



THE STATE UNIVERSITY OF NEW YORK

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Bipartisan Task Force on Government Efficiency

Testimony

By Monica Rimai

Senior Vice Chancellor and Chief Operating Officer

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Senator Klein and members of the Task Force on Government Efficiency, my name is Monica Rimai, the Senior Vice Chancellor and Chief Operating Officer at the State University of New York (SUNY). Before I begin, please accept Chancellor Zimpher's regrets for not being able to attend this forum in person due to an irresolvable scheduling conflict.

I would like to thank you for the opportunity to testify today. The Chancellor and I have spent time with many of the Task Force members as we have made our rounds during budget negotiations. We so appreciate your support for the State University.

Chancellor Zimpher and I applaud the Senate for its efforts to deal with today's economic difficulties in a bi-partisan fashion and its focus on reining in state spending, as we at SUNY must employ constant vigilance and discipline in our day-to-day operations and business practices. I fully support the recommendation for an enterprise approach to risk management articulated in Senator Klein's report. I also greatly appreciate the acknowledgement in the report of the need to find efficiencies without negatively affecting the quality of higher education at SUNY.

Before we delve into the details of Senator Klein's December 2009 report, I believe it is important to contextualize this discussion within two parameters:

- (1) SUNY faces severe fiscal realities; and
- (2) SUNY is NOT your typical state agency; we are an educational entity with over 1.6 million constituents that is in the business of creating opportunities for people to reach their goals and improve their quality of life.

With an all funds budget approaching \$11 billion, SUNY is a vast organization with 64 campuses and over 87,000 employees serving the needs of over 465,000 full and part-time students as well

as 1.2 million continuing education enrollees. By virtue of our size we have been able to pursue economies of scale that have led to savings. However, I would urge you not draw conclusions simply based on dollar figures and size alone. The sheer size and volume of the University's transactions do not fully reflect SUNY's success in protecting the use of taxpayer dollars. As a point of reference, only 20 percent of SUNY's budget is direct state support, a number that has been trending downward over the past several years.

Since the 2008-09 fiscal year, SUNY has absorbed more than \$424 million in state support reductions. While the SUNY Board of Trustees took steps last year to mitigate a small portion of the reduction with a tuition increase on resident and non-resident students, 80 percent of that tuition revenue, \$132 million, was swept by the state for deficit reduction purposes and is part of the \$424 million just referenced.

And the news is not much better for the upcoming fiscal year. The Executive Budget for 2010-11 proposes additional reductions of \$170 million, for a potential total of \$595 million over three fiscal years.

SUNY campuses have measured every dollar of expenditure in an effort to save money and deliver services at a lower cost. This has resulted in efficiencies in delivery methods, hard and soft hiring freezes, no layoffs or retrenchments of union personnel, the use of attrition, and staff work allocations. Some examples include:

- To date, SUNY has already acted on and is planning a total reduction in its workforce of 2.3%. At the same time, enrollment at SUNY has increased by over 25,000 students.
- At one comprehensive college, 9% of the workforce has been eliminated or vacated while enrollment has grown by 11%,
- Campuses are also going into their reserves to make ends meet. State operated campuses have used or are planning to use 25% of their reserves. Many are using 50% or more and three campuses are using 60% or more. We project \$147.4 million in reserves to be tapped this year across the SUNY System,
- Campuses have increased class size, offered fewer course sections and/or offered fewer electives,
- Campuses are reviewing academic programs for possible consolidation or elimination, and

- Campuses are deferring many equipment purchases, reducing travel and delaying other non-essential purchases.

I do not want to give the impression that we are trying to balance our budget needs with personnel service reductions, because dealing with the cumulative reductions in state support also requires an aggressive search for cost savings and efficiencies in purchases and procurement. Over the past five years, SUNY System Administration and our campuses have saved well over \$50 million in procurements, including:

- Since 2004, SUNY has avoided over \$11 million in electricity costs. SUNY is the leader among New York State agencies in energy procurement. SUNY's Energy Buying Group buys electricity directly from the wholesale markets where SUNY is a direct customer of the New York Independent System Operator (NYISO). By eliminating retail suppliers, SUNY saves \$1.4 million per year for 29 state-operated and community colleges.
- The SUNY Energy Office also manages the state Office of General Services (OGS) direct customer program reducing overhead cost by 50% and saving OGS \$1.5 million per year.
- SUNY saved \$19.2 million in a University Wide Contracting by going directly to the Oracle Corporation for software contracts instead of using the New York State (NYS) Office of General Services vendor contract. Our savings were the result of our ability to contract as an educational institution versus a state entity.
- SUNY saved \$2.2 million over three semi-annual University wide acquisitions of Academic Enterprise Technology, again, by negotiating directly with the vendors instead of using the NYS Office of General Services vendor contract.
- In FY2007-08 alone, SUNY saved \$4.6 million in purchases using the procurement card (P-Card), which is generally acknowledged as a cost-effective method of purchasing goods. Our savings continue and we have also received rebates in excess of \$1.3 million since 2004.
- SUNY saves approximately \$2.4 million annually in service costs through shared technology services among its campuses and through a centralized technical services agreement.
- SUNY has an estimated annual efficiency of \$9.9 million in financial and management transactions across its campuses through an integrated, state-of-the-art, totally online, Finance and Management System encompassing procurement, receiving, accounts payable, and management and reporting.

- Fifty-five SUNY campuses save \$250,000 annually as SUNY participates in the New York State Emergency Management Office (SEMO) *NY-Alert* system of emergency notification.

The examples go on and on, but as you can see, SUNY System Administration is performing its business discipline in the day-to-day operations when it comes to administrative and personnel activities.

We understand the fiscal environment in which we are operating, and while we can always do better, as I stated earlier, we are diligent stewards of taxpayer dollars.

The Task Force announcement speaks to waste, runaway spending practices, excessive overtime costs and redundant administrative practices. Respectfully, SUNY strongly disagrees with the characterization of the State University in this regard.

A Solution to Dealing with University Spending and State Support

A solution to dealing with State University spending and state support, and one that will drive efficiency that the Task Force could wholeheartedly endorse is the Public Higher Education Empowerment and Innovation Act (PHEEIA). This proposal harnesses high-impact, zero-cost solutions that will create jobs, build the foundation for tomorrow's economy and strengthen public higher education.

With more responsibility for its own finances, the State University would be able to streamline its operations, create new revenue sources and target its spending on academic pursuits that will not only benefit the students we serve, but also create a larger union workforce (faculty, staff and graduate students) and a better work environment.

With the implementation of the Empowerment and Innovation Act, SUNY estimates that over the next ten years, its campuses will be able to generate funding to help create more than 10,000 new jobs and leverage over \$8.5 billion in capital construction, which will support over 43,700 direct and 21,800 indirect construction jobs.

In addition to enhancing SUNY's administrative tools, the Empowerment Act raises the standard of accountability and transparency, with unprecedented reporting requirements on the use of state taxpayer funding, as well as tuition, fees and other campus generated funds. Furthermore, the act allows us to pursue public private partnerships and land use opportunities in a direct and upfront fashion.

SUNY welcomes this new level of accountability and responsibility, because we believe once the governor and legislature review the impact the Act will have on our financial operations, they will recognize that letting go of the purse strings will allow their public system of higher education to rise to a new level of excellence.

We know fiscal times are tough, but we hope the Governor and Legislature can see that higher education is New York's ticket out of this economic downturn. One need to only look at the return on investment New York State gets from the State University of New York. For every state dollar received, SUNY generates \$8 in total spending in New York State. With an all-funds budget of \$10.968 billion, which includes \$3.554 billion in state support, SUNY's economic impact equals \$28.4 billion.

Let me now respond to the specifics of the December 2009 report.

General Spending

With regard to general spending, the December 2009 report raises the assumption that "if SUNY had been able to find ways to cut what it paid out in salary and wages during fiscal year 2008-09 by just 1%, the state would have saved \$30 million dollars". I again bring to your attention the \$424 million in state support reductions SUNY has had to absorb in the past two fiscal years, including \$132 million in student tuition increases. In addition, I would point out that in the realm of all these reductions, the state continues to honor the collective bargaining increases for unionized SUNY employees which total \$83.5 million this year alone. Given these facts, along with the hard and soft hiring freezes and attrition, it is hard to imagine how we can be expected to decrease our salary and wage spending further.

Overtime Spending

The December 2009 report discussed overtime spending. The State University spent \$41.6 million on overtime in 2008-09 versus \$29.9 million for the first half of 2009-10. The report specifically highlights the spending levels at the Downstate and Upstate Academic Health Centers (AHC) and SUNY Farmingdale.

To better understand SUNY's personnel spending, we must recognize that SUNY is not your typical state entity that operates Monday through Friday from 8:30am to 5:00pm. SUNY operates 64 campuses, three hospitals and houses over 75,000 students throughout the year in our residence halls. As such, we are a 24/7/365 operation. Thus, overtime is a reality of our operations. The only other state agencies that would generally compare in this regard are the Department of Corrections (DOCS), Office of Mental Health (OMH) and Office of Mental Retardation and Developmental Disabilities (OMRDD). I might note that in each of those agencies, their overtime spending has eclipsed SUNY by \$34 million, \$17 million and \$16 million, respectfully.

A more detailed review of state overtime reveals that the average across all state agencies for overtime spending versus salaries and wages is 3.1%. SUNY's average percentage is only 1.4%.

Moreover, based on the Hospital Association of New York State (HANYs), SUNY spending on overtime at hospitals as a percentage of total salary was 2.3%, while the statewide average for all hospitals, public and private, was 4.9%.

In both these comparisons, it is clear that SUNY campuses and our Academic Health Centers have been good stewards of our state taxpayer dollars and other resources.

Now let me address the specifics for the three campuses mentioned in the report.

As we look at the overtime expenditures at the Downstate and Upstate Academic Health Centers (AHC), we must put into context the fact that their individual operational budgets are each approximately \$500 million annually, thus the overtime noted in the report equates to only .01% of their operating budgets. Again, compare that to the statewide hospital average of 4.9%.

These expenditures were for nursing care and maintenance staff. We cannot overstate the importance of delivering quality, critical health care and how that must be managed within the scope of the state's nursing and allied health professional shortage. These shortages make overtime a necessary cost at all hospitals. Further, mandatory nurse overtime was not a practice at any SUNY hospital, even prior to the implementation of the ban in July 2009, thus this overtime is on a voluntary basis. Finally, adequate maintenance and cleanliness of the AHC facilities is critical to a health care delivery system and must not be compromised.

As for overtime spending at SUNY Farmingdale, the campus has been dealing with reduced staffing through attrition and not filling vacancies in response to the state budget reductions. Farmingdale, mainly a commuter school, has a very small grounds staff, just four full-time workers for a campus of 380 acres and many buildings. In order to maintain their normal operations of snow removal, proper grounds maintenance and cleanup of their parking areas, they must offer overtime to their Physical Plant staff. Such overtime, based on collective bargaining agreements, is offered on a rotating basis with employees having equal access to working additional hours. Some employees turn down overtime; while others are eagerly take every opportunity for the overtime work.

Similar circumstances exist across the entire State University system where the health, safety and welfare of the 465,000 students, 1.2 million continuing education enrollees and 87,000 faculty and staff are top priority.

While we have a preference for full-time employees, the reductions in state support have limited that option. The fact is that it costs less to pay overtime to these union workers under the state's Civil Service agreements and regulations than to hire new employees due to the combined cost of salaries and fringe benefits.

In fact, our spending really ought to be seen as responsible in that we have saved the state \$7.5 million by not hiring new employees and exercising management practices to maximize the use of our depleting state resources. In addition, we have avoided layoffs and have used attrition, as well as soft and hard hiring freezes to help save costs, but the reality is that if we are to continue our mission and maintain a proper level of services to our campus communities we must utilize overtime as a cost savings tool.

Be assured that administrative efficiencies relative to all services at SUNY is constantly monitored by System Administration and by the SUNY campuses as they deal with their operations not only in this current fiscal climate, but in all instances.

Excessive Administrative Spending

Turning to the issues relative to the State University of New York Police Force that were raised in the December 2009 report, I would like to say that as a former federal prosecutor, I have a great respect for law enforcement officers and the work they perform. Further, Chancellor Zimpher is examining all SUNY System and campus functions for operational effectiveness and efficiencies, including the issue of centralization of University Police. Such a review will take into account providing for the health, safety and welfare of the more than 1.6 million New Yorkers who live, learn and work at SUNY campuses. You will be kept apprised of that review. In the interim, I would make the following observations:

Following the devastating shooting incident at Virginia Tech in April 2007, SUNY empanelled a Task Force on Critical Incident Management to review the SUNY campuses state of readiness to respond to emergencies including issues of training, equipment, staffing levels and communications. As a result of the report, enhancements were made at SUNY campuses as necessary. We continue to review those standards to ensure campus safety.

Numerous campus public safety organizations and studies following the Virginia Tech incident have made clear that campus safety is a “local” police jurisdiction where boots on the ground is paramount in dealing with diverse campus populations. There were many lessons learned from the Virginia Tech incident. The U.S. Department of Justice’s National Summit on Campus Public Safety concluded that “safety and security cannot be managed as an add-on task or unit of function removed from key decision makers. Interaction at the highest level between the chief executive and police and security professionals is imperative as new prevention and response issues emerge.” In any situation, whether it is a campus demonstration, fire, riot, or shooting, we cannot be penny wise and pound foolish when we are dealing with people’s lives.

There are fundamental differences among the functions and missions of New York State’s police forces. The Park Police, ENCON Police and the New York State Police provide law enforcement services on a statewide basis, where a highly centralized command structure is clearly

appropriate. SUNY University Police work on college campuses where highly specialized local control and presence are required.

These differences are based mainly on the diversity of our campus populations, which presents unique and challenging opportunities for police support in an academic setting. Our police chiefs are part of the campus senior management team and perform an array of additional duties on each campus relating to campus safety, emergency response, transportation, admissions, events management, and construction planning, just to name a few. In addition, they play an important role in off-campus town/gown relations as our campuses work closely with municipal police and other local agencies.

So as we review the operations of our University Police, we will always be mindful of incidents such as the one at Virginia Tech and we will never compromise the health, welfare and safety of our campus community for the sake of efficiencies or union politics.

Relationship with the Research Foundation of the State University of New York

The December 2009 report raises issues relative to the mission, operations and spending of the Research Foundation (RF) of the State University of New York and its working relationship of the State University.

It is worth remembering that the Research Foundation is a not-for-profit, tax exempt, corporation duly established in 1951 under federal and state law, which persists to support SUNY consistent with an agreement approved in 1977 by the State Comptroller, Director of the Division of the Budget and the Attorney General.

In her short tenure at SUNY, Chancellor Zimpher has had numerous questions brought to her attention regarding the structure, hiring practices and funding of the Research Foundation. As she stated at the Joint Fiscal Committee budget hearing on January 27, 2010, she will be undertaking a full review of the structure and operations of the RF. We are in the process of soliciting experts from outside New York State to launch this review. This review will be an open process and we invite your input.

The RF gives SUNY faculty, students and staff the resources and flexibility they need to focus on research and other sponsored programs funded by federal and state governments, private companies and nonprofit foundations. These programs are carried out on SUNY campuses and at locations around the world, and encompass a vast range of disciplines and activities from basic and applied science and engineering research to training and education programs. The RF provides full administrative support, including mandatory federal reporting, and helps to move inventions developed at SUNY campuses to the marketplace to create jobs and boost the New York State economy.

One aspect of the RF that I am not sure many people understand is that it holds a variety of contracts with state agencies that use SUNY campuses to provide services to state residents. In fiscal year 2009, the RF managed over \$248 million in research expenditures from contracts with state agencies for the delivery of services for state agencies such as the Office of Children and Family Services, Department of Health, Department of Education, and NYSTAR (Foundation for Science, Technology and Innovation).

Conclusion

In conclusion, I want to say that SUNY is a family of students, faculty, staff and the residents of our host communities. We take great pride in our teaching mission, the contributions we make to people's lives, and the fact that we are a critical contributor to the sustained economic vitality of the New York State economy. There are over 2 million SUNY alumni living and working in New York State today and millions more waiting for their chance for a SUNY education. We have an obligation to provide access to a high quality education that is affordable to the citizens of the state and to do so in an effective and efficient manner. The Public Higher Education Empowerment and Innovation Act will provide SUNY with the tools to do our job even better.

I hope this information provides you with an understanding of the issues relative to the State University raised in the December 2009 report.

If you need additional information on these or any other matters, as always, we are available to assist you. Thank you for this opportunity to provide testimony today. I would be happy to take your questions.