatives and eight administrators. (Board of Higher Education, CUNY, 1969e) Even at this point, the Board was still affirming its commitment to open access, but no timeline earlier than 1975. (Board of Higher Education, CUNY, 1969d)

The concept of “open admissions” itself may have been first described publicly in a resolution of the City College Faculty Senate, which in June 1969 debated and rejected the Board of Higher Education proposal of “dual admissions.” Rather, the suggestion of the City College Faculty Senate was to structure admissions so that anyone who would previously have been admitted to CUNY got in, and at the same time, enrollment would be expanded to allow for “special admissions” of disadvantaged youth. (Gordon, 1975, p. 219, quoting City College Faculty Senate revised Negotiated Agreement on Admissions Policy, June, 1969).

The idea of open admissions began to gather support.

At a meeting on June 16, the Board heard from the Central Labor Council, a group called the “Center for Rational Alternatives,” which included several faculty, the

Queens Jewish Community Council, National Lawyers Guild, Jewish Defense League, Organization for African Defense and the Joint Schools Committee for Academic Excellence Now. Additional written statements were taken to be included in the official record. (Board of Higher Education, CUNY, 1969f) Harry van Arsdale of the Central Labor Council, in particular, testified before the Board in favor of “greatly expanded enrollment.” (Gordon, 1975, p. 220)

In the end, the open admissions resolution was a complicated compromise between a tiered system, which was what Bowker had initially sought, and a completely open admissions process in which colleges would have had no differentiated admission standards at all. Emphasis was placed on providing remediation at the CUNY colleges themselves rather than channeling certain students to separate centers, as had been initially envisioned.

Key sources said that there was a real discussion within the Board, not just ratification of Bowker’s proposal. William Birenbaum, a college president in the room, said it was “a place of significant debate” and “not a rubber-stamp board.” (Birenbaum, 2009) Passage of the resolution was by no means a given. “There was opposition to it by a good majority of the Board at the beginning. We worked very hard...those of us who were advocates of the idea worked very hard with Bowker and slowly the Board came over to our side. But at the beginning it was...I guess it was a new idea.” (Quero-Chiesa, undated, p. 10) In that same interview transcript, Julius Edelstein asked of Quero-Chiesa, “Do you remember specifically who on the Board opposed it?... I know there was opposition. Bowker recalls that there was strong opposition at first, until he brought it to a vote.” (Quero-Chiesa, undated, p. 11)

Quero-Chiesa chose, for whatever reasons, not to describe the opposition in detail, “Well, as I said, it took a very strong campaign on the part of us, which was the minority, who believed strongly in open admissions. But I would say this, that once it was approved everybody went along, from there on there was never any trouble.” (Quero-Chiesa, undated, p. 11)

July 9, 1969 Open Admissions vote

The vote took place at the Board of Higher Education meeting on July 9, 1969. Board Members present at the meeting were as follows:

- David Ashe
- Porter R. Chandler (Chairman of Board)
- Luis Quero-Chiesa – Chairman of the Board Committee for Expanded Educational Opportunity
- George D. Brown
- Norman Henkin
- Minneola P. Ingersoll – Member of the Board Committee for Expanded Educational Opportunity
- Robert Ross Johnson – Vice Chairman of the Board Committee for Expanded Educational Opportunity
- Francis Keppel (notably a former U.S. Commissioner of Education, later became Board Chair)
- James Oscar Lee
- Benjamin F. McLaurin

- Louis Nunez
- Jack I. Poses
- Ella S. Streator
- Arleigh B. Williamson
- Jean-Louis d'Heilly (student representative, not yet officially a Board member)

Four members were not present at the meeting: Renato J. Azzari, Herbert Berman, also a member of the Board Committee for Expanded Educational Opportunity; Frederick H. Burkhardt; and Ruth S. Shoup. Edward Re, cited elsewhere as a key Board member in the outcome of Chancellor Bowker's power struggle with former Board Chair Rosenberg, had resigned as of June 2, 1969 after being appointed to a federal judgeship.

Unlike the Board minutes of May 26, 1998, at which individual Board members were recorded discussing their own positions on the proposed remediation policy, the Board minutes of July 9, 1969 do not give any detail about individual positions but rather, present a single perspective. The document clearly places the discussion of open admissions within the context of responding to the "Five Demands" of the City College student protesters, and describes how the Board's proposed new policies address each of the demands. The "Statement of Policy by the Board of Higher Education" that is part of the Board minutes discusses how the Board looked into the student demands in depth, saying that,

The issues with which the Board was confronted transcended the immediate concerns of City College, and in fact the University itself. They are the basic issues of our City and of our society. In dealing with these issues, the Board was faced with the necessity of re-examining our programs and structures so as to meet legitimate needs and aspirations of all the City's youth, while at the same time preserving the educational integrity of the University, without which we would be perpetrating a cruel hoax upon all those who desire and deserve a higher education of true excellence.

The elements of the open admissions resolution included in this new policy were as follows:

- Admission to CUNY for all high school graduates in the city;
- Remedial and support services;
- Maintenance of academic standards;
- Ethnic integration of the colleges;
- Student ability to transfer within CUNY; and
- All students who would have been admitted under past admissions criteria would still be admitted. (Board of Higher Education, CUNY, 1969g)

By instituting open admissions, CUNY took a bold step toward addressing stratification concerns with regard to higher education for New Yorkers. At that point, the policy represented “the most advanced embodiment of the theory of universal higher education.” (Wechsler, 1977, p. 260) In fact, the Board resolution specifically indicated that the new policies must “insure that each unit of the University is given significant responsibilities for preparing the academically less prepared student to engage in collegiate study.” (Board of Higher Education, CUNY, 1969g)

Implementation of the new policy was set on a highly ambitious timetable for Fall 1970 admissions. Having noted that it had created a Commission on Admissions at its May 5, 1969 meeting, the Board charged that Commission with coming up with a set of recommendations for implementation by October 1, 1969. Given that the votes of individual members were not recorded in the minutes, perhaps the vote in favor of the resolution was unanimous. Speaking to the press after the vote, Chairman Chandler went out of his way to emphasize that the new policy would allow high school graduates

access to “some form of higher education” at CUNY, not necessarily to a senior college. (Carroll, 1969)

Limited opposition

There were those who questioned whether open admissions would dilute the quality of the education students were offered and devalue the CUNY degree. One of the most notable was Herman Badillo, then the Bronx Borough President, who later played a key role in ending the policy. But these voices were clearly in the minority. (Gordon, 1975) Mario Procaccino, Democratic candidate for Mayor, said that the new policy was “discriminatory” and “would devalue degrees.” (Board of Higher Education, CUNY, 1969j) Mayor Lindsay also acknowledged, at least in retrospect, the risk that “standards would deteriorate.” (Lindsay, 1988, p. 2) Rockefeller’s initial opposition, held at least partly on fiscal grounds, was overcome by the tide of support for the policy. (Gordon, 1975)

CUNY After Open Admissions

The period from Fall 1969 up to the point at which open admissions and remediation once again became a live issue for CUNY encompasses tremendous changes in the University. Implementation of the policy, and the discovery of the massive remedial needs of the new students, posed a challenge for the University. This challenge was made more difficult by significant budget cuts resulting from the City's 1975 fiscal crisis. Imposition of tuition at CUNY in 1976 brought about more change in the student body and helped to precipitate what in retrospect looks like a downward spiral. Partly in response to fiscal exigencies, the Board began to modify open admissions policies and limit access to remediation.

Open Admissions implementation

At the July 1969 meeting where the open admissions resolution was passed, the Board of Higher Education directed that its Commission on Admissions, which it had appointed as part of a series of governance reforms the previous May, report back to the Board with recommendations on the implementation of the new policy. This Commission, which had ten CUNY faculty members, ten students, and eight administrators, was “unequivocally...the champion of the interests of the disadvantaged and non-white.” (Gordon, 1975, p. 230) Members of the group saw CUNY as a “major instrument in the quest for social equality” and a “remedial, ‘catch-up’ instrument.” (Gordon, 1975, p. 232)

In addition, a University Task Force on Open Admissions was convened to design and manage implementation of the new policy, chaired by David Newton, a dean at

Baruch, with a membership of CUNY vice chancellors and central office deans.

(University Task Force on Open Admissions, 1969)

Five months of planning that included “numerous consultations and public hearings involving over 130 individuals representing more than 80 organizations” led to the Board’s adoption of the final policy for Fall 1970 implementation. (Board of Higher Education, 1969m) There were public hearings on the Commission on Admission’s recommendations in October and November 1969. A huge array of community groups, religious groups, unions and other organizations, most of which were in favor of the policy, sent representatives to testify at these hearings. (Board of Higher Education, 1969i; Board of Higher Education, 1969j) As part of this process, Julius Edelstein worked hard to prepare his allies for the discussions, even providing some talking points, particularly regarding the need to preserve the SEEK program. For example, he wrote to Luis Quero-Chiesa in a letter that, “The major points that you could well emphasize...the advantages of the Board Plan in bringing conflicting interests together, and at the same time advancing the cause of integration and of increasing the numbers of Blacks and Puerto Ricans in the University.” (Edelstein, 1969e)

Students in the top half of their graduating class or with at least an 80% average were guaranteed admission to a senior college. The Board’s plan also included an almost doubling of the size of the SEEK program, in order to help ensure racial integration between the senior and community colleges. An important element of this policy was incorporation of class ranking as a factor in admissions, which, when combined with high school average, the Board felt would “introduce a critically needed incentive for

competitive academic effort” at high schools that previously had not sent students to CUNY. (Board of Higher Education, 1969m)

Detailed analyses projected freshman enrollments for Fall 1970. (University Commission on Admissions, CUNY, 1969) Pilot testing of placement tests was done to identify the best tests and best methods for administering them to large numbers of students. (Office of Institutional Research and Program Evaluation, 1969)

Bowker later discussed the complications of trying to design a policy that would satisfy various objectives,

The other question was, given open admission, given we were going to do it, how would we divide the students between the senior colleges and the community colleges, and certain special admission centers we had to set up. At the time integration seemed important... if we had done it strictly on the basis of test scores or grade point averages, we would have continued a system of White and Black institutions. So we mixed and we considered other variables – not race – but we used standing in class and grade point average, weighted them in such a way as to achieve some degree of integration in most institutions for that reason... And so the mixture of all of that was to try and increase the Black students at Brooklyn and Queens and Hunter and keep some of the community colleges from being all Black. (Bowker, 1985 pp. 110-111)

In order for open admissions to be implemented, the New York State Board of Regents had to approve an amendment to the University’s Master Plan. The Regents declined to act on the proposed amendment the first time it was introduced to them, in November 1969, deferring to staff requests that CUNY provide more information about its plans. The group did approve the amendment in December. (Newton, 1969; Bowker, 1985) In late November, the State Education Department staff had been in the process of planning an extensive review process of the new policy. (McCambridge, 1969) However, it seemingly was not executed; Julius Edelstein later noted the “critical support” that the Regents “gave to open admissions when they formally rejected the

recommendations of their staff, which was for a delay in the implementation of open admissions...” (Bowker, 1985, p. 120)

Actual implementation strategies differed somewhat by college and had differing success, a fact later acknowledged in the University’s own analysis of remediation offerings. (Meng, 1971) For example, City College was cited for its particular strength in basic writing programs, and in fact developed a national reputation in this area. (Rosen, 1972; Maher, 1997) Hunter and Brooklyn were described in one analysis as colleges that did not develop an effective approach to working with the new students. (Rosen, 1972)

The Board also decided to appoint its own Citizen’s Commission on the City University, chaired by former Mayor Wagner. (Board of Higher Education, 1969k) Jim Murphy was a member. He recalls, “For about a year and a half, we studied all of the ins and outs of the open admissions and we concluded that it was a good thing, and we kind of anticipated some of the governance changes that were brought about with the State’s role and recommended an evolution of support.” (Murphy J. P., 2009) More specifically, the report discussed the fact that State government was not likely to further increase its funding of CUNY without tuition and without the State being given a significant role in University governance. (Citizens' Commission on the City University, 1972)

This was a tremendously exciting time at CUNY. “At the University level in the year 1970, there was a very very strong support for open admissions. As a matter of fact it was a very exciting period as I recall it...” (Goldstein, 1985, p. 5)

Implementation issues

There is widespread acknowledgement that, even after its planning process, the University failed to anticipate the extent to which there would be substantial remediation needs among the new students. (Rosen, 1972) Looking back, college president Kurt Schmeller said,

(W)hat was interesting in open admissions was it was done basically under the racial pressures. But what hit us...caught everybody by surprise was the educational problem...tremendous lack of preparation... open admissions became known as the remedial experiment. That wasn't the idea at all. (Schmeller, 1987, p. 31)

CUNY was insufficiently prepared for the onslaught of new students and for their educational needs. An April 1970 memo from David Newton, head of the planning task force, identified remediation interventions as a weak spot in the plans that each individual college was developing. (Newton, Memorandum to Seymour Hyman Re: College Plans for Open Admissions, 1970)

Not everyone agrees with this assessment. In an interview with Julius Edelstein, William Birenbaum said, "Everyone says about Bowker and open admissions that there was not enough foreplanning, there was not enough anticipation of the situation, that it was improvised... But I don't view it that way. If I was in combat, and we *were* in combat... I would have done exactly what he did, and have hoped for the best." (emphasis added) (Birenbaum, 1986, p. 18) Leon Goldstein, another key person in the implementation, questioned the value of time for the planning process. "I'm not so sure if we would have made that much difference had we had another year or another two years... The fact is that we had to do it, and get our feet wet, make whatever mistakes were going to be made. And they were many..." (Goldstein, 1985, p. 6) However,

elsewhere Goldstein stated that, “we really had no time to properly prepare the university.” And he recalled,

I was the first person to go out to the colleges after open admissions started... And written reports were made in a constructive way on how to improve the strategies for open admissions at the various colleges, things that we take for granted now such as testing and the placement of students and customizing a freshmen program based upon the ability to read... These were unheard of at the time, freshmen were brought in and committed to sink or swim... (Goldstein, 1985, p. 3)

While the University had invested greatly in remedial supports for students coming in under open admissions, both fiscal constraints and changes in policy limited their availability. Some felt that underfunding of open admissions was a problem from the very start, saying that the University had underestimated the cost of open admissions because of its lack of understanding of student needs. (Wasser, 1973; Kimmich, 2009; Rosen, 1972) Bowker disagreed, as he said, “we did get money to implement it... reasonably. I don’t know you could always use more money. But we got funding, we really did, by pretty good formulas.” (Bowker, 1985, p. 113) Some initial investments were later ratcheted back. For example, a CUNY-wide office of development education, under Mina Shaughnessy, was created in 1975. (Maher, 1997) However, the New York City fiscal crisis and cuts to the CUNY budget because of the crisis greatly diminished the University’s ability to develop and support innovative approaches to remedial education. (Otte, 2008; Soliday, 2002)

There was a tremendous need to make connections with the Board of Education in order to make the policy work. William Birenbaum described the connection between the public schools and CUNY colleges as “the critical relationship.” (Birenbaum, W., 1986) Chancellor Bowker acknowledged this relationship by appointing David Newton,

the head of the University Task Force on Open Admissions, to serve on a liaison committee between the two systems (though it is not clear what the committee did). (Bowker, 1970) Another observer said that the lack of this relationship was one of the key failures of the policy itself. Without the ability to ensure that high school students were properly prepared for college there was no way to effectively implement open admissions.

While a detailed analysis of implementation of open admissions is beyond the scope of this study, it is clear that the University devoted significant resources to implementation and struggled over at least the first few years with how best to structure the program.

What Open Admissions did

One result of open admissions was massive growth in enrollments at CUNY. The skills level of the student body also changed, according to some. CUNY went from requiring that students admitted to senior colleges be in the top of their high school classes, to admitting “a considerable number of young people whose grade-point average was below 60 percent, and whose effective reading and mathematical skills were those of an elementary school student.” (Gordon, 1975, p. 160)

Some disagreed with this assessment of student skills. For example, Jim Watts, a longtime City College faculty member, said that the student body before open admissions and after was not terribly different, and that there was always a small proportion of students with serious remedial needs who could not perform coursework at the level needed to succeed in college, regardless of the standards under which they were admitted.

(Healy, 2000) In the beginning, at least, high achieving students were still applying for admission to CUNY. (Buder, 1970) And there was still strong interest from the most competitive public high schools; the Council for the Specialized High Schools, including Bronx Science and Stuyvesant, had asked David Newton for reassurance that open admissions was not going to lower CUNY's academic standards. (Taffel, 1970)

Access to remediation and supportive services for those students who did have significant remedial needs was "irregular," the University concluded in late 1971. Its analysis found that CUNY colleges differed greatly in their resources and capacity to offer remediation and raised the question of whether or not need for remediation should be taken into account as part of admissions criteria. (Meng, 1971)

At least initially, the open admissions policy also failed in its goal of significantly increasing the proportions of Black and Puerto Rican students in the CUNY senior colleges. A Board analysis in December 1971 stated that the SEEK program was "the primary factor" in bringing about integration of the senior colleges and that, apart from the expansion of SEEK, open admissions had so far "failed very severely in specific instances in bringing about ethnic integration of the Colleges." (Board of Higher Education, CUNY, 1971)

Despite efforts to provide remediation and support, the initial record on student retention was also poor. An internal analysis of student retention after one-year of open admissions showed dropout rates for open admissions students at the senior colleges were more than double those of students admitted under regular admissions policies. (Office of Data Collection, CUNY, 1971)

The tremendous need for remediation, high drop-out rates and the lack of racial integration at the senior colleges also point to another substantial concern of the University, which was that, despite open admissions, middle class Black students were still not coming to CUNY. Taking notes on a Board of Higher Education Cabinet meeting in late 1969, Julius Edelstein wrote, “JCCE said that some Blacks are opposed to the open admissions program for the same reason that some Whites are, namely they fear it will destroy the high quality nature of the senior colleges. They want their children admitted into quality institutions... The question is asked: ‘Why has the Black community failed to respond positively to the open admission program?’” (Edelstein, 1969e)

This concern did not go away. Much later, Queensborough president Kurt Schmeller said that, “one of the tragedies was we opened the flood gates and we lost the brightest. In other words, the brightest minorities don’t go to City University.” (Schmeller, 1987, p. 32) The obverse of this was a concern that a large proportion of the white youth admitted under the new policy were unprepared to do college-level academic work. Louise Mirrer described her mother’s experience teaching mostly Italian American students as part of the first wave of faculty hired at Queens College after the policy was put in place. (Mirrer, 2009)

At least to some, the admissions policies developed under the new policy in order to satisfy the need to continue to admit the best students, while also broadening access, were somewhat counterintuitive. Dave Fields, who was working for Joseph Murphy, then the president of Queens College, described one family’s situation,

I remember this mother who had two sons. One had an 82 average, and the other had just barely gotten out of high school. And the one who had barely graduated

was the one who got in! The one with the 82 average was under the cut-off score. She was so angry. They filled the class from the bottom up and the top down. It was impossible to work with. (Fields, 2009)

The 1975 fiscal crisis and the end of free tuition

Desperate financial circumstances, created by State and City budget shortfalls in 1975, resulted in a number of new Board policies that reverberated up to the time of the 1998 remediation policy debate. CUNY was put in this difficult position largely as a result of a dire New York City fiscal crisis brought on by unmanageable pension liabilities, a recession that reduced tax revenues, and the dubious practice of borrowing against revenues from a subsequent year. (Gramlich, 1976) The 1975 University budget cut back the equivalent of 3,688 full-time faculty and staff. Capital improvements to facilities had been suspended, and the Board had voted to institute a month-long unpaid furlough for the remaining University staff.

It was at this point that the Board began to implement measures that would impose greater limits on access to the colleges. At the Board meeting of December 15, 1975, the Board passed a resolution directing the University to create a skills test in reading and math to be administered to applicants to CUNY. (Board of Higher Education, CUNY, 1975) Then, at its April 5, 1976 meeting, amidst acrimonious debate, the Board changed admissions requirements to state that those with an 80% high school average or who were ranked in the top one-third of their high school class would be guaranteed admission to a senior college, rather than those in the top half. (Board of Higher Education, 1976a; Roff, Cucchiara, & Dunlap, 2000)

Subsequently, the University was informed by the City that it would not be given funds necessary to meet its June 1976 financial obligations, causing the University to

actually have to shut down operations. Several Board members resigned rather than be forced to participate in the vote that would institute tuition at CUNY. (Lavin & Silberstein, 1976; Murphy J. P., 2009) On June 1, 1976, a newly constituted Board voted to start charging tuition. (Board of Higher Education, 1976b)

As discussed previously, Nelson Rockefeller had been laying the groundwork for the end of free tuition at the CUNY colleges since 1961, when the enabling legislation for the establishment of CUNY included a provision allowing the University to charge tuition. (Roff, Cucchiara, & Dunlap, 2000) When Gerald Ford became President and picked Rockefeller as his Vice President, and New York City soon thereafter requested significant federal aid, Rockefeller had another opportunity to press his agenda. President Ford specifically demanded that CUNY students pay tuition as a condition of the City's receiving federal aid. (Goldmark, 1986)

Peter Goldmark, who at that point was state budget director, said, "The free tuition issue at City University became one of those highly visible but nearly totally symbolic political footballs. It was a central part of the litany of what was wrong about New York City by those both within the State and nationally who chose to criticize the City. Free tuition was one, cheap subway fare was the other." (Goldmark, 1986, p. 15) Dave Fields described its symbolic value by saying, "It was crazy but you have to understand. What they (critics of free tuition) would say was, 'You can't get something for nothing.' 'You can't get something for nothing.' I remember this argument back and forth. People didn't understand that providing tuition was the passport for the middle class." (Fields, 2009)

Drastic effects on the CUNY student body seem to have been felt almost immediately. “Imposition of tuition changed everything – demographic changes that were already happening with white middle class families leaving for suburbs, increased minority students and the correlation with being less prepared... Students who in the past would have gone to CUNY thought, ‘Why would I stay in the City when I can go to SUNY?’” (Mucciolo, 2008) The resulting exodus of middle-class students out of the CUNY system had the effect of increasing the relative proportion of students in need of remediation. (Mac Donald, 1994)

A University in decline

Saul Cohen spoke to Julius Edelstein about the issue of underprepared students when he started as president at Queens College, saying “it became very clear that there are a lot of students around—I’m not talking about the SEEK, I’m talking about the other group—who didn’t seem to belong because they were below the margin... I didn’t know what they were doing here.” (Cohen S. , 1985, p. 18)

Others agreed that there was too little structure in place to support students. Edith Everett, at the time a new Board member, said, “I think it was in ‘78 that I convened a committee to examine the SEEK program... Students were coming to school to pick up their checks, did not attend classes and often intimidating teachers in order to get a passing grade. I made the point that if we did not impose better supervision, the legislature would very likely cut the funding.” (Everett, 2009)

The combination of ending free tuition, middle class students leaving the city for college, the loss of full-time faculty after the fiscal crisis, and the university’s declining

reputation had a devastating impact on enrollment. At Brooklyn College, Christoph Kimmich recalls, “By 1980 the enrollment was down to 13,000... We had lost a lot of colleagues. We found things to do for those where there was not enough to teach. I spent a semester counseling in order to fulfill my workload. I remember standing on the unemployment line one summer when we didn’t get paid.” (Kimmich, 2009) Another source describes this as a time of “turmoil,” “demoralization,” and even “evisceration” at the University, not just in terms of the overall effects of the budget cuts but also specifically with regard to its remedial programs. (Otte, 2008, p. 32)

Not surprisingly, faculty morale sunk along with enrollment. Saul Cohen said, “there were two problems with faculty morale. One was the firings, you know, ’75-’76. The other had to do with the fact that faculty complained that they were teaching to classes maybe that the lower quarter or the lower third never understood what they were talking about...” (Cohen S. , 1985, p. 20) Kimmich said that for him, personally, it was gratifying to see intellectual engagement and growth among students who were first in their families to go to college, but that the fact that there were also students “who left in great numbers, was a source of great regret for me. I spent a lot of time with these kids. Going over their papers with them, explaining why did this not work. I spent a great deal of time on grading their papers, period.” (Kimmich, 2009) Dave Fields was at the time an assistant to Joseph Murphy, who was president of Queens College. “The faculty at Queens really struggled with having the best prepared and the less prepared in the same classes. It was a terrible idea.” (Fields, 2009)

Changes in access policies

Initially, students at CUNY had been allowed to decide for themselves whether or not to take remedial coursework. Then, in 1975, the Board instituted a skills test requirement in reading and math to be administered to applicants to CUNY. Ultimately, three skills assessment tests were developed to place students in or out of remedial courses and to allow them to become upper division undergraduates, and were administered for the first time in Fall 1978. (Gleason, 2000; Office of the Interim Deputy Chancellor, CUNY, 1998) These remediation placement exams came to serve as an “academic gate-keeper” and “sorting” mechanism, drawing a clearer line between remedial and non-remedial coursework and students. (Bettinger & Terry Long, 2004, p. 1)

In 1992, the Board established the College Preparatory Initiative, which for the first time required that high school graduates coming to CUNY had taken a certain number of “academic” courses in order to enter both the senior and community colleges. (Board of Trustees, CUNY, 1995a) 1995 was also a year of significant policy changes. For one thing, the senior colleges were allowed to set their own individual admissions standards. (Kimmich, 2009) In addition, as part of a statement referred to as the “Thirty-seven points,” the Board approved a policy requiring that students at the senior colleges complete remediation within two semesters. (Board of Trustees, CUNY, 1995b) Hunter, Baruch and Queens went even further, limiting remediation to one semester. (Watson, undated)

Baruch College then eliminated remedial courses entirely in 1998, its administrators having concluded that these courses had a detrimental impact on the

college and its students. (Cronholm, 1999) Meanwhile, Chancellor Reynolds and the Board were continuing on an incremental path toward restricting remediation and raising admissions standards, and in doing so trying to restore a sense of balance between the competing demands of access and quality.

Remediation Policy Debate: The Context

As will be discussed in the next chapter, a steadily building majority of Republican-appointed members of the CUNY Board of Trustees led, in mid-May 1998 to approval of a resolution to end remediation at the senior colleges. Prior to discussing in detail what took place, this chapter provides a context for understanding the policy decision and the actors that influenced it.

Political influence on CUNY

As mentioned earlier, Mayor Wagner's administration had long-lasting influence on CUNY, both in terms of former members of his administration working at CUNY and serving on the Board, and in an ideological sense—continuing his commitment to using public institutions to address social and economic inequities. This influence could have been a factor in the interest, or perhaps lack of interest, exhibited in CUNY by later Democratic mayors and governors. As one observer described it, later elected officials “knew that the Wagner administration network had pretty much set policy at CUNY.”

In any case, in the 1980s and 1990s, after CUNY governance had been restructured, elected officials became less active with CUNY. As one person described it, Democratic Mayors “did not question” and “implicitly supported what CUNY was doing.” (Murphy J. P., 2009) Governor Mario Cuomo and Mayor David Dinkins did not always make appointments to the Board when the terms of sitting Trustees expired, and even when they did, those appointments were not always confirmed by the State Senate (which had to approve all appointments of both the Governor and Mayor).

These expired terms of sitting Trustees meant that newly-elected Mayor Rudolph Giuliani and Governor George Pataki were able to turn over the Board from Democrat-appointed to Republican-appointed more quickly than they could have if the former Mayor and Governor had kept up with making Board appointments. (Fields, 2009)

Mayor Rudolph Giuliani

Mayor Giuliani (1993-2001), while generally not described as connected to or supportive of public higher education, was considered by many to be the single most influential player in the policy debate that took place. “If you had to summarize anything, the leadership in terms of direction that the university would take came from the Mayor. It was definitely the Mayor and whoever the Mayor was surrounded with... then trickled through Board members who interpreted what they would be doing...” (Mirrer, 2009)

For long-time Board member Herman Badillo, the Mayor’s strong advocacy of change at CUNY represented the opportunity for which he had been waiting. His description of circumstances at CUNY was that, “There was no stomach for a battle. That was one of the things that helped me with Rudy. Rudy didn’t mince any words.” (Badillo, 2009) In another way of putting things, one participant described the Mayor’s “heavy-handed implementation of a perfectly good agenda... he’s an inextricable combination of good administrator and Nazi.”²

In any case, the Mayor had a goal, or perhaps an agenda, and was willing to use whatever tactics he thought would be effective to achieve his goal. He appointed people to the Board without even a pretense that they would be independent and gave them clear

² Interviewed by S. Duitch. Interviewee declined to be identified.

directives. (Morning, 2009; Fields, 2009) This included appointing people who worked for City government to the Board, creating problematic conflicts of interest. As well, “Board members were regularly called and instructed on how to vote. It was not an independent board,” said Louise Mirrer. (Mirrer, 2009)

He dismissed those allies who did not completely toe his line. For example, neither Richard Stone nor Ron Marino was appointed to a second term on the Board, despite the fact that both had voted in favor of the end of remediation resolution. Both had exhibited streaks of independence. The Mayor’s approach was even characterized as “threatening,” both in his approach to dealing with individuals, and in his approach to CUNY as an institution. (Fields, 2009) For example, he called for the University to be “blown up” as part of his 1999 State of the City address. (Giuliani, 1999)

Governor George Pataki

Governor Pataki (1994-2006), while he did express opinions in the debate through his staff, was not nearly as heavy-handed in how he dealt with his appointees. As Louise Mirrer put it, “you could have an opinion that was different from his and stay on the Board.” (Mirrer, 2009) His involvement in the discussion was somewhat limited. For example, John Calandra, who was key to development of the resolution ending senior college remediation, was in much more frequent contact with the Mayor’s staff than with the Governor’s staff, even though he was an appointee of the Governor. (Calandra, 2009)

Some of this was likely because the Governor had a different approach to governance than the Mayor but it also seems the case that his administration saw the remediation debate as primarily a New York City issue and so he “took the Mayor’s

lead” on the issues. (Mirrer, 2009) This is particularly interesting when considered in context of the battles over control of CUNY that had gone on under Governor Rockefeller and Mayor Lindsay. However, questions about State support for CUNY had long since been settled and so the State was comfortably in the lead position, should the Governor wish to exert his power.

Some ideas regarding why he did not were suggested in this research. From Christoph Kimmich’s perspective, “Even though the state was responsible or paying much of the cost of the university, it was more a City issue. So they did not want to take on the Mayor over this - who felt, as we know, vocally, strongly - they did not want to get into a battle where they might be embarrassed about something. This was downstate. After a while it was clear that we were not a central issue for them. CUNY is...a kind of unspoken ‘city business’... They had other fish to fry with the Mayor.” (Kimmich, 2009) This idea that remediation at CUNY was subordinate to other political priorities was also mentioned by Richard Stone, who called the Governor’s appointment of Anne Paolucci as Chair “cynical” and more about the Governor’s need to grant a political favor connected to Paolucci’s husband than about what was best for the institution. (Stone R. , 2009) One observer even stated that, “I always thought the Governor had extremely mixed motives about what would happen at CUNY. Had the whole thing have simply embarrassed the Mayor in some way, that would have been the highest purpose CUNY could have served for the Governor.”

Even while taking a back seat to the Mayor, the Governor’s staff was actively involved and even “very influential,” particularly as the vote neared. (Watson, 2009) John Morning, one of the Governor’s appointees who worked to find a compromise that

would preserve some senior college remediation, recalled that, “The Governor’s office was not happy with my position... (An aide) suggested that I should step down if I was not prepared to support the governor’s views on this matter. I told him that I was not willing to do that.” (Morning, 2009)

The Role of Constituent Groups

Constituent groups played a vastly different, and seemingly much more limited, role in the remediation debate than they had around open admissions. When the Mayor’s agenda became clear, former CUNY Vice Chancellor Julius Edelstein and a number of his long-time colleagues, such as former Deputy Mayor Stanley Lowell and former Bronx Community College President Roscoe Brown, re-convened a group called the Public Education Association, calling it “Friends of CUNY.” The group brought in support from CUNY faculty members and Democratic elected officials. (Thomas, 2002) Trustee Richard Stone spoke about meeting with several different advocacy and constituent groups that were trying to convince him to oppose the end of remediation. (Stone R. , 2009)

However, despite these efforts, organizing against the policy proposal seemed to gain little traction, a situation conspicuously different from 1969. (Murphy J. P., 2009; Morning, 2009) This might have in part been because of the tone of the debate, which was extremely polarized. On the one hand there was the Mayor and his rhetoric about CUNY. And on the other were at least some individuals whose approach in arguing their position was not to try and convince Board members of the correctness of their position (typically to keep remediation as it was) but rather to excoriate them. This was certainly

the experience of Nilda Soto Ruiz, a Board member who voted against the resolution and therefore at least theoretically a friend to the advocates for remediation and open admissions. She recalled phone messages left with her secretary saying that she was going to “burn in hell” for her actions, for example, and characterized much of the public hearing testimony in the same way, as coming from people who had not “done their research” and did not know enough about the situation and the Board members themselves to be able to present a reasoned argument. (Soto Ruiz, 2009)

The University’s students and faculty were active in Friends of CUNY and also important constituent groups in their own right. Both the University Student Senate and the University Faculty Senate had members on the Board who were vehemently and articulately opposed to the senior college remediation resolution. The two groups made sure that their constituencies were well-represented at both of the public hearings on the resolution—in fact the great majority of those testifying were faculty members, with current and former students coming a distant second in terms of numbers. (Board of Trustees, CUNY, 1998b; Board of Trustees, CUNY, 1999a) And the University Faculty Senate published a lengthy response to the Schmidt Commission report, “An Institution Adrift,” when it was released in 1999, after the remediation resolution had passed a second time. (University Faculty Senate, CUNY, 1999) However, it did not seem as though either group had much sway with the Board during the remediation debate.

Role of the Media

The Manhattan Institute, through its *City Journal*, was credited with tremendous influence in the policy debate, particularly in attracting the Mayor’s interest in the first

place. In a 1999 speech at the Manhattan Institute, Mayor Giuliani said that, without the group's efforts, "the kinds of changes that we've made just would not have happened." (Giuliani, 1999b) It was Institute Fellow Heather Mac Donald who first published a piece criticizing standards and remediation at CUNY in 1994, laying the groundwork for what followed. In this initial article and those that followed, Mac Donald laid out a variety of familiar arguments against remediation at CUNY, writing, for example, that it had brought down standards and the quality of curricula, demoralized students and faculty, was too expensive, contributed to the poor quality of public secondary education in the City, and tarnished a once-great institution's reputation. (Mac Donald, 1994; Mac Donald, 1997; Mac Donald, 1998)

Around the same time as Mac Donald was publishing her first article about CUNY, journalist James Traub published the book, *City on a Hill: Testing the American Dream at City College*. (1994) While Traub's book was, at least from this particular reader's perspective, a far more nuanced take on CUNY than Mac Donald's, it offered some damning portrayals of low-skilled CUNY students stuck in remedial coursework at great cost to themselves, their teachers and their fellow students. As with Mac Donald's writings, the book valorized the old days of high standards at City College.

Building on the momentum created by Mac Donald and Traub, articles and editorializing about remediation at CUNY and the University's performance in general became a frequent occurrence in the print media, particularly the *Daily News*. Editorial boards at that tabloid and the *New York Post* were sharply critical of graduation rates and of Chancellor Reynold's leadership. The *Daily News* excoriated CUNY in a series of dozens of editorials in starting in 1995, with titles such as "Falling Standards Fail

Students,” “Equal Time for Equal Slime,” “Shed a Tear for Tutor U,” and “CUNY’s Standard of Failure.” (Daily News Editorial Board, 1995; Daily News Editorial Board, 1997a; Daily News Editorial Board, 1997b; Daily News Editorial Board, 1999)

The *New York Post*, while it did not cover CUNY to nearly the same extent as the *Daily News*, nor run a large number of editorials, took the same highly critical stance as the *News* on its editorial page. (New York Post Editorial Board, 1998a; New York Post Editorial Board, 1998b)

The New York Times also covered the developments, though in a “more subtle” fashion that attempted to put the debate in context. (Kimmich, 2009) Karen Arenson, who was then *The Times* reporter focused on higher education, had several articles published, including articles on the paper’s front page. (Arenson, 1998a) When *The Times* editorial board did take a position on the debate, it came out in favor of preserving remediation at the senior colleges and against what it considered to be the Mayor and Governor’s over-involvement in the debate. (The New York Times Editorial Board, 1998)

The editorials criticizing CUNY held considerable sway with the Board. (Morning, 2009; Calandra, 2009; Kimmich, 2009; Mirrer, 2009) Mirrer described the *Daily News* in particular as “hugely influential with the Trustees, and with the general public... It did influence the Board because they didn’t want to be pilloried in the press... There was a real stranglehold on the University by the papers.” (Mirrer, 2009) John Calandra agreed, saying that, “If the CUNY degree was going to be meaningful they had to stop.” (Calandra, 2009) He also described the press coverage as highly instrumental in a positive way, in terms of focusing attention on the issues so that the Board was forced

to resolve them conclusively. “What gave it legs was the papers focused on the issue.” (Calandra, 2009) However, some Board members, including Stone, Marino and Morning, said that they felt no pressure from the media coverage. (Morning, 2009; Stone R. , 2009; Marino, 2009)

Michael Thomas’ 2002 dissertation looking at activist university Trustees and the cases of remediation at CUNY and tenure at the University of Minnesota made the case that, despite the fact that the sheer size of the coalition against the proposed remediation policy was much larger than its proponents, it was the proponents for ending remediation who garnered the majority of media support. He even referred to the *Daily News* and *New York Post* as a “juggernaut.” (Thomas, 2002, p. 212) Thomas wrote that Friends of CUNY and other advocates for open admissions had support from neighborhood newspapers and ideologically aligned publications such as the *Village Voice*, but that such support had no influence on the debate itself.

Leadership at CUNY

The role of the University’s leadership during the remediation debate stands in marked contrast to that of Chancellor Albert Bowker. Ann Reynolds was Chancellor when Mayor Giuliani and Governor Pataki came into office, and upon her departure was replaced by an acting Chancellor, Christoph Kimmich.

Chancellor Ann Reynolds

Reynolds was an early casualty of the new Board regime. Having come into conflict with the Mayor over the issue of allowing City welfare recipients to attend

CUNY colleges, Reynolds became the focus of a campaign for removal that became quite public. (Buettner, 1997a) She had initially come to CUNY from the California State University system. One source characterized Reynolds' circumstances by saying that "the appointing authority changed. She started with Democrats and ended up with Republicans both in California and in New York. The transition was hard."

Reynolds deserves credit for launching the University on a path toward increased standards and expectations for students. Former Trustee Edith Everett, who was highly supportive of Reynolds, stated that, "Ann Reynolds had begun making changes in CUNY that were leading to tightening up on remediation, as well as improving entrance requirements." (Everett, 2009) However, she received little of what was due. "The policy change occurred under Reynolds – that's the *real* change and it occurred in '95... The '99 policy was usurping it. All of a sudden everything that Reynolds did was bad. And the (new) Board took credit for it," said her former Deputy Chancellor, Larry Mucciolo. (Mucciolo, 2008)

This was largely because once she had crossed the Mayor, her every decision was questioned. For example, Reynolds' selection of Louise Mirrer as the new vice chancellor overseeing academic affairs was questioned and almost overturned. (Stone R. , 2009) Reynolds was accused by both Paolucci and Badillo of refusing to turn over data and information to the Board. (Watson, 2009; Thomas, 2002) She left the University in mid-1997.

Interim Chancellor Christoph Kimmich

Interim Chancellor Christoph Kimmich, who was appointed to the position several months later, was, unlike Reynolds, not a strong or polarizing influence. The fact that he was in an interim appointment limited his ability to be forceful. The lack of a permanent chancellor and the difficulty of finding someone to serve in the role became something that critics of the Board pointed to as evidence of a deficient focus and agenda. (Board of Trustees, CUNY, 1998b)

Kimmich's own recollection is that, "When I got there the University had been without a head for some months. Even *The Times* had begun to lose patience about the failure of the Board to find someone who could serve, even as an acting chancellor." (Kimmich, 2009) In addition to the very public criticism of CUNY, there was also a concern that Board was micromanaging the University and therefore turning off potential candidates for the Chancellor position. Trustee Calandra admitted that the Board was taking a strong hand in day-to-day management of the University, saying that it was necessary because its members could not trust the CUNY administration to uphold Board policies. (Calandra, 2009)

The Board

As described previously, the CUNY Board chaired by Jim Murphy had, over time, been putting in place various policies that served to limit access to remediation at the senior colleges. However the pace of this change was somewhat slow. As Murphy described it,

We were moving but we weren't moving, a lot like what happened in '69, there was a policy that was being implemented a bit more slowly. This was the

obverse. We were not rushing to do it and then all of a sudden you had a Governor and Mayor who viewed it differently. So that was a nonstarter in terms of being the solution that would be acceptable. Once the proposal was made to eliminate remediation at the senior colleges it was pretty hard to overcome. (Murphy J. P., 2009)

Murphy also admitted that, “We were evolving as a board more slowly than perhaps we should have.” (Murphy J. P., 2009) At least some of the new Board members also believed that the Board was not moving quickly enough. (Calandra, 2009)

As the number of appointments made by the new Mayor and Governor mounted, the overall bent of the Board shifted from a primary concern about access to a focus on quality and prestige. As Louise Mirrer put it, “there was a particular view among some of the Board that CUNY had tipped in the direction of offering a lot to students who were not academically the most prepared, was offering something to the students in the middle, and was offering nothing to...students at the high end of the spectrum.” (Mirrer, 2009)

Along with this political shift came a definite change in the tone of interactions on the Board. As Edith Everett described it, “With the election of Mayor Giuliani, the CUNY Board changed dramatically. Outcomes of meetings that had formerly been open for serious discussion were pre-determined. You knew the result of every vote because members were instructed.” (Everett, 2009) John Morning said, “we had meetings and they would have to take phone calls during the meetings. They’d get a call on their cell phone and have to leave the meeting and talk to the Mayor’s office because the Mayor’s office wanted to make clear what they were going to do.” (Morning, 2009)

Open admissions itself was not the subject of extensive debate within the 1998 Board. (Ruiz, 2009) Not all Board members were even familiar with the policy or what

had happened to CUNY after its implementation. They were, rather, quite focused on the CUNY of the moment. (Calandra, 2009; Stone R. , 2009)

A number of interviewees were pointedly critical of the conflicts of interest resulting from the fact that the Mayor had appointed individuals who worked for his administration to the Board. (Marino, 2009; Morning, 2009; Fields, 2009) One person even characterized some of the Mayor's appointees as "clowns and idiots" who "waited for Herman to wag his pinky before deciding how to vote." Similarly, another former Trustee said that one of the Mayor's appointees justified a favorable vote for the remediation resolution by saying, "I like to be on the side of the winners."

Chairperson Anne Paolucci

Anne Paolucci was appointed to the Board by Governor Pataki and became Chairperson soon thereafter, in March 1997. There were mixed views of her efficacy as Chairperson, though on balance she was seen as ineffective. One member went so far as to call her "obtuse" and "out of her league." Christoph Kimmich sympathetically described her as having difficulty with the rough and tumble of the debate, perhaps taking things too personally, and feeling that she was being undermined and slighted. (Kimmich, 2009) In fact, it seems that her feeling of being undermined was justified. For one thing, as John Calandra pointed out, she was "not completely on board" with the proposals to truly limit remediation in the senior colleges. (Calandra, 2009) There were some efforts by other Board members to work around her.

Vice Chairperson Herman Badillo

Having been initially appointed to the CUNY Board in 1991 by Democratic Governor Mario Cuomo, Badillo described himself as biding his time until he could marshal support for ending open admissions (Badillo clearly described the policy shift as the end of open admissions, not the end of remediation at the senior colleges). “Gradually I began to move up in support and seniority. At the beginning it was fifteen to one against me. Mayor Giuliani and Governor Pataki appointed some people, and the Governor appointed me first Vice Chairman and then Chairman. And then I moved to get rid of remediation... I was waiting for the opportunity.³ It took 30 years to get around to getting rid of open admissions.” (Badillo, 2009)

Badillo had long been known for being an opponent of open admissions. (Badillo, 2009; Quero-Chiesa, undated) In fact, he was on the record as opposing the new policy in 1969, when he was Bronx Borough President. (Gordon, 1975) His motivation was in large part the fact that he saw himself as having succeeded at City College before open admissions without any special support. He felt strongly that others should be able to do the same. (Badillo, 2009) As Kimmich described it, Badillo “had an almost visceral commitment to recreating a student body and a collegiate experience that mirrored his own.” (Kimmich, 2009)

Badillo was also driven by a strong desire to improve CUNY’s reputation. (Mirrer, 2009) By implication, improving CUNY’s reputation would reflect positively on his own degree. In addition to saying that the drop out rate was too high, Badillo said that employers did not want to hire CUNY graduates both because they were not

³ Badillo was not Chairperson of the Board at the time of the remediation policy debate but was appointed to the position after the resolution was approved.

qualified and because if they wanted to fire someone who graduated CUNY, they would be accused of racism. He contrasted this with the old days before open admissions, when “anybody from CUNY would come right in for an interview.” (Badillo, 2009)

Badillo essentially characterized the leadership of CUNY as cowardly, refusing to deal with the realities of open admissions out of aversion to conflict. According to him, “no one in the faculty, no college presidents, no chancellor opposed open admissions, though they knew it had brought down the value of the university.” He compared the difficulty of ending remediation with firing Leonard Jeffries, the notoriously anti-Semitic City College professor, saying that both were difficult but necessary battles. Badillo stated that the Mayor’s commission on CUNY and in particular Benno Schmidt as its chair gave him added credibility for his position. (Badillo, 2009) He also didn’t shrink from some tactics similar to the Mayor’s, sending “important people” to at least one other Board member who he thought needed some additional encouragement to take the correct position on the remediation debate.

Badillo was a former Bronx Borough President and member of Congress representing the Bronx while a Democrat. He steadily moved rightward politically over the years, changing his party affiliation to Republican in the early 1990s. Edith Everett described him as “someone who had been an inspiration in his days and a liberal thoughtful person” and acknowledged that some of what he said during the remediation discussions “had merit.” (Everett, 2009)

Despite his support for and from Mayor Giuliani, Badillo was not in complete agreement with the Mayor’s objectives for CUNY. “He definitely did not want to preside

over a shrinking University... he was very uncomfortable with the idea that the University might be downsized.” (Mirrer, 2009)

James P. Murphy

Jim Murphy had a tremendous history of service to the CUNY Board, having been on at the time of the 1970s fiscal crisis, stepped down, and then rejoined the Board in 1980. This was after he served on the CUNY Commission chaired by Former Mayor Wagner in 1970 and 1971. Murphy was Board chair from 1980 until Governor Pataki asked him to step down in 1997.

Some pointed out that he was a registered lobbyist representing the banking industry in Albany and saw this as a conflict of interest that made him less willing to argue on behalf of the University. (Mucciolo, 2008; Everett, 2009) For this reason, “On a number of occasions when I was upset with what was going on in Albany he was upset with me,” said Edith Everett. (Everett, 2009)

In retrospect, he described the remediation debate as a genuine contest, which his side lost. Murphy felt that the supporters of remediation had an opportunity to make their case, and that “its not a fact that the fix was in...” He believed that the supporters of open admissions and access to remediation gave their best efforts to a “real, genuine battle.” (Murphy J. P., 2009)

John Calandra, Jr.

John Calandra, who at that point was active in local Republican politics (as was his father), was appointed to the Board by Governor Pataki. Calandra was the sponsor of

the remediation resolution that eventually became CUNY policy and saw himself as at the center of negotiations around its development. Despite his close contact with the Mayor's staff during the policy debate, he was quite clear that he did not support the idea of eliminating remediation from the community colleges, which the Mayor's staff was pressing for.

Calandra felt that the perspective that he and Badillo, both lawyers, brought to the Board was "a breath of fresh air." This was especially the case when compared with what he saw as the more typical "academic" perspective of long-time Board members, and to a lesser extent Board Chair Paolucci, who was herself an academic. He was dismissive of arguments that most other universities, even the most prestigious, offered remediation, saying that CUNY needed to rehabilitate its reputation by getting rid of remediation. Calandra clearly relished the degree of battle, conflict, and negotiation that took place in the discussions around remediation, and his place at the center of things, as well as the press attention he received for his role.

Edith Everett

Edith Everett, a well-known philanthropist, active participant in Jewish community affairs, and Democratic party supporter, was originally appointed to the Board in 1977, and served as Vice Chair under James Murphy. As Louise Mirrer described it, "Edith was the only one who was really outspoken. She was the conscience of the board." (Mirrer, 2009)

Everett was without question the outlier on a Board with majorities appointed by Mayor Giuliani and Governor Pataki. She spoke positively about the CUNY Board of

earlier years, when she had outspoken allies like Blanche Bernstein, a long-time Board member also known for being a strong advocate for the disadvantaged. (Everett, 2009) Board minutes of the late 1990s record her many statements directly confronting her fellow Trustees over their betrayal of the University's mission and legacy.

Ronald Marino

Ron Marino, appointee of Mayor Giuliani, and a former municipal administrator who had gone into public sector finance, characterized himself as a political moderate. He said that he was not influenced by Mayor's agenda or by the press around CUNY, believing that the Mayor knew he would not be swayed by political pressure. Marino was clear about the limitations of open admissions as a tool for addressing historical discrimination against minorities and believed strongly that the 1969 Board of Higher Education had not expected that its policies would "rectify every societal or economic problem." Given this understanding of open admissions, "My goal was to try to go back to the initial legislation and intent of the Board, which was to permit the remediation to be undertaken in the community colleges, and to...maintain a higher level at some of the senior colleges." (Marino, 2009)

The value of CUNY degrees in the marketplace was also a major factor in his approach to the debate. He said,

I think that the black or Hispanic kid today should walk out with a degree that has the same value as a Jewish kid in City College back when. When I got here (Smith Barney, his employer) and tried to get a Black and Hispanic kid an interview, it wasn't happening. And when I spoke to the Blacks and Hispanics who had actually gotten in here, they would say, 'There is no way we would have gone there for college because we knew that it would have meant that we wouldn't have been able to get in here for jobs.'"

His experience was that, “The same bias (against CUNY graduates) began to penetrate into the upper levels of city government.” (Marino, 2009)

John Morning

Morning came to the Board with a high level of stature and service within the field of higher education. He was on the Association of Governing Boards, the national organization of college and university trustees, and had previously served on private college boards and New York’s own state association of private college trustees. He is also African-American, and interpreted much of what took place on the Board through the prism of racial concerns and the potential impact of the policy change on Black and Latino students.

Morning resisted attempts by Governor’s staff to influence him. He was realistic about the role of politics in the Board’s deliberations, but also held an ideal of how a higher education institution Board of Trustees should function, in the sense of being an independent, deliberative body. Kimmich described him as trying to elevate the Board’s debate, to little effect. (Kimmich, 2009)

Richard Stone

Stone was appointed by Mayor Giuliani. He is a lawyer, a member of the law school faculty at Columbia, and also filled the niche of representing the Jewish community and Manhattan. Because Stone had been identified as a swing vote, advocates for remediation singled him out for lobbying. “People kept calling me and asking if a representative of this organization and that organization could come see me,

and I would always say yes, which was a mistake...” (Stone R. , 2009) He also described himself as “caught in a whirlwind. And not totally prepared.” (Stone R. , 2009)

Stone felt that there was a difficult choice to be made in ending remediation at the senior colleges or not and was probably one of the few Board members who did not come to the debate with a predetermined position. He openly struggled with his own choice. He was bothered by the implication that just because he was an appointee of the Mayor, he should automatically follow along with what the Mayor wanted. (Stone R. , 2009)

Stone was strongly affected by the idea of the past at City College, and particularly by the examples of immigrant, poor Jewish men who had gone to City College and then gone on to great accomplishments. He struggled to reconcile the CUNY of 1998, and the New York City of 1998, with this glorious history, and with coming to the right conclusion regarding who and what the contemporary CUNY was for. In the end, he said, he cast his vote in favor of ending remediation at the senior colleges because, “I came to the conclusion that there were just too many kids being ill-served by the decline in standards.” (Stone R. , 2009)

Nilda Soto Ruiz

Like Badillo, Nilda Soto Ruiz was also a graduate of City College, having attended at a time when Puerto Ricans City College students were few in number. She started college at age sixteen, and kept herself focused on graduation, not participating in the growing student activist movement. Though she was not an activist, the conclusions she drew from her experience as an exceptional student at the highly competitive City College were strikingly different from Badillo’s. Soto Ruiz recalled taking a writing test

when she entered college in 1963 that, for some students, led to enrollment in a remedial course. She felt strongly that students with limited remedial needs should be able to get a “leg up” by having up to two semesters of remediation. And she explicitly linked her own experience of accessing opportunity at CUNY to her desire to provide opportunities for current students, and saw remedial support as an integral element of offering opportunity. (Soto Ruiz, 2009)

Soto Ruiz became an educator, eventually earning a master’s degree and a doctorate in education from New York University. She was deeply distressed to find out about the status of remediation at CUNY when she returned as a Trustee, appointed by Governor Pataki in 1996. She also spoke of witnessing firsthand the poor education at least some students had received when she saw CUNY graduates teaching in their public school classrooms.

In the end, her “no” vote on the remediation resolution was based on the resolution’s “all or nothing” lack of nuance, as well as the fact that there was no permanent Chancellor in place to ensure that the new policy would be implemented in a just fashion that still gave students access to remedial support.

Other concerns

Status and performance of the public schools was one key related issue in the remediation debate at CUNY. This was for a number of reasons. There is of course the idea that CUNY admissions standards sent a message to the public schools and their students. What the 1969 CUNY Board had meant by open admissions was to give young people hope for going to college and therefore motivate minority students in particular to

perform better in high school. (Board of Higher Education, 1969m) Instead, what had happened was that teachers, administrators and students took the CUNY college option for granted and allowed students to graduate without having learned fundamental knowledge and skills. (Mac Donald, 1994; Calandra, 2009) The fact that so many public school teachers had CUNY degrees was also relevant to student performance; enough of them were poorly prepared for teaching that teacher education quality became a major concern for the University. (Soto Ruiz, 2009; Board of Trustees, CUNY, 1997a)

Finally, there is the idea that a Mayor frustrated with his lack of progress with the public schools turned his attention to an education system where he actually did have some authority in governance. (Mirrer, 2009) In that sense, the situation at CUNY could even be seen as a factor in “laying the groundwork for Mayoral control” of the public schools, something that several New York City Mayors had sought. (Soto Ruiz, 2009)

As Sheila Slaughter has written, public higher education in the early 1970s had begun to be viewed as an “entitlement” in the same way as public social services. This meant that later, when political tides turned and society became more conservative, higher education was vulnerable to retrenchment. (Slaughter, 1990) In a post-welfare reform New York City governed by a Mayor who went after poor men cleaning people’s windshields at intersections, any service that was thought of as a public entitlement was logically going to come under fire. When Chancellor Ann Reynolds had a conflict with the Mayor over allowing people on welfare to complete their work assignments on campus so they could still go to class, it was in a way the opening salvo in the Mayor’s assault on the University.

The tone of the discourse around public benefits and public services in general during the Giuliani era itself took on a strongly judgmental tone. Louise Mirrer described her perception of New York City upon returning in 1997 after years in Minnesota, saying,

This was a city when I came here, came back here, that was telling poor people they had to go to work, that didn't care whether they had winter coats, gave them shovels and sent them out into the parks to work - it was a mean place. It was not a generous place. Maybe it was a city that had gone way too far in tolerating everything. And now was cracking down on people in a way that was an overreaction. (Mirrer, 2009)

The final piece of context for understanding the remediation debate at CUNY is that of remediation itself. As stated in a literature review, evidence of the success or failure of remediation is mixed, with some studies showing a slight advantage in college retention and graduation for remedial students and others showing a disadvantage. The extensive analysis of remediation at CUNY that consultant Judith Watson developed in cooperation with CUNY institutional research staff made it clear that a large proportion (61%) of senior college students were taking remedial or ESL courses. It was also the case that the great majority completed remediation within two (75%) or three semesters (90%), making remediation perhaps not a significant drain on university resources or obstacle for CUNY students. Students who were required to take remediation were about 6% more likely to have left college by the end of two years than students who were not, not a significant difference.

Watson's analysis concluded that, "While there is wide variance in practice among the CUNY campuses, on average **between 15-20 percent of students repeat a remedial or ESL course once, and 5 to 10 percent repeat twice.** No numbers are available for those who repeat more than twice. There is no discernable difference between 2- and 4-year colleges on this count." (emphasis in original) (Watson J. , 1997)

Remediation Policy Debate: What Took Place

As discussed previously, CUNY was already on a steady path toward shifting the emphasis of its admissions standards and policies on limiting access to remediation. However, the publication in 1994 of the first of a series of Manhattan Institute *City Journal* articles and the book *City on a Hill* put in motion a new public debate on the mission and function of CUNY. (Mac Donald, 1994; Traub, 1994)

Mayor Giuliani and Governor Pataki elected

The status of the CUNY Board of Trustees was already somewhat tenuous when the new Mayor and Governor were elected. A number of Board member terms had expired, some because Governor Mario Cuomo and Mayor David Dinkins had not made all of their Board appointments, but also because some individuals were appointed but then not confirmed by the State Senate. (Fields, 2009; Everett, 2009; Marino, 2009) Rudolph Giuliani, a conservative Republican (unlike liberal Republicans Lindsay and Rockefeller), who ran on a platform focused on “law and order” issues, was elected Mayor of New York City in November 1993. George Pataki, also a Republican, was elected New York’s Governor in 1994.

Mayor Giuliani focused initially on crime, welfare reform and reform of the public schools. (Giuliani, 1995) But his attention eventually turned to CUNY, stoked at least in part by conservative public policy commentators at the Manhattan Institute, where Heather Mac Donald had published an article sharply critical of open admissions and remediation at CUNY. (Mac Donald, 1994) It was also in 1994 that James Traub

published *City on a Hill*, a book that highlighted remediation at City College in a critical light. (Traub, 1994)

A newly conservative CUNY Board

Over time, as Giuliani and Pataki made successive appointments to the CUNY Board, the balance shifted from a majority of liberals to more conservative appointees. Governor Pataki removed Jim Murphy as chair in March 1997 and replaced him with Anne Paolucci, whose husband was an influential conservative political activist and head of the state Conservative party. (Murphy J. P., 2009; Morning, 2009) It was likely not a coincidence that CUNY was struggling at the same time to gain sufficient State and City financial support. The University's operating budget for the 1995-1996 year included substantial cuts from both the State and the City. (Board of Trustees, CUNY, 1995b)

At her first meeting as Chairperson, the Board granted her request for one million dollars to hire special staff and consultants for the Board. (Board of Trustees, CUNY, 1997a) She used part of the funds to hire a lawyer, Michael Hess, and part to hire Judith Watson, a former journalist, as an independent researcher, because of her concern about whether or not CUNY administrators were being sufficiently responsive to her requests for information. When she got to CUNY, Watson found the CUNY staff fully cooperative. (Watson J. , 2009)

Mayor Giuliani challenges CUNY

It was around that same time that Mayor Giuliani first publicly critiqued CUNY, during his weekly radio broadcast, calling community college graduation rates "pathetic."

(Buettner, 1997a) Soon after that, the Mayor questioned leadership of the University under Chancellor Ann Reynolds. (Schmidt, 1997)

A testing scandal at Hostos Community College attracted more negative attention. As Herman Badillo tells it, he actually found out about the situation first from a *Daily News* reporter calling from the site of a student protest at the college. (Thomas, 2002) It was discovered that Hostos Community College was letting students graduate without passing the writing examination that was supposed to be administered to students when they initially enrolled at CUNY. When the Board required those who did not have passing scores on record to re-take the test, only thirteen out of 104 passed. (Buettner, 1997b) The Board, furious that its policies had been contravened, passed a resolution stating that all community college graduates must pass the writing test and forced the president of Hostos to resign. (Board of Trustees, CUNY, 1997b; Stone R., 2009)

After run-ins with the Mayor and the new Board, Chancellor Reynolds left in June 1997 to become president of the University of Alabama at Birmingham. A number of months went by with no acting Chancellor. Christoph Kimmich, then the provost of Brooklyn College, was appointed interim chancellor the Monday before Thanksgiving. (Kimmich, 2009)

It was shortly thereafter when Mayor Giuliani launched his aggressive campaign to demand reforms at CUNY. It began with his 1998 State of the City address. In that speech, he claimed that CUNY “has made no progress in establishing standards. In fact, CUNY’s standards are declining.” He made a number of recommendations, including the institution of new entrance examinations and graduation requirements in order to “rebuild and restore the meaning of a college degree or certificate...” (Giuliani, 1998)

Displeased with the progress made during 1998, the Mayor increased the pressure in his 1999 address. He said that,

The performance at CUNY has really not materially improved... I mean this is really sad. And the defensive, bureaucratic protections of it are even sadder... The frustration is seeing the defense of failure and the rationalizations and some of the silliest things I've ever heard said to protect a system in which we have an 8 percent graduation rate. That's a system, literally, if we were rational people who really cared about kids being educated and people being educated – that's a system we'd blow up. (Giuliani, 1999a)

The Mayor again made a number of recommendations, this time more extensive, including that the University: take remedial coursework out of CUNY entirely and privatize it by creating a voucher program to pay for it in other institutions (such as for-profit companies); establish flagship schools; close schools with low graduation rates; and require minimum SAT scores for admission. In closing, he stated,

We just have to press the agenda for reform as aggressively this year as we did last year. So we won't stop and I hope you understand why we are doing it. I also feel that what we are doing is completely misrepresented and misconstrued as wanting to destroy remedial education. It's really just the opposite. We want to make it work. It wasn't working and nobody said anything about it for 20 years. (Giuliani, 1999a)

With this speech, the Mayor, in the words of one Trustee, “threw down the gauntlet” and put the “burden of proof” on the University to prove itself. (Morning, 2009)

In May 1998, Mayor Giuliani appointed a Mayor's Advisory Task Force on CUNY to investigate the University. Benno Schmidt, former president of Yale University and a founder of the Edison Project, a for-profit educational organization, was named the Chair, and some of the University's most vociferous critics, such as Heather Mac Donald, were named as members. Manfred Ohrenstein, who had been a key supporter of CUNY as a 1960s State Assemblymember, was also a member.

The Task Force was a significant enterprise, hiring a staff and private consultants and commissioning researchers to investigate and discuss all aspects of the University's programs, operations and even governance. The Task Force held meetings and public hearings, and began to make requests for information and data from CUNY. (Kimmich, 2009) Some felt that the outcome and recommendations of the Task Force were pre-determined, based on the charge to the Task Force and on its appointees. (UFS, 1999; Soliday, 2002) The Task Force report itself, entitled "An Institution Adrift," was actually published in mid-1999, well after the remediation debate had been resolved. (The Mayor's Advisory Task Force on CUNY, 1999)

The "Comprehensive Action Plan"

In the meantime, Chairperson Paolucci's preferred approach to dealing with remediation concerns was to develop what was referred to as the "Comprehensive Action Plan" or "CAP" as part of a Board Committee on Long Range Planning. The CAP identified steps for limiting remediation at both the community and senior colleges. It went through several drafts, all of which were variations on the same themes. (Calandra, 2009; Kimmich, 2009) One fundamental idea in the plan was that Paolucci favored giving the colleges some flexibility in their approaches to dealing with students' remedial needs. (Watson J. , 2009) John Calandra interpreted this as a fatal flaw in the document, saying, "every time she would present a plan, I asked one question, 'Under your plan, will students who need remediation be allowed to matriculate into the senior colleges?' The answer was always yes. And I said, 'then no, I won't support it.'" (Calandra, 2009)

Remediation itself became a consuming topic of discussion within the Board. John Morning remembers that, “This was discussed at a series of Board meetings – it was a heated topic of discussion over a year’s meetings. Probably some half a dozen meetings were taken up with the topic. The Board was really quite split.” (Morning, 2009) As Nilda Soto Ruiz described it, there were three factions on the Board, including those who wanted to “end it all it to make a statement. And then there were those of us who wanted a compromise. And there were those of us who wanted no difference at all.” (Soto Ruiz, 2009)

All the while, the Board and CUNY administrators were engaged in discussions about what to do. There was consulting with the College Board, hiring of a private consultant, investigating the issue of testing, and consultations with the staff hired for the Mayor’s Commission. (Kimmich, 2009) Viewpoints on whether or not there was a true debate differed. Some said that there was. (Murphy J. P., 2009; Stone R. , 2009; Calandra, 2009; Morning, 2009; Kimmich, 2009) Others felt the outcome of the debates was predetermined. (Everett, 2009)

Ending senior college remediation is proposed

The Mayor had called for ending remediation at CUNY entirely, and Tony Coles, the Mayor’s staff person monitoring what was going on at CUNY, was “arguing strongly for abolition.” (Calandra, 2009) Apparently some of the Governor’s staff convinced him that ending remediation at the community colleges would decrease enrollment so much that funding (based on student enrollments) would be insufficient to support operations.

(Thomas, 2002) In any case, Governor Pataki took the less radical position of wanting to end remediation just at the senior colleges. (Morning, 2009)

It was also said that the Board itself was strongly committed to maintaining open access to the community colleges at least partly because “the Board was not at all interested in being the board members of a small institution.” This was as much true of Badillo as of his colleagues. (Mirrer, 2009) Whatever the reasons, John Calandra proposed the resolution to end remediation at the senior colleges. As he characterized it, “This resolution simply said, ‘At the four-year colleges we will not allow remediation, and not allow anyone to enter the four-year colleges who needs remediation.’” (Calandra, 2009) A memo was drafted for Chancellor Kimmich and forwarded to the Trustees stating that, under a worst-case scenario, five CUNY senior colleges would see first-year student enrollments drop over 50% in the first year of the policy. (Hassett, 1998)

While what was now referred to as the “Calandra resolution” was on the table, Chairperson Paolucci continued to have different versions of the CAP drafted, and struggled to identify the exact right proposal on remediation to take to a Board meeting. She put a resolution to limit senior college remediation to one semester on the agenda for the March 23, 1998 meeting. At the public hearing held the week before, every single piece of testimony on the proposal was against the resolution. (Thomas, 2002) The resolution itself failed to pass by one vote. (Board of Trustees, CUNY, 1998a) That month, two conservative organizations, the Empire Foundation for Policy Research and the American Council of Trustees and Alumni, issued a report criticizing CUNY for lacking a sufficient “general education” curriculum and for its remedial policies, giving additional ammunition to opponents of remediation. (Arenson, 1998b)

In the meantime, significant behind-the-scenes negotiation was taking place around the Calandra proposal to entirely end remediation at the senior colleges. (Calandra, 2009) There were questions about whether or not the resolution could garner the nine votes needed for passage. Trustee Alfred Curtis was advocating that the SEEK program be excluded from the resolution, and there were concerns about the impact of the policy on students for whom English was not their first language. Richard Stone in particular was wavering on his position, at least partly out of concern about ESL students, based on his own experiences teaching at Columbia. (Board of Trustees, CUNY, 1998d)

The Mayor and Governor's staff starting speaking to the press about the proposal to entirely end remediation in the senior colleges, urging the Board to approve it. The resolution was taken to the Long Range Planning Committee for a non-binding vote, but the committee majority, which included the more liberal members of the Board, voted against it. (Arenson, 1998b) Despite this, the resolution was put on the agenda for the May 26, 1998 Board meeting.

Public Hearings on the Remediation Resolution

As discussed in the previous chapter, there were attempts to mobilize constituencies on behalf of open admissions. In the two public hearings (in May 1998 and January 1999) held on the proposed remediation policy, as at the February 1998 hearing on the one-semester remediation resolution, almost all of the testimony was in favor of keeping remediation at the senior colleges. The City Council Republican Caucus (in the form of a letter) and a few individuals testifying at hearings were the only exceptions. (New York City Council Minority Caucus, 1998; Board of Trustees, CUNY, 1998b; Board of Trustees, CUNY, 1998c; Board of Trustees, CUNY, 1999a)

At the Board's public hearing on May 18, 1998, seventy-five speakers testified on the remediation resolution, three of them in favor of it. (Board of Trustees, CUNY, 1998c) The Board archives include memos sent by Judy Watson on behalf of Herman Badillo asking individuals who were supportive of the proposal, such as Heather Mac Donald, to testify at the hearing in favor of the resolution (Mac Donald did not testify). (Watson J. , 1998) A petition against the resolution was submitted with thousands of signatures. (CUNY is Our Future Coalition, undated) Those who testified against the resolution included elected officials, faculty members, well-known playwrights and secondary school educators. The point was made that it could be interpreted as premature to pass a resolution on remediation when the Mayor's Task Force on CUNY had not yet finished its proceedings. (Lowell, 1998)

There was a fair amount of extreme rhetoric in the testimonies, which seemed unlikely to hold much sway with the Board. For example, playwright Tony Kushner testified that eliminating remediation would be "barbaric" and that, "We would be guilty of terrible crimes to refuse to help, crimes of race and class and xenophobia." A State Assemblyman stated that passing the proposal would be "unconscionable." Bernard Wohl, executive director of a settlement house, said that, "Shutting the doors of our university would signal a class and race contempt for those who have borne the overt and covert scars of poverty and denial." And a CUNY professor testified, "You are about to legislate thousands of students out of existence," while another referred to the policy as "an updated version of social Darwinism."

Stanley Lowell, Deputy Mayor under Mayor Wagner and Acting Chairman of the Committee for Public Higher Education made a personal appeal to Badillo based on their

shared history in Democratic politics, saying “I am flabbergasted at your position with respect to this issue.” (Board of Trustees, CUNY, 1998b)

The May 26, 1998 Vote

The meeting was held in the Board of Trustees room at the CUNY Central Office on the Upper East Side of Manhattan. The following Board members were present at the meeting:

- Herman Badillo – originally appointed in 1991 by Democratic Governor Mario Cuomo; Vice Chairperson of the Board at the time of the policy debate
- Satish Babbar – appointed by Mayor Giuliani. Served as Acting Commissioner of the Department of Buildings and in other roles in the Giuliani administration.
- Md. Mizanoor R. Biswas – representative of the University Student Senate
- John Calandra, Jr. – appointed by Governor Pataki
- Kenneth E. Cook – appointed by Governor Pataki
- Reverend Michael Crimmins – appointed by Governor Pataki
- Alfred B. Curtis, Jr. – appointed by Mayor Giuliani. Served in various roles in the Giuliani administration, including as Commissioner of the Department of Youth Services. Curtis was a former SEEK student at Queens College and advocated to preserve the program.
- Ronald Marino – appointed by Mayor Giuliani
- John Morning – appointed by Governor Pataki

- Susan Moore Mouner – appointed by Democratic Governor Mario Cuomo
- James P. Murphy – served on the Board in 1974-1976; re-appointed in 1980 by Democratic Governor Hugh Carey
- Anne Paolucci – appointed by Governor Pataki, Chairperson at the time of the debate
- George Rios – appointed by Mayor Giuliani
- Professor Bernard Sohmer – non-voting representative of the University Faculty Senate, attending his first meeting replacing Professor Sandi Cooper, who had been a vocal opponent of the remediation proposal
- Richard Stone – appointed by Mayor Giuliani
- Nilda Soto Ruiz – appointed by Governor Pataki

Trustee Edith Everett was not present at this meeting and had a statement read on her behalf by Bernard Sohmer. The room was full beyond its capacity and there were extensive public disruptions during the meeting. Because of these disruptions, the room was cleared of members of the public, with University security officers allowing just the Trustees, CUNY staff and members of the press to stay. The University's director of public security sent a memo the next day detailing the disruptions. It described a small group of individuals shouting and disrupting the meeting, being escorted out of the room, the Chairperson's "clearing the room," the arrest of six people who refused to leave, the arrest of another sixteen for disorderly conduct for a protest blocking traffic on East End Avenue, and the arrest of four students trying to occupy the building late in the evening after the meeting and a press conference had ended. (Eliques, 1998)

There had been a last-minute attempt by the Mayor's staff to amend the resolution to also eliminate remedial courses at the community colleges, but it went nowhere. (Calandra, 2009) Board members were lobbied extensively, not just by staff from the Mayor and Governor, but also by opponents of the measures to limit remediation. These efforts sometimes were quite personal and "emotional." (Ruiz, 2009) John Calandra said, "I was accused of being racist. Al Curtis was accused of being a traitor to his race. It was pretty harsh. Herman Badillo was picketed outside his office." (Calandra, 2009)

At the meeting, Trustee John Morning introduced a compromise resolution, supported by the majority of members of the Long Range Planning Committee, which would have allowed the senior colleges to set their own limits of up to one year of remediation for students. Vice-Chairman Badillo then introduced the resolution to end remediation at the senior colleges as a substitute resolution.

There were extensive statements by almost every Board member as well as by Interim Chancellor Kimmich, who pressed for something more moderate than the complete elimination of remedial coursework. Chairperson Paolucci held a vote on whether to accept the substitute resolution from Badillo; the majority voted to accept his resolution. She then held a vote on the resolution itself, which read as follows:

THE CITY UNIVERSITY OF NEW YORK - REMEDIATION PHASE-OUT:
RESOLVED, That all remedial course instruction shall be phased-out of all baccalaureate degree programs at the CUNY senior colleges as of the following dates: September 1999, for Baruch, Brooklyn, Queens, and Hunter Colleges; September 2000, for Lehman, John Jay, Staten Island, New York City Technical, and City Colleges; and September 2001, for York and Medgar Evers Colleges. Following a college's discontinuation of remediation, no student who has not passed all three Freshman Skills Assessment Tests, and any other admissions criteria which may exist, shall be allowed to enroll and/or transfer into that college's baccalaureate degree programs. Students seeking admission to CUNY senior college baccalaureate degree programs who are in need of remediation shall be able to obtain such remediation services at a CUNY community college,

at a senior college only during its summer sessions, or elsewhere as may be made available. This resolution does not apply to ESL students who received a secondary education abroad and who otherwise are not in need of remediation; and be it further

RESOLVED, That the Interim Chancellor and the senior college presidents shall, after consultation with the faculty, present a detailed plan for implementation of this resolution at the respective colleges to the Remediation and Long Range Planning Committees by September 1998.

The vote was as follows: Chairwoman Anne Paolucci, Vice Chairman Herman Badillo, and Trustees Satish Babbar, John Calandra, Kenneth Cook, Alfred Curtis, Ron Marino, George Rios, and Richard Stone voted "Yes." Trustees Michael Crimmins, John Morning, Susan Moore Mouner, Jim Murphy, Nilda Soto Ruiz, and Md. Mizanoor R. Biswas voted "No." (Board of Trustees, CUNY, 1998d)

Interim Chancellor Kimmich described his immediate reaction,

When the vote was passed, it was a bit of a shocker that it passed in such a black and white version. I had thought that given the discussion that went on well into the night before that somebody would come up with refined amendment. My guess is that Badillo and others thought that if they didn't get it through this time, they would never get it through. (Kimmich, 2009)

Given that the resolution garnered just the nine votes needed for passage, it is clear that the political interventions and maneuvering of the Mayor and his allies made a crucial difference in the outcome of the vote. (Fields, 2009; Everett, 2009; Murphy J. P., 2009; Stone R. , 2009; Morning, 2009)

Legal Challenges

Immediately after the meeting, a lawsuit, *Crain v. Reynolds*, was filed by faculty and students to block implementation of the resolution. The suit charged that the meeting had violated New York State's "open meetings" law for transparency in policy decisions

of public bodies, on the basis of the fact that the public had been ejected from the Board meeting before the vote took place. State Supreme Court Justice Elliott Wilk issued a preliminary injunction ordering the University to halt implementation because the Board room at the CUNY Central Office was too small for the meeting and it did indeed violate the open meetings law. The University appealed. (Board of Trustees, CUNY, 1999c)

A complaint was filed with the Office of Civil Rights of the U.S. Department of Justice. Former Trustee and Professor Sandi Cooper and a group of prospective students challenged the policy as well, filing a suit joined by civil right groups. (Thomas, 2002) And the Board of Regents and New York State Education Department decided to review the new policy as well, adding to the delays. (Arenson, 1998c)

A second vote on the policy

Re-consideration of the resolution was scheduled for the Board's first meeting in 1999 in an effort to deal with the legal challenges against the previous vote so the University could move forward. The mandated public hearing of the Board on January 19, 1999, had testimony similar to that during the May 1998 hearing. (Board of Trustees, CUNY, 1999a) Not surprisingly, there were several references in testimony to the Board's holding a hearing just because it was required. For example, someone testifying on behalf of Assemblywoman Deborah Glick said, "It appears that this hearing being held simply to provide a legal basis for going forward with your disastrous decision from the fall."

Notable testifiers included Professor Robert Pollack of Columbia College, a former Dean, who spoke about remediation at Columbia, saying that, as Dean, "my sense

was my job was to represent the bottom ten percent of the class and to make sure that they also got an excellent and complete education.” There was testimony in favor of the resolution by Professor Charles Lanceman on behalf of CUNY Association of Scholars, an affiliate of the conservative National Association of Scholars. And Arthur Cheliot, president of Local 1180 of the Communications Workers of America, testified that, “Some door at CUNY has to remain open to every high school graduate with the ambition and drive to go on to higher education.” It should be pointed out that his was not the only testimony in the two hearings that spoke about keeping an open door, without saying specifically that there needed to be open admissions in the CUNY senior colleges.

January 25, 1999 Vote

The Board meeting at which the resolution was presented a second time was held at an auditorium at LaGuardia Community College in Long Island City, Queens, in order to accommodate a large audience. Kathleen Pesile, appointed by Governor Pataki to replace Susan Moore Mounier, had joined the Board since the first vote in May, solidifying the majority in favor of the resolution. The meeting was clearly tense – not only was there crowd noise but the Trustees had some conflicts amongst themselves. The Chairperson and Board members had to repeatedly ask the audience to quiet down, and even threaten to remove individuals, so that they could proceed with the discussion. (Board of Trustees, CUNY, 1999b)

The resolution before the Board used the exact same wording as the one that had been approved in May 1998, with the exception of different dates to reflect later implementation at the colleges. (Board of Trustees, CUNY, 1999c)

Trustee Murphy proposed an alternative resolution that would have allowed for one semester of writing remediation, based on the fact that many more students had trouble with writing than with math and reading and that interventions to improve writing require more time to take effect. Six Trustees voted for it, when nine would have been needed to pass it. Trustee Everett proposed an amendment that the resolution would have to be approved by the State Board of Regents as part of an amendment to the university's Master Plan. This too was defeated, garnering only four votes (though in fact the Regents were in any case going to review the decision).

This time, with the additional of Trustee Pesile, the vote in favor of the resolution was ten to six. The "Yes" votes were as follows: Chairwoman Anne Paolucci; Vice Chairman Herman Badillo; Satish Babbar; John Calandra; Kenneth Cook; Alfred Curtis; Ronald Marino; Kathleen Pesile; George Rios; and Richard Stone. Edith Everett, John Morning, Jim Murphy, Nilda Soto Ruiz and Md. Mizanoor R. Biswas again voted "No." (Board of Trustees, CUNY, 1999c)

The Regents Review

CUNY filed a proposed an amendment to its Master Plan based on the new policy with the New York State Board of Regents. In order to examine the policy change, the Regents convened an independent expert panel. This panel had measured, but positive, things to say about the proposed new policy. It recommended approving the Master Plan

amendment, based largely on the small number of students that it projected would be affected by the change in remedial policy. The panel concluded that the proposed change was consistent with CUNY's historic mission, and was even likely to enhance the quality of all of the University's academic programs, including remedial ones. Panel members also felt that the new policy would "send a message" to the public high schools that they must do a better job.

While the panel's report criticized the vitriolic tone of much of the debate over remediation, it also stated that, "the ensuing controversy has had an important and in some ways salutary effect. There is now a palpable sense of urgency within the University: a recognition that those with political clout" want to see changes at CUNY and are willing to push for those changes. These were not ideal circumstances under which to develop a major new policy, and it would have been better if individual colleges at CUNY could have had some flexibility in finding the right way to approach remediation and higher standards. But the new policy "perhaps out of political necessity—has taken on a strong, centralized cast in which basic rules are being applied unilaterally." (Zemsky, Boylan, Glasper, Gonzalez, & Thornton, 1999)

Case Study Analysis

These two case studies describe how CUNY, the largest urban university in the U.S., dealt with the most fundamental issue in American public higher education – finding the balance between access and excellence. Within the span of a single generation, the CUNY Board approved two diametrically opposed policies governing provision of access and the attainment of excellence. Each policy was shaped by the political realities and ideological trends of its era.

This chapter offers a comparative analysis of both case studies, looking at their differences and similarities in terms of the influence of politicians, press and community, the roles of the respective Boards and Chancellors, and at how positions taken in the two case studies highlight very different understandings of the mission and purposes of CUNY. Both policy decisions dealt with serious concerns about balancing quality and access in public higher education. In both instances, the process and outcome of trying to craft a policy response that would create meaningful access and also preserve quality was complicated and shaped by politics and ideology.

This analysis is structured in terms of responses to an amended list of the research questions in this study.

1. *What mission and purposes did the Trustees envision for CUNY at the point when each of the respective policy debates took place?*

It is difficult to describe either Board as a single entity with a single perspective, and, as stated elsewhere, there is limited information available regarding the 1969 Board. What little there is makes it clear that the Board wished to greatly increase access to higher education for City youth, but did not envision that open admissions would mean that any individual student could attend a senior college. (Carroll, 1969; Roff, Cucchiara, & Dunlap, 2000) The Board's intention was to preserve the quality of the colleges as well as to foster competition in the admissions process. Opening up access to new populations of students would increase, not decrease, competition at the most elite senior colleges. (Board of Higher Education, 1969m) This was in keeping with Chancellor Bowker's initial view that open admissions should primarily be focused on access to community colleges. (Bowker, 1985) From this perspective, remediation was to be used in limited amounts to address specific needs of students. Those who could not exit from remediation within a strictly defined amount of time did not belong; otherwise, CUNY was creating a "second class education" for remedial students. (Weaver, 1984, p. 12)

Those who actually implemented the open admissions policy clearly had a different perspective from that of the Board. (Gordon, 1975) This is reflected in a document entitled "History" found in the files of the University Task Force on Open Admissions, which referred to the open admissions policy as "maximum utilization of the City University as a 'poverty interruptor' within the City of New York." The same document referred to open admissions as the culmination of a decision made in the early 1960s by state legislative leaders to invest public funds in CUNY "rather than into

welfare” in order to lift people out of poverty. (University Task Force on Open Admissions, CUNY, undated) This purposeful juxtaposition of education and public assistance echoes Sheila Slaughter’s writing about how public higher education in the 1970s actually came to be considered an entitlement program. (Slaughter, 1990)

When the CUNY administration conducted its analysis of the first two years of admissions and found that the numbers of minorities in the senior colleges were far lower than it would have liked, it referred negatively to CUNY as putting in place “a duplication of the California public system.” (Meng, 1971) This position, whether actively or by default, led to the idea that the amount of remediation offered to students needed to be determined by their needs, not according to some arbitrary time limit or similar parameter.

Over time, the CUNY Board itself came to also reflect this perspective. (Mirrer, 2009; Mucciolo, 2008) However, when Mayor Giuliani and Governor Pataki’s appointees came to form the majority of Board members, in 1997, the Board’s overall perspective shifted back to one of believing that CUNY should provide a place in higher education for New Yorkers at all academic levels. Reputation and prestige once again became driving concerns for at least some Board members. (Badillo, 2009; Marino, 2009; Mirrer, 2009) This necessarily meant taking measures to strongly differentiate admissions standards at different colleges in the University system so that the best-prepared students would once again see the University as a viable educational option. (Mirrer, 2009; Marino, 2009) The majority opinion on the 1990s Board, including that of some Board members who voted against the final remediation resolution, was that there

should be clear limits on remedial coursework in the CUNY senior colleges. (Marino, 2009; Murphy, 2009; Soto Ruiz, 2009)

2. *What were the ideological perspectives and underlying beliefs regarding the mission and purpose of public higher education that informed the action of the CUNY Board as it voted to institute open admissions in 1969, and to end remedial coursework at the CUNY senior colleges in 1999?*

The 1969 Board of Higher Education felt that it was important to open up access, but at the same time was clearly focused on preserving high quality and even fostering competition among young people to get into the most competitive senior colleges, such as City College. (Board of Higher Education, 1969m) They saw opening up access as a way to provide a larger, more diverse, pool of youth with an opportunity to participate in that competition. It was not their intention that access be created to the extent that the senior college would become non-competitive or unattractive to students who previously would have attended them.

The CUNY administrators and faculty members entrusted with carrying out the new policy had a different ideology, one more focused on access, even at the expense of standards and quality. Descriptions of the University as a “maximum poverty interruptor” and negative comparisons to the highly differentiated California public university system make this clear. (University Task Force on Open Admissions, CUNY, undated) In retrospect, it seems, they went too far. This was later acknowledged by Chancellor Albert Bowker, when he said in 1985 that, “Maybe we should have kept City College... more elitist.” (Bowker, 1985, p. 113)

At least in part as a corrective to these long-held views, the CUNY Board of 1997 and 1998 became increasingly focused on standards, quality, reputation and prestige. (Mirrer, 2009; Badillo, 2009) A comment that it was of no matter that Yale offered remediation, because Yale was not contending with CUNY's reputational problems, is one indication of this. (Calandra, 2009)

In the 1998 debate at CUNY, the ideological debate was sometimes translated into moral judgments about who was “deserving” or “undeserving” of the privilege of a free or low-cost, high quality postsecondary education. Louise Mirrer said of the late 1990s Board that, “Some thought that there were a lot of students at CUNY who were getting a benefit that they hadn't earned.” (Mirrer, 2009) John Morning, who supported keeping remediation at the senior colleges, clearly interpreted the debate in this way, saying, “Those who felt that open admissions was the wrong thing I suppose felt ‘undeserving people are getting something that others should have.’ I think if you look at any opposition to open admissions, what basis would there be for that - to feel that you're unjustly rewarding people, they're not qualified, or they don't deserve it.” (Morning, 2009)

Fundamentally, these ideologies reflect strikingly different ideas of what higher education is for, and building off of that, what constitutes success in higher education. For example, William Birenbaum, former president of Staten Island Community College and someone most sympathetic to open admissions, wrote that, “Education, in essence, if it succeeds, is a disruptive process.” (Birenbaum W. M., 1969) In that same paper, Birenbaum blamed the fact of the student 1969 protests on young people's realization of the hypocrisies of their elders, resulting in students' legitimate demands for meaningful

accountability. Similarly, there is the idea that the experience of just being in college is in and of itself broadening and positive; the idea that education creates, as one document put it, “people who have gained a more critically aware perspective on their lives and the forces that control them.” (Rosen, 1972, p. 186)

The dominant perspective in the 1998 debate was that higher education is for earning credentials that have meaning in the marketplace and for gaining access to good jobs and career opportunities. (Marino, 2009; Badillo, 2009) Other potential outcomes of education were seemingly less valued. This echoes the concept of a “market-driven” model of higher education, rather than one under which access to education is part of the social contract. (Engel, 1984; McPherson, 1983)

3. In what ways was the ideological perspective of individual Trustees in both case studies, and of the Board as a whole, influenced and even shaped by contemporary political and social concerns regarding access to public higher education?

This question was purposely structured narrowly around the question of access to public higher education, but in fact it is difficult to separate out access as an issue from questions about public benefits and services more broadly. New York City of the 1960s was a politically liberal place with two successive Mayors, Wagner and Lindsay, who sought to use social policy to address economic inequities. While less politically liberal, Governor Nelson Rockefeller presided over a massive expansion of public higher education throughout New York State and saw this expansion as his enduring legacy.

During the 1960s, New York City was increasingly supporting programs and policies developed to benefit the underprivileged. Gordon wrote that the City had “distinctive liberalism and progressivism... expressed in its early commitment to social welfare...” (Gordon, 1975, p. 8) Therefore, the open admissions decision went beyond the self-interests of various constituent groups, becoming an expression of more global political commitments. Open admissions was the local version of federal programs such as the War on Poverty and initiatives in other urban areas across the U.S. It was also a New York City response to the demands of the civil rights movement and as such was politically and socially acceptable to a broad majority of public higher education constituents.

The 1998 remediation policy debate took place in a very different political and ideological context, both nationally and in New York City. There was much less support for public services benefiting the poor; by that point, open admissions in public higher education was perceived as a program primarily benefitting the poor. Welfare reform had been enacted under President Bill Clinton. Mayor Giuliani had battled with Chancellor Reynolds over the issue of access to CUNY for people on welfare. The tone of the City itself during the Mayor’s terms in office was “mean-spirited,” especially toward the poor and disadvantaged. (Mirrer, 2009) In higher education specifically, there had been a number of retrenchments in access for the disadvantaged, for example through limiting access to remediation and the shift in financial aid away from the poor and toward middle class college students. (Orfield, 1990)

4. *How was this influence of social trends manifested in terms of the process of arriving at each decision?*

Board of Higher Education member Luis Quero-Chiesa described a gradual process in 1969 of convincing his fellow members to support open admissions. (Quero-Chiesa, undated) And the record shows that the Board engaged extensively with questions of how best to address the issues raised by the student occupation of City College, holding a series of hearings and meetings at which individuals representing a wide range of constituencies testified. This process was in part what allowed the consensus around the idea of open admissions to surface. Chancellor Bowker clearly had in mind a vision of greatly expanded access to CUNY and actively worked to build community support for the University; he was strategic but not controlling. One might say that the openness of the process reflected the progressive values embodied by the new policy itself.

I initially developed this question with the idea that the 1998 policy development process was in some way limited and even determined by the Mayor's autocratic methods. The fact that in 1998 certain Board members were given instructions regarding how to vote, and others were strongly urged in a particular direction, is obviously a key factor in judging whether there was a "real" debate. (Everett, 2009; Fields, 2009; Mirrer, 2009; Morning, 2009; Soto Ruiz, 2009; Stone, R., 2009) However, a number of Board members described themselves as participating in a true debate about the status of remediation, where the outcome was not predetermined. (Calandra, 2009; Murphy, 2009; Morning, 2009; Soto Ruiz, 2009; Stone, R., 2009) The fact that the May 1998 vote was a close one (at least nine votes were needed for passage; just nine members voted in favor

of the resolution) could also be taken as an indication that there was not a predetermined outcome. (Board of Trustees, CUNY, 1998d; Calandra, 2009)

On the other hand, research into the 1998 and 1999 process did not suggest that outside constituents had much of an effect on the outcome of the vote. If anything, public testimony and advocacy with Board members served only to reinforce previously held opinions. Such was even acknowledged openly by those testifying at the hearings.

(Board of Trustees, CUNY, 1998b; Board of Trustees, CUNY, 1999a) This in part could have been a result of the strident and even accusatory tone of much of the rhetoric in favor of extending open admissions. (Calandra, 2009; Soto Ruiz, 2009; Board of Trustees, CUNY, 1998b; Board of Trustees, CUNY, 1999a) The one Board member identified as a “swing” vote, Richard Stone, said that he met with advocates for the policy but found them unconvincing and in retrospect even a waste of his time. (Stone, R., 2009)

The Board’s own approach to governance was also relevant to the process of developing both policies. The CUNY Board under Chairman Gus Rosenberg had a somewhat skewed role in the University, ignoring fundamental policy issues in favor of over-involvement in day-to-day operations. For example, the University press office reported to Rosenberg, rather than to the Chancellor. (Max, 1985) Board members liked to spend time hearing appeals of faculty complaints, which they understood to be a core function of the Board. (Bowker, 1985)

After Bowker forced Rosenberg’s resignation, the Board took much more of a supportive role, backing up the Chancellor’s agenda. (Gordon, 1975) It was acknowledged that Chandler himself had taken on the role of Chairman only in order to support Bowker. (Board of Higher Education, 1969h) The two other Board members

about whom there is anything on the record – Edward Re and Luis Quero-Chiesa – come across as sympathetic to Bowker and supportive of his positions. In any case, in the 1960s there was certainly not an expectation that the Board members owed fealty to the Mayor; if anything he was the object of their advocacy.

In 1998, by contrast, it was the expectation of the Mayor and Governor that their appointees *would not* function independently. (Fields, 2009; Stone, R., 2009) A strong Chancellor had essentially been forced out by the Mayor and the Board. (Mucciolo, 2008; Stone, R. 2009) The Board was struggling to find a new leader for the University. (Kimmich, 2009) As well, both Chairperson Paolucci and Vice Chair Badillo tended to involve themselves in administrative decisions that in a more ideal governance situation would have been left entirely to administrators. (Calandra, 2009; Mirrer, 2009)

5. *What factors and priorities informed the respective decisions of the CUNY Board, i.e. political pressures and considerations, fiscal concerns, and power relations?*

Several different factors informed the two Board decisions.

Political pressure

While Mayor Lindsay had to be won over to the idea of open admissions, the new policy played to his advantage in that it was a concrete response to the demands of activists for civil rights and greater access to higher education. (Goldmark, 1986; Edelstein, 1987) Governor Rockefeller had no formal role in CUNY's governance at that point, and, as discussed, there were ongoing tensions between the State and CUNY around the State's role (or lack of role) in University policy. This was at the same time as the State was taking on larger and larger financial burdens on behalf of CUNY. There

were other factors in electoral politics that contributed to development of the policy, most specifically the development of a strong minority caucus in the state legislature and the demands of Black and Puerto Rican elected officials that their constituents be given greater access to CUNY as a condition of their support. (Gordon, 1975) However, it was not the case that elected officials were dictating University policy.

Three decades later, in a very different governance structure, the remediation policy was, according to some, dictated by the Mayor and his staff, with support from the Governor's staff. There were also Trustees and observers who claimed that the Mayor's directive was not just to take remediation out of the senior colleges but out of CUNY entirely, and said that the Board contradicted this directive. (Calandra, 2009; Mirrer, 2009) In any case, the Board did not function independently of the Mayor and Governor, let alone advocate on behalf of CUNY to influence the Mayor and Governor's positions. The Mayor and Governor's staff had regular contact with most, if not all, Board members. Other elected officials had limited influence – in fact, a number of them testified against the proposed policy at the Board's public hearings, to no effect.

It seems worth questioning whether the different structure of the Board itself in the two different case studies had an impact on political influence over the Board. In 1969, all twenty-one Board members were appointed by the Mayor. Perhaps the sheer size of that Board diffused the Mayor's ability to control how it voted on particular issues. The Board structure put in place in 1979 gave the Governor ten appointees and the Mayor just five, and also required consent over appointments by the State Senate. This in and of itself would not necessarily lead to increased political influence over the Board (if anything it would have decreased the Mayor's power). But certainly the fact

that the Board elected its own Chairman in 1969, and the Governor appointed the Chairperson to serve at his pleasure in 1998, points toward greater potential for the Governor to exert influence over the Board in the latter case. Circumstantially, the fact that the State Senate had not approved a few appointees of the Democratic former Mayor and Governor was a factor in allowing Mayor Giuliani and Governor Pataki to “flip” the Board from liberal to conservative in a relatively short period of time. (Fields, 2009; Marino, 2009)

Constituent pressure

Various different constituents and constituent groups outside of the Board had an impact upon, or at least tried to influence, the two decisions. In 1969, a large group of constituents and organizations representing them mobilized on behalf of CUNY. The Ad Hoc Committee for the City University, which Chancellor Bowker had cultivated, provided key support. (Rosen, 1972; Gansberg, 1967a) Religious organizations, including the Catholic Archdiocese, were on board with open admissions after a certain point. (Kelly, 1969) There was also support from Jewish organizations, or at least tacit consent, for open admissions because of the fact that the policy proposal had been shaped in such a way that there would be no “quotas” for admission and no Jewish applicants with strong academic qualifications would be disadvantaged. (Gordon, 1975) Finally, there was substantive input and support from the leadership of the Central Labor Council. (Bowker, 1985; Board of Higher Education, CUNY, 1969e; Board of Higher Education, CUNY, 1969f)

Student activists were without question the most influential constituency in the open admissions debate. Student groups at several of the CUNY colleges focused their civil rights activism on the issue of increased minority admissions. (Edelstein, 1969a; Edelstein, 1969c; Ad Hoc Committee, 1969) It was felt by a number of observers that the student protesters motivated the Board to develop and expedite the timeline for open admissions, particularly the protesters at City College. (Badillo, 2009; Birenbaum, W., 2009; Fields, 2009) And the Board itself framed the open admissions policy as a specific response to the “five demands” of the City College activists. (Board of Higher Education, CUNY, 1969g)

In 1998, there was also a mobilization of faculty and students. The student and faculty senates at CUNY organized in large numbers against the change in remediation policy, assembling thousands of petition signatures and making an overwhelming show at the two public hearings on the resolution. (CUNY is Our Future Coalition, undated; Board of Trustees, CUNY, 1998b; Board of Trustees, CUNY, 1999a) There was significantly less involvement and advocacy from the types of civic and community organizations that had an important role in 1968. Civic groups, in any case, were no longer as influential in the political life of the City.

Arthur Cheliotis, a prominent labor leader who was head of CWA Local 1180, did testify, but other important figures in labor did not seem conspicuous in the debate. Contrast this with the outspoken support of Harry van Arsdale, then head of the Central Labor Council, for open admissions. (Bowker, 1985) From a contemporary vantage point, other than the faculty and teacher’s unions themselves, it seems unlikely that organized labor would weigh in on education policy and access to education. Ten years

earlier, Julius Edelstein had reflected during an interview on the conspicuous absence of labor representatives on the CUNY and SUNY Boards, saying that at least one seat had essentially been reserved for a labor representative for many years prior. (Fink, 1989)

Julius Edelstein's research of the 1980s on CUNY focused in large part of the idea of constituencies for CUNY. In one interview transcript, he stated that once CUNY lost Jews as a constituency, it either was never able to replace them, or its newer minority constituents simply weren't as powerful. (Farley, 1989) As well, religious organizations did not take a strong position in the remediation debate. Jim Murphy alluded to the lack of interest from the Catholic Archdiocese, musing about how he would try to convince a new Archbishop of CUNY's importance. (Murphy J. P., 2009)

Why this striking difference in community and civic group participation? Perhaps the threat posed to minority groups by the end of remediation was not great enough and did not loom large enough for those groups to mobilize against the change. (Murphy J. P., 2009) There was possibly fear of being on the wrong side of the Mayor and Governor. Jim Murphy commented, "if the political leaders are taking a particular position, its pretty hard to engender a broad coalition saying—hey you are not doing it right. '69 was different, probably. They knew there was a fairness issue and Bowker and the Board had decided they were going to do something but then when the crises developed - that was a pretty scary time." (Murphy J. P., 2009) John Morning agreed, saying that the Mayor and Governor's positions inhibited certain individuals and groups from coming out against the resolution. (Morning, 2009)

Media pressure

Several Trustees and observers confirmed the importance of the print media in steering the 1998 remediation debate at CUNY. (Calandra, 2009; Kimmich, 2009; Mirror, 2009; Morning, 2009) For one thing, it was the publication of Heather Mac Donald's articles about low standards at CUNY in the *City Journal* that first attracted Mayor Giuliani's attention to the issue of remediation at the University. (Giuliani, 1999b) The editorial boards of the *New York Post* and *Daily News* took up the cause of bringing about change in admissions standards at CUNY, as part of an ongoing editorial campaign of severe criticism of the University. (Daily News Editorial Board, 1997a; Daily News Editorial Board, 1997b; Daily News Editorial Board, 1999; New York Post Editorial Board, 1998a; New York Post Editorial Board, 1998b)

By contrast, coverage of CUNY in the major New York City print media during the open admissions discussion was relatively benign. The tabloids in particular were critical of the behavior of student activists in both articles and editorials, and indeed the papers themselves reflect the level of student activism at the time in the frequency of articles on disruptions at CUNY colleges, private colleges, and in the public schools. (Hand, 1969; Pugh & Hand, 1969; Gross & Sostchen, 1969; Daily News Editorial Board, 1969b) However, this did not bleed over into criticism of the University itself. Rather, all three papers, *The New York Times*, *Daily News*, and the *New York Post*, were generally supportive of the University and particularly of the need for government to devote greater resources to expanding it. (The New York Times Editorial Board, 1969a; Daily News Editorial Board, 1969b; New York Post Editorial Board, 1969) Research for

the 1969 case study seemed to indicate that the papers had influence, but not nearly to the extent that they influenced the debate in 1999. (Bowker, 1985)

6. *In what ways were both decisions informed by, consistent with, or anticipating general societal concerns and ideological perspectives regarding access to public higher education?*

Both decisions were local manifestations of national trends in both higher education and thinking about public services and benefits. The events at CUNY – both the implementation of open admissions, in 1970, and the end of it in 1999 – took place contemporaneously with debates about access to higher education in other public higher education systems, in other cities and states, and in society in general. In fact, CUNY's implementation of open admissions presaged a broad trend toward open access at universities throughout the United States. (Attewell & Lavin, 2007) The new policy was on some level the City's response to the demands of the civil rights movement, and it certainly was a direct response to demands from (and fears of) student protesters. (Badillo, 2009; Birenbaum, W., 2009; Fields, 2009; Board of Higher Education, CUNY, 1969g)

The end of remediation at the senior colleges reflected a trend towards limits on remediation in public higher education institutions and systems. At the time, many other systems and localities were implementing or considering similar changes. (Attewell & Lavin, 2007; Mazzeo, 2002) It also reflected an ideological perspective that placed much stricter limits on the use of public resources for the most needy. So the decision can also

be understood within the context of welfare reform and Mayor Giuliani's attempts to bring about change in the public education system in New York City.

7. *In what ways were both decisions a reflection of a specific ideological perspective?*

While it is possible to generally classify the ideological perspectives of Mayors and Governors who appointed the two respective Boards discussed in this study, it is not so easy to generalize about the ideological perspectives of the Board members themselves. Having stated that, Lakoff's definitions of liberalism and conservatism do provide a useful framework for analyzing the different positions on open admissions and remediation. There was a liberal political leaning in New York City in the 1960s and 1970s. This translated into a commitment to using social policy as a means of redressing inequities, as embodied in the administration of Mayor Wagner and continued under Mayor Lindsay.

The overall trend in social policy was toward conservatism in the 1990s, nationally as well as in New York, as manifested in welfare reform. This trend manifested in higher education as well, for example, in decreased access to remediation, a shift from need-based to merit-based financial aid, and increased loans rather than grants for low-income students. (Orfield, 1990)

According to Lakoff's definitions, Herman Badillo and Mayor Giuliani would be described as holding a conservative political perspective when it came to CUNY. CUNY students were to be held responsible for their performance in high school and college. Admission to the senior colleges was to once again become a matter of merit rather

something that society used as a tool to create opportunity broadly. Echoing Lakoff, one could by extension sense the idea of morality as something hard and fast and not socially determined, in their views.

The defenders of open admissions and remediation in the senior colleges were clearly liberal in the sense that they still viewed CUNY as an instrument of social justice and responsibility.

These radically different “worldviews” are on some level irreconcilable and lead to very different interpretations of information. This was certainly true in the remediation debate, in which, for example, data was used to support particular points of view rather than being used to drive the debate from the beginning. One might argue, for example, that Attewell and Lavin’s thirty-year horizon for measuring the success of open admissions is too long, or that a reasonable cost-benefit analysis of open admissions made it in some way an indefensible policy. (Attewell & Lavin, 2007) But the fact is that Judy Watson’s analysis commissioned especially for the Board showed that the difference between remedial students and non-remedial was not so great and that remediation was not a substantial drain on University resources. (Watson, J., 1997) Similarly, it is possible to see that when Deputy Chancellor Seymour Hyman told conservative columnists Rowland Evans and Robert Novack that “the conception of academic standards is going to change” under open admissions, what seemed to Hyman like a perfectly reasonable affirmation of the reality of open admissions sounded to the two writers like a betrayal of the history of City College as an institution. (Evans & Novack, 1970)

Political party affiliation might at first glance seem a useful lens for analyzing the ideological frameworks but in fact, considering “Republican” and “Democratic” party views was in both case studies not a valuable construct. Of course, Rudolph Giuliani and George Pataki were both Republicans of similar ideological dispositions. However, John Lindsay and Nelson Rockefeller were also both Republican party members and both ultimately supported open admissions. The two most vocal opponents of open admissions, Herman Badillo and Mario Procaccino, were both Democrats (though Badillo later became a Republican).

Bowker reflected on the historical basis for this, at least in New York, saying “in the early days, even when Lehman was Governor, the leadership (of the Democrats) was almost all Irish. And the Irish in New York never took an interest in public higher education. They had their (Catholic) schools. And so in fact almost all of the good things for public higher education were done by the Republicans.” (Bowker, 1985, p. 150)

Personal experience seemed in both case studies to have had a major influence on the ideologies of Board members and other important actors. Obviously, direct personal experience with the University was deeply meaningful. The fact that Mayor Wagner’s father had been a City College student and that the Mayor himself was, as he put it, “brought up, at my father’s knee, as a friend” of CUNY, was surely relevant. (Wagner, 1983) Manfred Ohrenstein spoke about the way he felt “liberated” by the experience of being a student at Brooklyn College, having been raised in a sheltered Orthodox Jewish home. (Ohrenstein, 1984, p. 7) And Louise Mirrer was likely influenced in her role as

Vice Chancellor for academic affairs at CUNY by her mother's experience of teaching poorly prepared students under open admissions at Queens College. (Mirrer, 2009)

Of course, the most powerful personal experience of CUNY in terms of influence over policy has to be that of Herman Badillo, who felt strongly that he had succeeded at City College despite the odds against him and that others should be tested by similar challenges. As well, his personal desire to rehabilitate CUNY's reputation and make it prestigious again would reflect on the value of his own degree.

This can be contrasted with what Edith Everett took from her experience of Brooklyn College as the child of immigrants. She said, "I was lucky – my parents were immigrants, and didn't understand the system. But I was lucky and got the right courses. Someone has to help you understand what you take. My parents were not capable of helping me that way. Somehow I muddled through. But for others... It's a question of philosophy – what do you think you are there for? Are you there to help people who need help?" (Everett, 2009)

Nilda Soto Ruiz, another Trustee, also Puerto Rican, who graduated from City College in 1967, took away from her experience the idea that she and her fellow students had benefitted from various types of support while at City College (she described taking a writing test that screened for remedial needs while a freshman). In turn, she felt that the senior colleges should continue to offer limited remedial coursework as part of the educational opportunity similar to what she had been given. (Soto Ruiz, 2009)

And Richard Stone was deeply impressed by some graduates of City College when he was a young lawyer who had no personal experience of public education. At the law firm where he worked, "the senior partner, who had been friendly with my father,

was a guy named Tommy Austern, a Jewish guy who had been president of the Harvard law review, a poor boy who became a giant... He had gone to City College and had roomed at City College with two other poor Jewish boys – Avery Fisher, and the third friend that I was always told about was a guy named Ball, who was a Nobel prize-winning nuclear physicist. So the notion of these three poor Jewish boys going to City College in the ‘30s and becoming what they were was very impressive to me...” (Stone, R., 2009)

Of course, it would be incorrect to conclude that personal experience is determinative of ideology; the fact that Badillo, Everett and Soto Ruiz derived very different conclusions from personal experiences that were strikingly similar is evidence enough of that.

John Morning, an African-American, largely saw the 1998 policy debate through the prism of race. To him, it fit within the context of Giuliani’s “law and order” emphasis as a “corrective” to Mayor David Dinkins, whom he defeated. “It was a mean-spirited administration. And I think in part that he had run a very bitter and divisive campaign against David Dinkins... ‘He is a nice guy and couldn’t really run the city.’ It has become an accepted view. I think in part that was propagated by the Mayor... Crown Heights was a mortal blow... The implication was that was not what Dinkins was able to do – he didn’t control his own. ‘But I’ve come in and see that they are controlled.’ That is how I read the racial implication of that campaign. Given that, it was not so difficult for the Mayor to then move on to this - another kind of crackdown... If you take that as an operating thesis, the CUNY controversy was not a surprising further step in that direction.” (Morning, 2009)

8. *How do controversial decisions on major issues by public higher education governance structures reflect overall societal values and concerns regarding social equity, equal opportunity, and access to higher education?*

Public higher education boards are by nature highly politicized bodies. They are both directly and indirectly influenced by and responsive to elected officials, members of the public and organized constituent groups, and to the media. The CUNY Board of 1969 was attempting to respond concretely to the demands of student activists, particularly at City College, as well as to craft a solution to the dilemma of growing interest in public higher education that would appeal to many different constituent groups, including not just minority groups but also Jews, organized labor, and white ethnic groups. It was also the case that the Board, and certainly the CUNY administration that carried out the Board's directive for open admissions, sought to use CUNY as a tool to address socioeconomic inequities of the time. This goal remained the overarching goal of CUNY admissions policies up into the 1990s. Open admissions represented a stark break from the past, but it was not "controversial" because it had widespread support at the time it was passed.

Over time, the University began to put in place certain limitations on access, starting with the 1976 decrease in the percentage of each high school class guaranteed admissions, and then with required testing of incoming students for remedial needs in the late 1970s, and moving toward limits on remedial coursework for senior college students. This was in keeping with national trends in higher education remediation and other areas, away from the broad access policies of the late 1960s and early 1970s. (Orfield, 1990)

However fast the CUNY Board and the institution were moving, however, this “evolution” was not quick enough to satisfy Mayor Rudolph Giuliani, Governor George Pataki and the majority of their appointees. Clear directives from the Mayor and Governor to their appointees, an intense lobbying campaign on the part of certain media outlets, and a sense among a majority of the Board members that the University had not done enough to re-establish quality and standards led to a bare majority of Board members voting to end remedial coursework at the CUNY senior colleges. This decision clearly was “controversial” in the sense that it almost did not pass, and that there was outspoken opposition from CUNY students, faculty, elected officials other than the Mayor and Governor, and *The New York Times* editorial board.

At the same time, however, the remediation decision did fit within the context of shifts in views of social benefits for the disadvantaged, and growing concern for reputation and quality at CUNY and for the idea that it needed to better serve prospective students with stronger academic skills. There is also the idea that the New York City of the 1990s was itself a more “mean-spirited” place in general, and that the new policy was of a piece with the Mayor’s focus on reducing crime and limiting access to benefits for poor people.

In both of these case studies, the Board decisions were clearly reflections of broader social perspectives and trends around addressing concerns about socioeconomic inequities.

Conclusion

One clear conclusion that I drew from my research into the open admissions debate was that open admissions was a reasonable and even canny response to a particular set of circumstances in New York City in 1969. Albert Bowker, at least as he described it in retrospect, had already decided that it was only appropriate and just that CUNY expand dramatically to meet the demographic needs of the City's population. Jewish organizations were certainly not going to be satisfied with being pushed out of the City's colleges to make room for others, even though other options were beginning to open up for their most academically inclined young people.

Black and Puerto Rican groups, including most notably the state legislative caucus, were growing more outspoken, more powerful, and more sophisticated at wielding their power. Student unrest, particularly at City College, was creating conditions in which Mayor Lindsay (as well as the CUNY Board, according to some) was genuinely fearful for the City's safety and was trying to preserve his own claim to have kept New York City calm at a time when riots were exploding in cities across the U.S. Both constituencies believed that the senior colleges should be a focus of open access policies, not just the community colleges, as had been the case in California. This was also true of the Commission created by the CUNY Board to develop the new admissions policies, and of the CUNY administration that implemented it.

Those implementing the new policy did not anticipate just how badly prepared large numbers of New York City high school graduates would be for college. While some realized the importance of the connection to the public schools, at the time, there was not the knowledge of how to effectively make such connections and of the

pedagogical strategies and interventions needed to effectively support student success in high school and college. Given the limited student population at CUNY and in higher education, there simply had not been the need to figure it out. As well, according to at least some participants and observers, the overall implementation of and resources supporting open admissions were deficient.

Couple that with the devastating 1975-1976 City fiscal crisis. Crucial investments in facilities and faculty were greatly cut back, in a dramatic and even wrenching fashion, and the University's nascent infrastructure for supporting student needs for remediation was significantly undermined. And perhaps most of all, the imposition of tuition, a reasonable action from the perspective of State and Federal policymakers, when coupled with the open admissions policy greatly hastened the flight of middle class students away from CUNY and into other institutions.

Two decades later, CUNY was still contending with the aftermath of the open admissions implementation and the 1975 fiscal crisis, from which it had never fully recovered. Change was needed. The same Board Chairperson and his colleagues had been in place for many years (since 1980, when the Board had been restructured). In that time, there had been meaningful programmatic innovations at the University, but its stature was deeply diminished. It was not seen by many New Yorkers (likely including the children of these very Board members) as a viable educational option for themselves, and far too many of the students who did attend left without graduating. Enrollment was still way down from its peak in the 1970s, capital investments were sorely lacking, and the full-time faculty was still feeling the awful aftereffects of layoffs after the 1975 fiscal crisis.

And there were political conditions ripe for demanding change. New York City, and the nation, was a different place. Welfare reform had taken place under centrist Democrat President Bill Clinton. There was the election of a Republican former prosecutor as Mayor, at least partly in response to racial unrest and perceptions of a city out of control under African-American Mayor David Dinkins. There was election of a Republican Governor. This followed on the heels of neglect of CUNY by former mayors and governors, certainly in the sense of not having properly managed Board appointments, and possibly in the sense of having taken an important City institution for granted by not paying attention to its functions and status.

An enterprising and gifted journalist, James Traub, saw an under-reported story in the diminished stature of City College under open admissions, and documented that story in a powerful book that seized upon some of the nostalgia for what had been lost. A conservative think-tank, the Manhattan Institute, held growing influence with the Mayor. One of its staff members, Heather Mac Donald, took on reform of CUNY as a cause. So the Mayor, possibly frustrated with his lack of control over the highly dysfunctional public school system, turned his attention to CUNY and declared an open season, with the full support of two tabloid newspapers. He was aided in implementing his agenda by Herman Badillo, who had been on the Board for many years and was able to take advantage of the change in administrations to attack the policy he had opposed at its inception.

What commenced was wrenching drama for the institution and its people, with the result being the end of remediation at the senior colleges. It is well-documented that “remediation” itself is an ambiguous term, and widespread throughout all of American

higher education, so there was not an educational justification for taking it out of the CUNY senior colleges entirely. But there were good reasons even for those with misgivings about the new policy to go along with it and to even make the best of the situation. Without being overly dramatic, it can be said that a University that held to a strong and fast line in this battle with the Mayor and others over remediation might have emerged a greatly diminished institution. This could actually have achieved the objective of those of its critics who did hope for a smaller, less important public institution.

Instead, the opposite has happened, so once again the University proves to have made a canny choice. In retrospect, the change in remediation policy itself does not seem so bad to many participants and observers. It has produced much good for the University and its students in the sense of attracting resources, reputation, and a student body that includes greater numbers of competitive and well-prepared students. Some of the senior colleges have proportionally fewer Black and Latino students, but this change has been eclipsed by the overall gains in University enrollment and therefore in minority enrollment at CUNY. (Arenson, 2006; *The Journal of Blacks in Higher Education: News and Views*, 2002) Certainly the starkest potential scenario described by Albert Bowker, of highly segregated community and senior colleges, has not come to pass. And there is perhaps a sense of ideological “balance” in the institution that was missing before, in the sense of having responded to what was an imbalance between goals of achieving access and excellence. A number of participants and observers clearly believed that, without Mayor Giuliani and Herman Badillo’s campaign, CUNY never would have taken the strong steps needed to re-gain its footing, at least politically and in the press.

A statement that both policy decisions are understandable when taken within the context of the politics and ideologies of their times does not mean that they were the best possible decisions for students and for the institution itself. One might ask what would have happened to CUNY if Albert Bowker and the Board had held to his original vision of providing open access to the community colleges and allowing at least some of the senior colleges to retain elite admissions standards. While CUNY tuition would almost certainly have been instituted at some point, its negative impact upon University enrollments might have been smaller under a different open admissions policy. In any case, the ground lost in terms of public allocations of resources and general good will and support from both the public and private sector took thirty years to regain.

Ten years after the change in senior college remediation policy, CUNY has a more academically competitive student population, increased support from elected officials, much more positive press coverage, and greatly increased public and private financial support. Almost all participants and observers interviewed for this case study believed those successes to be at least partly attributable to the change in remediation policy. However, offering remedial coursework is a typical college function, and drawing clear distinctions between students who do and do not need remediation is acknowledged to be difficult and at times seemingly arbitrary. For these reasons, it is probable that a policy such as CUNY's will have a down side. Any negative effects of the policy on the institution and its students will become clearer over the longer term. One hopes that the University will be able to respond these effects constructively without waiting thirty years to do so.

Issues for further research

As discussed in my introduction to this paper, the history of CUNY is surprisingly poorly documented for such a landmark institution in American higher education. This study is just one effort to add to the little that has been written. There are many other important research topics related to CUNY's contemporary history in particular.

There are also other interesting and important issues for investigation. CUNY, for better or for worse, has long been a national leader in standardized testing of its students. Both the history and the facts of testing at CUNY deserve attention; what tests are required, the implications of those tests for students and for admissions, and perhaps even the role the tests themselves played in determining policy and the implementation of policy, both prior to 1998 and subsequently. As well, many issues and questions regarding the validity of tests were raised during my research. This is a tremendously complex area, with questions about what tests were developed to do and what they were actually used to do, and the potential impact upon students.

Open admissions as a policy was for the most part focused on the senior colleges, but there is an entire other story to be told about the institution and evolution of the CUNY community colleges. As well, there is the tremendous impact that the end of remediation at the senior colleges had upon the community colleges. This work could be pursued from a policy and political/ideological perspective that considers the perspectives of students and faculty.

This research focused on policymakers to the exclusion of the views and perspectives of students, faculty and community members. Faculty perspectives at least came up, particularly in my interview of Christoph Kimmich, who had experienced

Brooklyn College at its lowest, after the City's 1975 fiscal crisis. Dave Fields talked about the experiences of both faculty and students from his perspective as a young administrator at Queens College. And Louise Mirrer reflected on her mother's experience as a new faculty member at Queens College in 1970. But there is clearly much more to be said on this topic.

Student perspectives on what CUNY was like for them are missing from this document. Focusing on students would be an important way of reflecting on the question of how much difference there really was in the institution itself and the kind and quality of education it offered to students during the different eras. I have spoken to former students of the time who were strongly in support of open admissions and to others who felt that the quality of their education plunged overnight after implementation of the new policy and who left for SUNY campuses and other institutions.

Julius Edelstein's research had at least partly concerned the issue of political constituencies for CUNY, and how the changes in those constituencies over time affected resources and public support for the University – following up on his initial work would be a good topic for research. Of course, as mentioned in my limited description of him, he himself is deeply deserving of research and analysis that goes far beyond, but certainly includes, his experiences and roles at CUNY.

My approach to this research was not overtly ideological, in the sense that I did not use one or another clear ideological framework for this analysis – such as looking at the study through the lens of race or class issues. While it was my choice not to do this, I think that such analyses would yield a great deal. One place where such an analysis could be valuable, as an example, would be in a discussion of Black middle and upper

class New Yorkers and their views of CUNY, including the idea that they did not send their children to CUNY after open admissions was instituted and they finally had access.

Appendix: Interview Questions

Questions for Board members

1. During what time period were you a member of the CUNY Board of Trustees?
2. Please describe, to the extent you are able, the process and policy debate leading up to the Board of Trustees vote.
3. Which constituents of the university (both internal and external) and observers of the policy debate would you say had an influence on the process or the outcome? In what ways did they influence, or try to influence, the debate and its outcome?
4. To what degree did you feel that your personal views were represented in the debate, and that you had an impact or influence on the outcome?
5. What do you personally believe was CUNY's primary mission and purposes at the time of the open admissions policy debate?
6. Did CUNY's primary mission and purposes at the time of the remediation debate of the 1990s differ in any ways from that of the late 1960s?
7. Why do you think the university's mission and purposes changed during the 30 years between the two policy debates? (ONLY for interviewees who respond that the 1960s and 1990s mission and purposes differed)
8. Do you believe that the policy decision (or decisions) at CUNY was reflective of larger societal concerns and debates around social equity, equal opportunity, and access to higher education? If so, what connections do you see between the two?
9. Do you think that changes in the university's mission and purposes were in any way reflective of changes in American society itself, specifically in terms of how individuals viewed concerns about social equity, equal opportunity, and access to higher education? (ONLY for interviewees who respond that the 1960s and 1990s mission and purposes differed)
 - a. If yes, could you describe how changes in CUNY's mission and purposes were reflective of changes in society with regard to views on these three topics?
10. Who else do you recommend I interview as part of my research?

Questions for CUNY administrators

1. What was your specific role at CUNY during the time periods of 1964-1970 or 1994-1999?
2. In what ways did you interact with, or observe, the CUNY Board of Trustees during the time periods of 1964-1970 or 1994-1999? Please describe.
3. Please describe, to the extent you are able, the process and policy debate leading up to the Board of Trustees vote.
4. Which constituents of the university (both internal and external) and observers of the policy debate would you say had an influence on the process or the outcome? In what ways did they influence, or try to influence, the debate and its outcome?
5. What do you believe the Trustees saw as CUNY's primary mission and purposes at the time of the open admissions policy debate? Please describe why you believe the Trustees saw CUNY as having this specific mission and purposes.
 - a. To the extent you are able, please tell me the extent to which these beliefs were held by individual members of the Board, identifying those members by name if possible.
 - b. If some Trustees held differing views or opinions regarding the university's primary mission and purposes, could you identify those Trustees and describe what you understood to be their position(s) on the matter of mission and purposes?
6. Why do you think the Trustees' view of the university's mission and purposes changed during the 30 years between the two policy debates? (ONLY for interviewees who respond that the 1960s and 1990s mission and purposes differed)
7. Do you believe that the policy decision (or decisions) at CUNY was reflective of larger societal concerns and debates around social equity, equal opportunity, and access to higher education? If so, what connections do you see between the two?
8. Do you think that changes in the university's mission and purposes were in any way reflective of changes in American society itself, specifically in terms of how individuals viewed concerns about social equity, equal opportunity, and access to

- higher education? (ONLY for interviewees who respond that the 1960s and 1990s mission and purposes differed)
- a. If yes, could you describe how changes in CUNY's mission and purposes were reflective of changes in society with regard to views on these three topics?
9. How do you believe the Board of Trustees during either or both time periods viewed the role of CUNY with respect to educating individuals who came from socio-economically disadvantaged backgrounds, and/or who poor-quality public elementary and secondary schools in New York City?
 10. To the extent you are able, describe the views of individuals and of the overall group in terms of views of CUNY's role in providing access to higher education for disadvantaged populations.
 - a. Please describe as best you can what you believed to be the specific positions taken by individuals on the Board during either of the two time periods.
 11. Who else do you recommend I interview as part of my research?

Questions for observers of the Trustees' decision-making process, including students, faculty, New York City and State officials and relevant others

1. In what ways did you interact with, or observe, the CUNY Board of Trustees during the time periods of 1964-1970 or 1994-1999? Please describe.
2. Please describe, to the extent you are able, the process and policy debate leading up to the Board of Trustees vote.
3. Which constituents of the university (both internal and external) and observers of the policy debate would you say had an influence on the process or the outcome? In what ways did they influence, or try to influence, the debate and its outcome?
4. What do you believe the Trustees saw as CUNY's primary mission and purposes at the time of the open admissions policy debate?
 - a. To the extent you are able, please tell me the extent to which these beliefs were held by individual members of the Board, identifying those members by name if possible.

- b. If some Trustees held differing views or opinions regarding the university's primary mission and purposes, could you identify those Trustees and describe what you understood to be their position(s) on the matter of mission and purposes?
5. Why do you think the Trustees' view of the university's mission and purposes changed during the 30 years between the two policy debates? (ONLY for interviewees who respond that the 1960s and 1990s mission and purposes differed)
6. How do you believe the Board of Trustees during either or both time periods viewed the role of CUNY with respect to educating individuals who came from socio-economically disadvantaged backgrounds, and/or who poor-quality public elementary and secondary schools in New York City?
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 - a. If yes, could you describe how changes in CUNY's mission and purposes were reflective of changes in society with regard to views on these three topics?
- 10.** Who else do you recommend I interview as part of my research?

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