

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Director

**Written Testimony for the New York State Legislature's
February 25, 2025 Budget Hearing on "Higher Education"**

Yesterday, the non-partisan, non-profit citizens' organization [Center for Judicial Accountability, Inc. \(CJA\)](http://www.judgewatch.org) sent every member of the Senate Finance Committee, the Assembly Ways and Means Committee, the Senate Committee on Higher Education, and the Assembly Committee on Higher Education an e-mail entitled:

“Your Tomorrow’s Budget Hearing on ‘Higher Education’ – & Questions for SUNY Chancellor King, CUNY Chancellor Matos Rodriguez, & NYS Education Commissioner Rosa”.

In the absence of response from a single legislator, including by way of questioning at today’s hearing, CJA submits that serious and substantial e-mail as its written testimony. It is attached – and herewith attested as true under penalties of perjury.

s/Elena Ruth Sassower

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, February 24, 2025 4:59 PM

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Subject: Your Tomorrow's Budget Hearing on "Higher Education" -- & Questions for SUNY Chancellor King, CUNY Chancellor Matos Rodriguez, & NYS Education Commissioner Rosa

TO: [Senate Finance Committee](#)
[Assembly Ways & Means Committee](#)
[Senate Committee on Higher Education](#)
[Assembly Committee on Higher Education](#)

As you know, the [Center for Judicial Accountability, Inc. \(CJA\)](#) is a non-partisan, non-profit citizens' organization that, for decades, has been documenting the unlawfulness and unconstitutionality of New York state governance, involving the corruption of all safeguarding oversight and checks and balances.

Reflecting this – and relevant to your tomorrow's budget hearing on "Higher Education" – is [CJA's February 3, 2025 Opposition Report to the November 14, 2024 Report of the Commission on Legislative, Judicial and Executive Compensation](#), calling upon you and other constitutional officers to:

“(3) investigate and rectify the ‘elephant in the room’ HUGE salaries of the SUNY Chancellor and State Education Department Commissioner, *et al.*, arising from abuses of Executive Law §169.3, without oversight by the executive and legislative branches.”

This was identified at page 2 of [CJA's two-page written testimony for the Legislature's February 4, 2025 budget hearing on "Local Government Officials/General Government"](#), attaching the February 3, 2025 Opposition Report. The relevant pages of the Opposition Report are pp. 31-40 – and the most germane of its listed FOIL requests, at pages 39-40, are:

- [CJA's January 21, 2025 FOIL request to the Division of the Budget and the Senate and Assembly](#) – “The Salary Plans of SUNY, CUNY, & the Board of Regents Pursuant to Executive Law §169.3”;
- [CJA's February 3, 2025 FOIL request to SUNY](#) – “Reiterating CJA's 2 FOIL requests for SUNY Board of Trustees' written guidelines/procedures for appointing a new chancellor, including whether a specific salary is offered to the candidates or whether they compete as to the salary they would accept”;
- [CJA's February 3, 2025 FOIL request to SUNY](#) – “Reiterating CJA's Sept 4, 2020 FOIL Request: (1) the SUNY office responsible for the integrity of SUNY scholarship & teaching – & for complaints; (2) SUNY's scholarship & teaching of the NYS Constitution, as written and as applied”.

[CJA's webpage for these FOIL requests](#) posts such responses as have been received.

Based on the [February 3, 2025 FOIL request reiterating CJA's September 4, 2020 FOIL request](#), it appears that the Legislature has also not been overseeing compliance with [Education Law §801](#) entitled “Courses

of instruction in patriotism and citizenship and in certain historic documents”. Its subsection 2 reads, in pertinent part:

“The regents shall prescribe courses of instruction in the history, meaning, significance and effect of the provisions of the constitution of the United States, the amendments thereto, the declaration of independence, the constitution of the state of New York and the amendments thereto, to be maintained and followed in all of the schools of the state. ...” (underlining added).

What “courses of instruction” have the regents prescribed pertaining to “the constitution of the state of New York”? And do the massive SUNY and CUNY systems offer even a single course on the New York State Constitution, *as written* and *as applied*? Where? Who are the professors and what evidence-based research have they been doing? Where are their scholarly publications – and those of their students? And if SUNY and CUNY offer no doctoral or other degrees in the New York State Constitution, why not? Isn’t the need GLARINGLY obvious from the most cursory reading of [Article VII of the state Constitution pertaining to the state budget](#), as, for instance, [§4](#):

“The legislature may not alter an appropriation bill submitted by the governor except to strike out or reduce items therein, but it may add thereto items of appropriation provided that such additions are stated separately and distinctly from the original items of the bill and refer each to a single object or purpose. None of the restrictions of this section, however, shall apply to appropriations for the legislature or judiciary.

Such an appropriation bill shall when passed by both houses be a law immediately without further action by the governor, except that appropriations for the legislature and judiciary and separate items added to the governor's bills by the legislature shall be subject to approval of the governor as provided in section 7 of article IV.”

Likewise bearing upon that [same February 3, 2025 FOIL request](#) – and requiring the Legislature’s oversight, *pronto* – is that SUNY and CUNY, in violation of their duties, simply IGNORE EVIDENCE of their false, deficient, and non-existent scholarship, conflicts of interest, and politicized course offerings:

- [Here’s the proof](#) with respect to SUNY’s Board of Trustees, involving their August 2020 appointment, as SUNY chancellor, of James Malatras, the then president of its Rockefeller Institute of Government: [CJA’s August 31, 2020 complaint](#) against them and other officers and staff, filed with the Joint Commission on Public Ethics (JCOPE) and, thereafter furnished to the State Inspector General by a [November 2, 2021 complaint](#) – both identified and linked at p. 36 of CJA’s February 3, 2025 Opposition Report.
- [Here’s the proof](#) with respect to CUNY’s Craig Newmark Graduate School of Journalism dean, administration, faculty, and general counsel who also serves as CUNY’s vice chancellor for risk, audit and compliance, documented by the [record of CJA’s November 3, 2022 complaint](#) to them and, additionally, by [the record of CJA’s November 28, 2022 FOIL request](#) to CUNY’s FOIL officer who is that same general counsel.

That being said, lest it be thought that [SUNY and CUNY’s worthless, window-dressing conflict-of-interest rules and protocols pertaining to its academics and research](#) are unique to them, here’s a comparably

sickening New York example: the record of [CJA's December 9, 2020 complaint to Columbia University's executive vice president for research and director of research compliance](#).

I am cc'ing the SUNY Board of Trustees, whose e-mail address I have, with a request that it forward this e-mail to SUNY Chancellor John King, CUNY Chancellor Felix Matos Rodriguez, and New York State Education Commissioner Betty Rosa so that they can prepare answers to your questions pertaining to the foregoing.

I am available to answer questions – and to do so under oath – no matter how early or late.

Thank you.

Elena Sassower, Director
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