FACULTY SENATE MINUTES #120

John Jay College of Criminal Justice

March 14, 1995

3:15 PM

Room 630 T

Present (23): Yahya Affinnih, Michael Blitz, Orlanda Brugnola, Edward Davenport, Jane Davenport, Peter **DeForest**, Janice Dunham, Pat Gary, Arlene Geiger, P. J. Gibson, Elisabeth Gitter, Elizabeth Hegeman, Zelma Henriquem, Karen Kaplowits, Gavin Lewis, Tom Litwaok, Barry Luby, Peter Manuel, Jill Norgren, Daniel Pinello, Davidson Umeh Maurice Vodounon, Agnes Wieschenberg

Absent (15): Arvind Agarwal, Luis Barrios, Ira Bloomgarden, James Cohen, Robert DeLucia, Lou Guinta, Laurence Bolder, Richard Koehler, Leona Lee, James Malone, Henry Morse, Charles Reid, Edward Shaughnessy, Carmen Solis, Bessie Wright

AGENDA

- Announcements from the chair 1.
- Approval of Minutes #117 & #118 & #119 2.
- Report on the budget and on lobbying efforts: Guest: Robert 3. Pignatello, Director of Public Information and CLAC rep Report on the UFS Rearing on Colleges@ Environmental Issues:
- 4.
- Benator Jane Davenport Impact of the budget on students who receive public 5. assistance: Gerrie Casey, director, JJ Welfare, Education & Advocacy Project
- Analysis of the impact on CUNY of the proposed budget 6.
- Report on lobbying activities by the Student Council: Student Council Vice President Edwin Ortiz 7.

Announcements from the chair 1.

The death the previous night of Alice Weldon Lynch, the mother of President Lynch, was reported. The wake is tomorrow and the funeral the day after. [An information sheet with directions to the wake and to the funeral was distributed.] President Kaplowits recalled Mrs. Lynch as a wonderful supporter of the College, who read every issue of "The Week of," remembering everyone's name and accomplishments. Mrs. Lynch attended every John Jay commencement since her son became the President, 18 consecutive commencements, until last June when for the first time she could not attend because of failing health, an absence that was sadly noted by many members of the college community. The following obituary notice has been placed in tomorrow's edition of the

"The John Jay College of Criminal Justice community mourns the loss of a groat supporter of our College, Alice Weldon Lynah, mother of the President of John Jay, Dr. Gerald W. Lynch.

Faculty Senate John Jay College of Criminal Justice"

Today is SEEK Day in Albany: SEEK faculty (and other Faculty) and SEEK students from CUNY are Lobbying for restoration Of SEEK funding. Thus a number of our senators are not at today's meeting.

President Lynch has recommended that the Teach-In on the budget crisis scheduled for tomorrow at 3:15 PM in Room 1311 North (immediately following the College Council meeting) take place as scheduled oven though the wake is at the same time. This Teach-In is co-sponsored by the Faculty Senate, the Council of Char., and the Administration. The list of speakers is still being determined.

A community forum on federal and state cuts to CUNY, SUNY, and to financial aid -- entitled "Higher Education: A Right or a Privilege?" -- will be held by the Park River Independent Democrats on Saturday, March 16, at 1 PM, at 303 West 66 Street. The speakers are U.S. Representative Jerry Nadler, who represents the district John Jay is situated in; NYS Assemblyman Ed Sullivan, Chair of the Assembly Higher Education Committee; and NYS Assemblyman Scott Stringer, who represents the district John Jay is located in and who is a John Jay alumnus. Professor Eben Bronfman (Government), who helped organize the event, has asked that faculty be urged to attend.

The all-day hearing on Governor Pataki's proposed budget held by the Black and Puerto Rican Legislative Caucus on March 9 at John Jay was very successful. Among these testifying from CUNY were Professor Sandi Cooper, Vice Chancellor Nunez-Wormack, Vice Chancellor Jay Hershenson, Professor Joan Hoffman, and Professor Karen Kaplowits.

2. Approval of Minutes #117 of February 3. 113.8 of February 15. and #119 of March 1

There had been delay in printing the Senate minutes due to an administrative logjam now resolved. The minutes of the meetings were approved.

3. Report on the budget and on lobbying efforts: Guest: Director of Public Information and JJ's CLAC representative Robert Pignatello

Director of Public Information Robert Pignatello, who is also John Jay's CLAC (CUNY Legislative Action Committee) representative reported that John Jay has renerated 8,000 letters thus far in response to the budget crisis and that this is more than triple John Jay's target assigned by 80th Street and more than any other college has generated, according to the information he has received to date. He said that the legislature has been preoccupied with the death penalty bill and has not yet bad time to become informed about the proposed budget and its effects. He reported that there seems to be sympathy among legislators about restoring TAP, especially because the

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cuts to TAP also affect the privata colleges. He reported that the legislature is projecting more revenue than Governor Pataki had projected but at present the Senate is proposing to put these extra revenues toward more tax outO rather than toward restoring auts to CUNY and SUNY or Bo Medicare. The proposed auts to higher education in New York State total \$740 million. He also reported that faculty should be prepared *for* the attitude of soma legislators that CUNY faculty are underworked and overpaid.

Senator Norgren reported that a member of the Giuliaai administration had questioned the necessity of the community alleges, suggesting to her that reading and writing could be better taught in the public schools. Senator Norgren said the level of misinformation about CUNY is very high and that we have to educate our elected officials and their staff.

Vice President Blits reported having gone with four of his students to meet with two legislators and said that not only had he corrected some misconceptions about faculty workload but the students had corrected misconceptions about what their lives are like. Benator Hegeman reported that her daughter had received a reply from the Governor's office stating that there would be financial aid for people earning up to 850,800. What about financial aid for the poor, her daughter had asked, upon reading this reply.

Senator Geiger asked whether it is true that the State is planning to continu0 implementing the 1987 tax cuts and whether this would not result in a further decrease in revenue.

Professor Joan Hoffman (Fublic Management/Economics) responded by distributing her analysis of the budget situation [Attachment A] and by summarizing the document for the Senate. President Kaplowitz reported that Professor Hoffman presented her analysis and aopies of the document at the budget hearing held last waek at John Yay by the Black and Puerto Rican Legislative Caucus and that tha Caucus members had been very interested and had asked many questions of Professor Hoffman. She thanked Professor Hoffman for coming to the Senate.

Mr. Pignatello urged faculty to get in touch with the staff members of their legislators. Senator Pinello reported that he has generated more than 250 individually written letters to date. Mr. Pignatello said that efforts are under way to establish a phone bank to support telephone calls to the legislators.

Senator Norgren asked whether it would not be a good idea Lo get some of our students on television news to correct misinformation. Mr. Pignatello said the TV news is net covering this crisis and would not be interested. Senator Geiger suggested that we should be able to get access to CUNY TV. Senator Norgren asked whether Mr. Pignatello's office is preparing e package of student stories which would be ready should television access become available. Mr. Pignatello said he does not have access to students' stories so such a package would have to be prepared for hfn by those who do have such access.

President Kaplowitz noted that in light of the madia blackout about the budget impact on CUNY, it was encouraging to see A. M. Rosenthal's positive "New York Times" op-ed piece the other day, especially because he had been one of the first to attack City College for what he considered to be unacceptably low academic standard. She said that because CUNY is being portrayed and is being perceived as having unacceptably low standards, a political attempt is underway to end or truncate open admissions through Budget outs.

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Gerrie Casey, director ob the Women's Center, said we cannot underestimate the seriousness of the media blackout. Senator Norgren said that if there is a media blackout this is yet another reason for us to write letters to the media: if television stations receive ever 200 letters about this important issue, which they are ignoring, the night bo shamed into action.

4. <u>Report on the UFS hearing on college environmental issues:</u> Senator <u>Jane Dave</u> [Attachment B]

Senator Jane Davenport circulated the Report [Attachment B] which she presented on February 28 at the University Faculty Senate hearing on environmental issues at the CUNY colleges, which was attended by vice Chancellor Macari and by the CUNY OSHA Director, as well as by campus OSHA directors, including John Jay's OSHA director, Dean Joseph Capecci. Senator Davenport said she waa very glad the hearing had been held and that it probably should have been held a long time ago. Senator Jane Davenport was praised for her excellent report and she was thanked for making it on behalf of the faaulty of John Jay.

5. <u>Impact of the budget on students receiving public assistance:</u> <u>Gerrie Casey, Director, JJ's Welfare, Education & Advocacy</u> Project

Gerrie Casey, director of the Women's Center, and the head of John Jay's Welfare, Education, and Advocacy Project, said it is important for faculty to know that many of their students receive public assistance: one of every 5 of our students at John Jay receives public assistance even though only a third oh those eligible for welfare receive benefits of any kind. She said the cuts to CUNY and to financial aid and to Welfare and to Medicaid and other programs have a multiple and severe impact on our students. Furthermore, many who receive public assistance are being made to feel guilty because of tho assault on tho program and on the idea ob public assistance.

Director Casey reported that the evidence demonstrates that the way to get people off public assistance is to provide them with an opportunity to earn a baccalaureate degree rather than by taking away their access to education as is now being done. She said that she wants to create a climate of respect at John Jay for those on public assistance and that the first way to do this is to inform faaulty about the numbers of students at John Jay Who are on welfare so that faculty can frame their classroom lessons, assignments, and statements with this information in mind. She reported about activities promoted by the Women's Center to raise consciousness about concern for students on public assistance. She also reported that Hostos Community College could be closed solely on the basis of welfare auts without regard to the CUNY cuts because so many oF their students receive public assistance. President Kaplowitz said John Jag Bas to be very careful that our students do not exceed the Federal student loan default rate which we (and a few other CUNY colleges) are close to doing and which will be even more difficult to avoid if cuts that adversely effect our students take place.

6. Analysis of the impact on CUNY of the Governor's proposed budget Pres. Karen Kaplowitz [Attachment C & D]

President Kaplowitz reported on activities being planned to

oppose the budget cuts [Attachment C]. Sho then circulated charts which show the impact of the proposed cuts on CUNY [Attachment D].

Senator Pinello offered copies of form letter8 ha has drafted for use by students and by non-students. Senator Manuel asked whether we are going to have to go through this budget crisis every year. President Kaplowitz noting that the Governor's popularity has dropped significantly said that our effectiveness this year in opposing the cuts may effect the agenda of the next few years.

She said that when she and Professors Robert Crozier and Ben Hellinger met with Senator Roy Goodman's senior counsel, they began the meeting by reporting that the Governor's budget has sparked the biggest voter registration campaign at CUNY they have ever seen and the staff person looked quite startled. Benator Geiger said that even without further funding cuts, the continuation of the tax cut would havo a devastating effect: We have to regain a mora progressive tax structure.

7. <u>Report on activities by the Student Council:</u> <u>Student council</u> <u>Vice President Edwin Ortiz</u>

Student Council Vice President Edwin Ortiz reported a call he had received from a member of the Black and Puerto Rican Legislative Caucus saying that the Caucus members are leaning toward not passing the Governor's budget by April 1. He reported on the rally at the World Trade Center. He also reported on the efforts he and Student Council President Terrence Harres have made to stop incipient efforts by students who wanted to occupy and shut down the Collega in angry opposition to the proposed budget cuts and proposed tuition increase.

Women's Center Director Gerry Casey reported on the efforts being made by the student clubs to register students to vote and to mobilize students. She said she wants to emphasize the invaluable role that the Student Council is playing not only by maintaining student decorum in the sense of discouraging take-overs but by creating a positive and stimulating campus atmosphere. Professor Casey noted that as a result of the painful experience of the take-overs a few years ago, the Town Meetings were established, which is a structure which has made it possible for us to respond quickly to the present crisis.

Mr. Ortiz repeated his and the other John Jay student leaders: absolute opposition to takeovers. He thanked the Senate for its voter registration campaign and for its other efforts in support of the students and in support of CUNY and in opposition to the auts.

The Senate thanked Mr. Ortiz for briefing the Senate and he expressed his appreciation at having been invited.

The meeting was adjourned at 5:15 PM.

Respectfully submitted,

Orlanda Brugnola Edward Davenport Co-Recording Secretaries

TAX ROOTS OF THE STATE BUDGET CRISIS

ECONOMICS DIVISION (JohnJayCollege of Criminal Justice(full & part-time faculty) sources: Fiscal Policy Institute(FPI), N.Y. state budget, NYC Council

The majority of the current budgetary gap isdue to structural and cyclical revenue losses:

STRUCTURAL REVENUE LOSSES

1. The top income tax rates have dropped by 40% since 1987 (from 14% to under 8%) and Pataki proposes to drop them another 25% to 5.9% in 19981 Tax benefits to those make \$150,000 or more have cost the state about \$1 billion since 19861 (more details on the reverse side)

2. There are new and old loopholes in the corporate tax laws estimated to cost **\$1billion** per year. There is no link to job creation. One promotes investment in other states.(Details on reverse side.)

RESULT: In the twenty years prior to the **1987** cuts, tax revenues grew 11% per year, <u>more</u> than the 8% annual growth in the states total personal income. <u>Since 1987</u>, tax revenues have grown only 3.4% a year, <u>less</u> than the growth of in personal income of 5.3% per year. (annual averages)

3. <u>More tax cuts</u>, scheduled in the **1987** tax act but postponed because of the unexpected revenue drain of the **1987** cuts, are scheduled to go into effect with the budget, and Governor Pataki proposes to increase the size of those cuts. <u>If all of the cuts are implemented. estimates show a loss of</u> revenues of \$1 billion this year and \$6.8 billion by 1998-9!(FPI) It is estimated that these cuts would give a non-itemizing family of four with \$125,000 income only \$388 for one year and a family making \$27,506 only \$65!.(FPI) An increase of CUNY'S of \$1000 would wipe out these small gains. Because of reduced state aid, local property and sales taxes have already been rising, and user fees like drivers licenses have been increasing. These would continue to rise and wipe out any income tax savings for low income families. (Estimates show a tax increase for itemizing families due to the proposed elimination of the household credit!)(FPI)

CYCLIC<u>AI_REVENUE_LOSSES</u>: Interest rate increases by the federal Reserve had an adverse effect on income and financial industry tax revenues.(see other side for details). Analysts expect interest rate increases to cease. A sluggish economy has hurt revenues. The number of **jobs** has begun to grow.

REVENUE ALTERNATIVES TO THE CUNY CUTS

- 1. Spending on CUNY is investment spending with long run benefits for the city & state economies.
- 2. Halt to implementation of income tax cuts. When rises in local taxes, fees and cuts in services are taken into account, poor and middle income families will be hurt.
- 3. Increase of upper income marginal tax rates.
- 4. Reduce investment tax credit rate and tie it to new job creation
- 5. Eliminate income averaging for large businesses
- 6. Domestic unitary combined reporting of income from other states to reduce transfer pricing
- 7. Raise the alternative minimum business tax back to 5 percent and use income reported to shareholders as the tax base. (The Federal government does.)

(Lack of space precludes full citations. Source documents are in the files in the Economics Division.)

INCOME TAX: The investment income tax was also reduced from about 14% to less than 9%.

THE INVESTMENT TAX CREDIT (cost: \$300 mill/yr) is generally higher than in other states and not tied to creating employment. In Ohio credits are tied to taxes paid by new, full time employees.

ALLOWING THE ACCELERATED DEPRECIATION ON PROPERTY PLACED IN SERVICE IN OTHER STATES, introduced in 1994, actually subsidizes investment in other states

PROFIT AVERAGING, enacted in 1994, allows firms to carry forward (and backward) net operating losses against profits in other years. Income averaging was abolished for wage earners in 1986.

REQUIRING THE REPORTING OF INCOME OUTSIDE OF THE STATE is NOT required by New York (as in 15 other states). This allows business to lower taxes through <u>transfer pricing</u>, i.e. overpricing purchases from a subsidiary in a low tax state in order to lower New York taxes.

THE ALTERNATIVE MINIMUM TAX was recently lowered from 5% to 3.5%. Due to accumulation of past investment tax credits (good for seven years), many corporations pay only the minimum.

WHEN INTEREST RATES RISE, BOND PRICES FALL. Losses occur when bonds are sold in a falling market & there is a reluctance to buy bonds. Tax revenues fall & tax write offs grow.

SERVICES grew from 19% of the state's employment in 1970 to 29.5% 1990. New York has not broadened its service tax base. Sales taxes as a percent of disposable income has fallen. FPI estimates that taxing business services would generate \$1 billion. There is debate about the regressivity and investment impact of this tax. Business services are concentrated in the City. Historically, taxes based in the City but collected by the State are not returned in full to the City.

USEFUL DEFINITIONS

PROGRESSIVE TAX: <u>High income households pay a higher percent of their income in taxes</u> than low income households. The reasoning is that the same amount of tax payment is less of a burden to a higher than a lower income household. The personal income tax is progressive.

REGRESSIVE TAX: <u>High income households a lower percent of their income in taxes</u> then low income households. The sales tax is regressive because savings are not taxed & the rich can save.

CYCLICAL BUDGET DEFICIT: That amount of the total government budget deficit which is the result of a recession or other cyclical factor such as the recent rise in interest rates. Temporary tax losses and spending increases occur. (e.g. People lose jobs, unemployment spending increases).

STRUCTURAL BUDGET DEFICIT: That amount of the total government budget deficit which is the result of the tax legislation, entitlement qualifications, and spending committments. If there were no structural budget deficit when the economy is growing at a normally healthy pace (not in recession or boom), the taxes that could be expected to roughly equal spending commitments.

HUMAN CAPITAL AND EDUCATION SPILLOVERS: Investment spending enhances productive capacity. Spending on education is no less an investment than building a new factory. Education increases future productivity and tax payments. Government spending on education is nothing less than public investment. Our spending on education results in benefits to the rest of society as we use our acquired skills throughout our lives. This is the rational for public investment in education.

OSHA Concerns Report from John Jay College February 28, 1995

The Faculty Senate at John Jay distributed an "OSHA concerns survey" to all the employees at the college. We received \$5 responses.

The overwhelming concern at John Jay College is about breathing unclean air and suffering from seemingly unregulatable temperatures. **Typical** comments are, "we have to wear our coats in class" or, "it is **so** bot that nobody feels well enough to pay attention".

In addition, many faculty and **staff** complain about the Overcrowding. This is an obvious and serious concern. Students often have to sit or stand in the hallway **because** there is not enough space in the classroom for everyone. This situation **compounds** the heat and ventilation problem. One faculty member said **his** classroom was like steerage for immigrants.

Cleaning is a problem, **c** the lack thereof. Restrooms in both **buildings** are disgusting. The drinking water quality in parts of the new building is very questionable, since it **contains** sediment. **This** has made it necessary for many staff members to pay for bottled water to drink.

Vermin abound, in both buildings. **The** new building has a more serious problem than the old building. Thirty-nine per cent of the respondents in the new building complained of the steady, regular, ubiquitous presence of rodents. They come to meetings of administrators, and they attend classes regularly. One professor said that ' last semester, the rodent member of his class had a better attendance record than most of his students. It would seem that this problem really might have a solution.

But the primary concern, complaint, irritation, and anger is about the fact that in both of the buildings the HVAC is scandalously health-harming. Soot excreted from the ventilation openings can be seen everywhere. Faculty and staff complain about chronic medical conditions: never feeling well, coughing, dry throat and gland problems, sinus problems including infections, recent onset asthma symptoms, fatigue, nosebleeds, chapped lips, and headaches. The system provides no humidity whatever. Many people offered their physician's documentation. Doctors have told them that their condition must be environmentally caused, that in addition to the likelihood that staff keep reinfecting each other bemuse there is no air circulation, their illness is probably also caused by the buildings being chronically too hot or too cold, and too dry. One doctor even suggested that there could be a Legionnaire's type syndrome at work. It cannot be stressed enough that John Jay personnel, in <u>every single department</u>, in both buildings, are subjected to ventilation and temperature problems that have become <u>medical</u> problems. A great many days are lost from work. Many hours on the job demonstrate decreased productivity because people are working at either 35 degrees or at **85** (this last was measured by a **PSC** representative who was invited to come to a class and measure the temperature) -- these temperatures, in stale, bacteria-laden air. Besides producing employee illness, the conditions clearly have a negative impact on classroom learning.

The question has to be asked: what priority is typically given to quality regarding HVAC concerns? The head of the John Jay maintenance (buildings and grounds) department has told me that **as** far **as** he is concerned, the problem at the college is that the cheapest W A C system on the market **was** purchased for both buildings. He said that there are other systems **on** the market, (with more air changes per hour, better temperature control, etc.) but that John Jay **has** the cheapest, least reliable system installed in its **two** buildings.

As a result, 90% of our faculty and staff have registered distress and anger at the illnesses they are subjected to because of these cheap systems.

I was recently in the position of having to tabulate the results of a John Jay Faculty Senate survey in which we asked faculty to enumerate design features that would be important to them if John Jay were to expand into a new building to accommodate the size of our student body. The overwhelming concern, from faculty in BOTH buildings, new AND old, (T bldg was occupied in 1988) was WAC. No other concern compared with this.

People at John Jay now cannot, but would like to b[^] able to, breathe clean and healthy air, and to work in reasonably comfortable temperatures. It sounds ridiculcus, even pathetic, that something so fundamental as this could be on the mind of every professor, secretary, HEO, Gittelson staff member and part-time employee. But every single constituency is screaming, really desperately screaming, for decent ventilation and temperature control. This is not frivolous. People are tired of being sick. Do we really have to hear lame bureaucratic responses to this plea? <u>Every single department of John</u> Jay College is in despair over this issue. What do we have to do to get breathable air and reasonable temperatures?

I do think that this issue is so critical to everyone who works at John Jay, that the utmost top priority attention must be given to it. Part of our desperation is that people in power either don't seem to take this seriously or say they cannot do anything about it. Do we have to write to our congressmen, or what?

Jane Davenport February 28, 1995

Events Through March 23

in response to the proposed budget

List from Karen Kaplowitz, a member of the Steering Committee of the CUNY Coalition of Concerned Faculty and Staff, which has endorsed the following activities:

- Wednesday, March 15 [Tho Ides of March]. Teach-ins and other educational forums at each CUNY campus. John Jay Teach-In is at 3:30 PM in Room 1311 North and is sponsored by the John Jay Faculty Senate, Council of Chairs, and College Administration.
- Thursday, March 16. Rally and March organized by the University Student Senate (USS) and the NYS Black and Puerto Rican Legislative Caucus. Endorsed by the University Faculty Senate (UFS), the PSC, the CUNY Coalition of Concerned Faculty and Staff (CCCFS), the CUNY Student Coalition Against the Cuts (an unofficial student group). The Rally is at 11 AM at Borough of Manhattan Community College: it will be followed by a march to the World Trade Center (Governor Pataki is in the City this day). John Jay contingent will gather in front of North Hall at 10 AM to march to BMCC (Chambers Street).
- Wednesday, March 22. A Day Without CUNY & SUNY. At 12 Noon on March 22, the day before the joint CUNY-SUNY rally, all CUNY and SUNY campuses in the area will hold a special event to symbolically dramatize the devastation of both universities that would occur if the proposed cuts are approved.
 - >> A hearse, coffin, or other symbol of mourning will circle the campus and be brought to the front steps of the administration building [or equivalent]. Stony Brook/SUNY plans to have a mannequin in a cap and gown sitting in an electric chair.
 - >> A large black sheet will be draped over the entrance to the administration building on each campus.
 - >> A rally with speakers will highlight the March 23 event.
- Thursday, March 23. Joint CUNY-SUNY Rally at City Hall Including Faculty Procession over Brooklyn Bridge. This would be a broad-based coalition of CUNY and SUNY student and faculty groups. Each group would choose its own slogan. The slogan of the CUNY Coalition of' Concerned Faculty and Staff will be "Take Back New York, Fight for CUNY-SUNY, March Against the Cuts." The rally would involve extensive faculty participation at both CUNY and SUNY, extensive student participation, and an outreach to the 500,000 CUNY and SUNY alumni who work in the New York area. The latter would be done primarily through radio spots. Student groups would gather at City Hall at a noon. A permit has been applied for. Faculty would gather at the Brooklyn side of the Brooklyn Bridge and would be encouraged to come in cap and gown. Campus presidents will be called upon to call college-wide faculty meetings to discuss the budget cuts: the March 22 and March 23 events will be presented. Members of the Steering Committee of the CUNY Coalition of Concerned Faculty and Staff will bt available to make presentations at faculty meetings on each campus.



• State Executive Budget; Master Plan Enrollment Projections. All other years reflect Adopted budget.

ATTACHMENT D

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