

Faculty Senate Minutes #185

John Jay College of Criminal Justice

Friday, May 7, 1999

9:30 AM

Room 630 T

Present (25): Dorothy Bracey, James Cauthen, Holly Clarke, Glenn Corbett, Edward Davenport, Nancy Egan, P.J. Gibson, Amy Green, Edward Green, Lou Guinta, Karen Kaplowitz, Kwando Kinshasa, Stuart Kirschner, Thurai Kugendran, Sandra Lanzone, Sondra Leftoff, Tom Litwack, James Malone, Patrick O'Hara, Dagoberto Orrantia, Jacqueline Polanco, Carmen Solis, Marny Tabb, Agnes Wieschenberg, Bessie Wright

Absent (11): C. Jama Adams, David Brotherton, Anthony Carpi, Enrique Chavez-Arviso, Effie Papatzikou Cochran, Janice Dunham, Jane Katz, Gavin Lewis, Mythili Mantharam, Lydia Segal, Martin Wallenstein

Guests: Professors Norma Manatu, Davidson Umeh

Invited auest: Vice President Robert Pignatello

AGENDA

1. Announcements from the chair
2. Adoption of Minutes #184 of the April 29 meeting
3. Discussion about security issues
4. Review of the new student evaluation of the faculty form
5. Invited guest: Vice President for Administration Pignatello
6. Discussion of John Jay's enrollment
7. Student plagiarism and cheating

1. Announcements from the chair

President Karen Kaplowitz reported that a few days ago she asked Vice Chancellor for Buildings, Facilities, and Construction Emma Macari when would be an appropriate time for the Senate to invite her back to discuss Phase 11. [VC Macari had met with the Senate on March 1, 1995: see Minutes #119.] Vice Chancellor Macari suggested a meeting early in the fall and said she would very much like to meet with the Senate again and would welcome an invitation.

Recently elected New York State Senator Tom Duane, who represents one of the districts John Jay is located in, called to apologize: an emergency meeting prevents him from meeting with the Senate today as scheduled. He asked to be invited again.

The Student Council election was completed late last night and the results are: Arthur Morrison, president; Xavier Muhammed, vice president; Kaleena Rhea, secretary; Leopold Altman, treasurer. Also elected were student class representatives.

2. Adoption of Minutes #184 of the April 29 meeting

By a motion duly made and adopted, Minutes #184 of the April 29, 1999, meeting were approved.

3. Discussion about security issues [Attachment A]

Vice President Robert Pignatello has appointed Professors Maki Haberfeld (Law, Police Science, CJA) and Patrick O'Hara (Public Management) to the Security Advisory Committee, upon the recommendation of the Senate. The Committee held its first meeting yesterday. As President Lynch told the Senate in April, the College requested money for a security system scanner. Two days ago, the Board of Trustees' Committee on Facilities approved John Jay's request for \$340,000 for such a system and this will be voted on by the full Board of Trustees on May 24 [Attachment A].

President Kaplowitz said she was told that at the previous day's meeting of John Jay's Security Advisory Committee, some Committee members voiced concern about the planned security scanner, especially about possible privacy issues (the possibility that the system will be used to track when and where individuals enter, a concern expressed especially on behalf of employees who work set hours five days a week) as well as concerns about bottlenecks. The idea of polling students and employees about whether they want a security system had been raised at the meeting. Senator P.J. Gibson said those who oppose such a system are invariably the ones who suddenly want it when something goes wrong.

President Kaplowitz said we will be discussing this issue with Vice President of Administration Robert Pignatello when he meets with us today and that he has also expressed his wish to discuss this with us. Senator O'Hara, a member of the Security Committee, reported that privacy concerns had been extensively addressed at the meeting. He explained that there are a number of contractual provisions that apply to faculty and to HEOs and to most staff that forbid any kind of computerized checking or tracking of employees. Thus it would be a violation of the contract to use the security system for such a purpose. He said the system can be used to simply verify whether a person has the right to enter the building rather than the time and place and ID number of the person who enters and, thus, it is a false issue.

Senator O'Hara said that the issue of bottlenecks, however, is very real. He reported that the meeting was attended by himself and Professor Maki Haberfeld, Marie Rosen representing HEOs, a student, Bo Sorenson, as well as Security Director Brian Murphy and Vice President Pignatello. He reported that at the conclusion of the meeting the Committee reached a consensus supporting the system after having been assured it will not be used for tracking people.

Senator P.J. Gibson praised the security system in the hi-rise apartment building where she lives because bottlenecks are avoided: residents do not have to swipe their ID card but, instead, the

scanner reads residents' ID cards whether the ID card is inside their coat, purse, or attache case. For 20 years before this new system was installed, residents did have to swipe their card and that did create delays and bottlenecking but the new system, installed four years ago, does not.

Senator Marny Tabb said she is troubled by this planned increase in security and asked what kinds of incidents have led to this plan. President Kaplowitz said Professor Chris Suggs had entered his North Hall office recently to find a man, whom he described as clearly neither student nor employee, about to walk out with his laptop, which had been in his desk. Professor Delores Deluise recently heard her North Hall office doorknob being turned and instead of calling security she opened her door to see who it was and said the man was clearly not a John Jay person.

**An** incident President Kaplowitz said she can report from personal experience happened a few years ago: a person who was clearly neither student nor employee was standing in a cul de sac barefoot with his shoes in his hands when she arrived in North Hall at 8 AM one class day. He followed her and then tried to push his way into her office when she opened her door: she managed to shut the door and telephone security. When security arrived they saw that the person had ripped from the wall outside her office the glued-on name holder with her name and schedule along with all the surrounding plaster.

Senator P.J. Gibson said she believes concerns about security are well-founded at John Jay and reported that female student members of the theatrical cast of her play were repeatedly stalked by strangers who would show up at rehearsals uninvited. So she favors an enhanced security system.

Senator O'Hara said Security Director Brian Murphy told the Committee that when a person is caught committing a serious crime, such as burglaries and thefts, 80% to 90% of the times the person turns out to be an outsider and not a John Jay employee or student.

Senator Tom Litwack asked if other CUNY colleges have a similar security system in place. President Kaplowitz said that she knows that Baruch, the Law School, KCC, and the soon to be opened Graduate School facility have such systems and others may as well. Senator Litwack asked if any of those colleges have multiple buildings and the answer was that Baruch and KCC do.

Senator P.J. Gibson said faculty who are in isolated offices in North Hall late at night are vulnerable and many talk about the fact that they feel very vulnerable.

The approval of the \$340,000 scanner security system by the Board of Trustees' Committee on Facilities, Planning and Management was part of a larger request by John Jay: a total of \$2.3 million for projects [Attachment A] was approved, but the projects and funding are for T Building only. President Kaplowitz said if a scanner system is purchased, it must be installed not just in T Building but also in North Hall, where there is far less of a security presence and certainly far fewer, if any, adult security personnel. Vice President Pignatello has pledged to end the practice of North Hall receiving fewer services and attention than T Building and this is something we should ask him about, she said.

Senator Kinshasa said Senator Litwack's point about the tremendous traffic between our two buildings is something we also

need to discuss with Vice President Pignatello because people who have to enter the same buildings over and over each day, as we all do, tend to eventually try to circumvent anything that impedes us as we rush back and forth. The human security element tends to become lax, he said. The technology has to be intertwined with security officers who enforce the system in an effective, continuous, and professional way. Senator O'Hara said that at yesterday's meeting Marie Rosen was a strong proponent of vigorous and thorough training of security officers in enforcing the system, in dealing with people angered by the system, in dealing with people who try to circumvent the system. The Committee had agreed that this is essential.

Senator Tabb reiterated her concern about the planned increase in security, saying that she is troubled by what is being proposed, especially given the potential problems that may result. President Kaplowitz said that it was specifically to discuss the security issues that Vice President Pignatello was invited to today's meeting. After the discussion, anyone opposed to the security scanning system can testify at the Board of Trustees' public hearing on the Board's May 24 meeting agenda (which includes this item). To speak at the public hearing on May 17 at 4 PM at 535 East 80th Street, one must sign up by telephoning the Secretary of the Board of Trustees at 794-5450 by 3 PM on Friday, May 14.

#### 4. Review of the new student evaluation of the faculty form

The student evaluation of the faculty process recently took place using the new evaluation instrument. President Kaplowitz recalled that at the College Council, when the instrument was presented for final approval, she objected to the following part of the statement that is in parenthesis: "Please use the back of this form for any written comments that you may wish to add. (These comments and your previous responses will be reviewed by the instructor, department chair, President, Provost, and other members of the department and college personnel committees.)" She said she had objected on the grounds that a statement that students' anonymous comments will be read by the President, Provost, and so forth, is likely to provoke strong comments, perhaps strongly negative comments, and that the instructions should convey more neutral and less charged information.

Senator Pat O'Hara agreed with President Kaplowitz's objections and with her memory of the College Council meeting. He said he vividly remembers that the College Council instructed those who raised this objection to develop alternate language and that he, Karen, Jim Malone, and Haig Bohigian, the Chair of the Committee that developed the instrument, had agreed upon more acceptable language immediately after the Council meeting, and so he never expected to see the original language on the instrument. He said he is angry that what had been agreed to was not implemented. Senator James Malone concurred. Senator O'Hara urged the Senate to convey our request that future versions of the instrument be more acceptably worded.

Senator Kinshasa said that a number of his students were confused by one aspect of the form: the SIMS code is given near the middle of the sheet but the number of students enrolled in the course is printed immediately above the place where the SIMS code is to be entered. Because the number of students is given in four digits, for example, 0045, and the SIMS code is four digits, several of his students entered 0045 instead of the actual code. One

senator said the student who distributed the forms announced the SIMS code to the other students and she now realizes her student was announcing the number of registered students and not the code. Others said they now realize that the same thing happened in their courses because only students are permitted to distribute and collect the forms. Senator Kinshasa suggested that the placement of the numbers be reversed: the SIMS code should be printed above the box where the SIMS code must be entered. Or, it was suggested, the forms could be preprinted with the SIMS code in advance, so there is no doubt that students' responses are read by the scanners as being about the actual instructor and not about someone else.

Senator James Cauthen suggested the ratings printout should report the percentage of forms rejected because they were not properly completed: he said some of his students later told him they had entered the wrong SIMS code and he assumes, therefore, that those forms would be mechanically excluded.

Another problem was an insufficient number of pencils and the absence of erasers necessary for correcting errors. It was also suggested that written comments be written in ink because pencil is vulnerable to alteration. Also, instead of requiring that blank forms be returned to the envelope, instructors should be directed to tear up the blank, extra forms for security purposes.

Senator Tabb pointed out that the instructions incorrectly required the student collecting the forms to sign the front of the envelope instead of signing across the seal of the sealed envelope.

5. Invited guest: Vice President for Administration Robert Pignatello [Attachment A]

President Kaplowitz thanked Vice President Pignatello on behalf of the faculty for accomplishing so much, especially in North Hall, in the six months since he met with the Senate. [The Senate expressed its thanks with applause.] He expressed his appreciation for the kind recognition, saying it is encouraging to know that the work he and his staff are doing is noticed and appreciated. He said he started with the lobby of North Hall because it was both a substantive and symbolic project and he has been working very hard to change the attitude of the Office of Administrative Affairs and transform it into one that is more responsive and more supportive than previously of the mission of the College and of the faculty in their efforts to carry out the mission of the College.

She noted that by the time the Senate minutes of the November 18, 1998, meeting [Minutes #177] reporting the Senate's meeting with Vice President Pignatello were distributed, most of the things he told the Senate he would do had, in fact, been done. When he asked whether anything he promised to do has not yet been done, President Kaplowitz said new furniture had been promised for the Faculty Dining Room, and he replied that it is on order.

The Vice President said that although we hope Phase II will be completed very soon, in the meantime the John Jay administration has the obligation to the faculty and to the students as well as to who and what we are, and to our reputation, to provide the very best. He noted that even according to the best scenario an entire class of students will arrive and graduate before Phase II is completed.

We do have budgetary limitations, he noted. He explained he

has been working with the University to use capital funds, rather than the College's operating budget, to pay for these projects. He said he does not want the Senate to erroneously think the College is flush with money: the recent improvements were not accomplished using the operating budget of the College but rather by using capital funds which the University was persuaded to release for these projects.

Senator Tom Litwack asked Vice President Pignatello if he would put a dollar number on these funds, explaining that the Senate is often in communication with the CUNY Central Administration about the funding of John Jay and, thus, the Senate needs to be informed about the fiscal situation. Vice President Pignatello said that these capital monies were in accounts of John Jay projects that might have been uncompleted or not started at all, for whatever reasons. We received about \$150,000 of capital funds which had been previously allocated to John Jay over the last few years but which had not been spent and the College was able to capture those funds for current projects.

Beyond that, there are millions of dollars in capital funds, Vice President Pignatello said, that the College is pursuing to finance the renovation needed for the space vacated by those who moved to the BMW (57th St.) Building. The University will not give us or does not have operating money to make these improvements, but there are capital funds the University does have which he is making a claim for in order to finance these projects. He said he hopes the proposals will be on the agenda of the Board of Trustees' Committee on Facilities very soon, perhaps in June, perhaps in September. And, thus, many of the plans are up in the air.

Vice President Pignatello explained that he would have preferred to have done some of the renovations during the summer but, unfortunately, the process to get the funding approved is very long and cumbersome: there's the Facilities Committee, various reviews, the Controller is involved, there's bidding required, and every step takes many weeks. Some of the work can't be done unless it's done over the summer and, so, there are many logistical and procedural issues that have to be resolved.

Senator Litwack asked whether the University has been receptive thus far. Very much so, Vice President Pignatello said. Senator Litwack explained that the Senate plans to write again to the CUNY Central Administration for more money for our operating budget and it is important in such letters to acknowledge what the University has already done and is doing for us. Vice President Pignatello said that he understands, adding that one is dealing with different areas of the University when talking about capital projects versus operating budgets and in terms of our capital needs, the University has been very cooperative and supportive.

In terms of Phase II: since last year, the University made John Jay's Phase II the University's number one capital priority, Vice President Pignatello said. He added that he knows this having been in Albany with Vice Chancellor for Construction Emma Macari and Don Farley, her predecessor and now a consultant to CUNY, as they went to all the offices of the Legislature and campaigned for the funding: they said this is CUNY's number one capital priority and number one project. They put the full force of the University behind Phase II and at the same time have been very cooperative in utilizing capital monies to fulfill our other needs. The operating side is another story and we will continue working on that, but it is something he is not responsible for.

Senator Marny Tabb reported that the classrooms where she teaches in the area of North Hall where the Library used to be look terrible, full of broken desks, broken chairs, and broken clocks. The Vice President asked whether she had submitted work orders because he would like to have such matters on record. He said he is trying to have the Buildings and Grounds staff and the Security Officers report such problems but until that change takes place, he has to rely on faculty to report such conditions. He said he believes that if work orders are filed, the faculty will find that the work will, in fact, be done.

Senator Edward Green said adjunct members of the faculty are not aware of the procedures for reporting problems and he suspects that even some full-time faculty are not aware, so he suggested that such information be sent to all faculty, each semester.

Senator Leftoff spoke of classrooms in North Hall that are so overheated that learning is virtually impossible. Vice President Pignatello said the inadequate heating and cooling system in North Hall is one reason we want to move from that building: an overhaul of the system would cost millions of dollars.

Senator Edward Davenport said that with reference to filing work orders, he submitted a work order which was returned to him by B&G, dated March 23, saying a new clock would be put in his classroom, as he requested, but there is still no clock. Vice President Pignatello said new clocks have been ordered for every classroom but, contrary to the impression some have, purchasing is an office that does not report to him, and like the faculty, he has difficulty in getting purchasing orders expedited. He said he has had to wait many, many months for purchase orders to be issued and it takes too long, in his opinion. And thus we have not yet received the clocks, but they are on order. Asked to whom the Purchasing Office reports, he said to the Business Director.

Senator Tabb asked whether there will be one time in North Hall, because the clocks are now set for different times. Vice President Pignatello explained that the current electronic clocks will be abandoned because they have to be set from a central control which no longer works. The clocks on order are battery operated and, thus, each can be set or reset to the correct time. President Kaplowitz noted that Vice President Pignatello has promised that each clock will be mounted on a wall that can be seen by both the students and the instructor, rather than above the chalkboard which only the students can see, as is the case now.

Senator Dagoberto Orrantia said his department, Foreign Languages, is being relocated to the first floor North Hall area where the NYPD Counseling Service used to be. He said they are moving under protest because many faculty now have a window but no windows exist in the new space. He said his department was told they would not have internet connection and to purchase their own tape to seal the too few boxes each was given. And they were told to take down the bookshelves because the new space has no shelves. He asked whether, at the least, the faculty could be provided with tape! President Kaplowitz said that when a member of the English Department recently accepted a position at Hunter, Hunter sent staff to pack, move, and unpack her office for her. She said perhaps more than tape should be requested. Senator Orrantia said what his department really wants is not to move at all!

Vice President Pignatello said he is aware of the department's

wish. He said he had met with Professor Rovira, the department chair, when he became vice president, which was after the decision had been made. He said he told Professor Rovira he would do everything to make the new space as attractive as possible to help compensate for the loss of windows. He said he would, of course, provide tape and although each person is being asked to pack, the boxes will be moved by B&G staff. He has also asked B&G to dismantle the shelves and to mount them in the new offices. Internet connections will be provided after walls are torn down and rebuilt, to configure the space according to Professor Rovira's requests.

Senator Agnes Wieschenberg said black dust from the vent in her fourth floor North Hall office covers her computer and everything in constantly deeper coatings. She asked if her office could be more frequently cleaned. She added that the same problem exists in other North Hall offices. The Vice President asked her office number and said he would hope the falling dust could be stopped rather than just cleaned up. She also said that chalkboards used to be cleaned twice a day but now are cleaned only once a day, which makes it unpleasant for the evening classes. He said the classrooms are now used non-stop throughout the day and so there's no time to clean.

He added that his Office is going to study how we use space at John Jay. Linda VonLumm in his Office books space but about six other people or offices at John Jay also book certain spaces: the Faculty Dining Room, from 3 PM on, is booked by Student Activities; training areas are booked by someone else again and there is no one place where one can view how space is being used any one day, which is not a good situation. Even Security sometimes does not know about events at the College and are unable to inform guests about the location of events when they arrive. And, so, different software will be adopted during the summer, called Schedule Plus, that includes a database of all the College's space.

The right of people to book space will not be taken away but his Office needs to and will now be able to see the totality of how space is used, including classrooms. From that a master calendar will be published in "The Week Of" and probably electronically as well. Two computer kiosks will be stationed, one in the lobby of each building, with a calendar of events on a scroll. Flash announcements, using PowerPoint, will replace flyers which are neither efficient nor attractive. Security will have a laptop at the lobby desk to provide visitors with information. Senator Kinshasa asked how student clubs will get information on the kiosks. Vice President Pignatello said that student clubs will provide the information to Doris Odum, director of student activities, who will forward it to his Office.

Senator James Malone said that almost all the CUNY campuses have handsome Faculty Dining Rooms with excellent food, but our dining room, even after having been fixed up, is atrocious when compared to those others. He said he is raising the issue because it is really an issue of community. President Kaplowitz said that, like Senator Malone, she has eaten in the faculty dining rooms of other CUNY colleges and said that eating in the City College or Hunter or Baruch faculty dining rooms, for example, is like eating in a private, high-scale restaurant. Vice President Pignatello suggested that the new furniture will make a big difference, adding that he is certainly open to any suggestions for further improving the space.

Senator Edward Green said he has not been aware of any fire drills in the evenings. Vice President Pignatello said fire drills



have recently been held in both buildings during the day and he reported that this is the first time a fire drill was conducted in North Hall using the new public address system which led to a real improvement. Senator Green said some faculty continue teaching during drills and should be reprimanded for doing so. President Kaplowitz said it is illegal for faculty to not dismiss their students when the fire alarms sound and that when this came to the Senate's attention a number of years ago, she wrote a letter, having been directed to do so by the Senate, to the faculty and the result was full compliance but if this is again a problem the Senate can again send the letter, which is also printed in the Faculty Handbook.

Senator Litwack asked whether it is possible for faculty to know in advance when fire drills are scheduled so that they could avoid scheduling an exam at that time. The Vice President said the element of surprise of fire drills is important training in preparing people for the element of surprise if there were a real emergency. Senator Litwack said he does not think faculty must be kept uninformed. Vice President Pignatello said he would talk with Security Director Brian Murphy. Senator Malone said he thinks faculty should be informed again about the necessity of complying with fire drills and urged that the Senate or Vice President Pignatello send a letter to faculty.

Vice President Pignatello noted that the Department of Information Technology (DoIt) has established a Help Desk (x8200) for people with technology questions and problems and he reported that the new email system is being used to transmit information to the entire community. Senator Dorothy Bracey asked whether messages to one's John Jay email account could be automatically forwarded to one's private email account. Senator Lou Guinta said he has been told this can be done.

Senator Kinshasa praised the Help Desk. On the other hand, he said, he totally lacks access to a working printer. Vice President Pignatello said a survey of computing needs is being systematically conducted department by department so that technology needs can be budgeted for, which hasn't previously been done.

Senator Holly Clarke asked the plans for computers and internet access for adjuncts. Vice President Pignatello said he does not know, quite frankly, what the policy has been. Senator Clarke said adjuncts do not have computers and because adjuncts share offices, one computer in each adjunct office would serve a number of adjuncts. She said it does not make sense to technologically upgrade half the faculty while the other half can not participate on any level, including email. He said that given the fact that half our course sections are taught by adjuncts, he agrees. President Kaplowitz suggested that Senator Guinta raise this issue with the Senate's Technology Committee. He agreed and added the Committee is discussing having a liaison from every department.

Senator Lanzone asked why it is so difficult to obtain a fax machine for her program. Vice President Pignatello said the problem is not the cost of fax machines, which is quite modest, but that we have insufficient telephone line capacity. Analog lines, which are separate from the telephone lines, are required for fax machines.

Vice President Pignatello reported that two days ago at the Facilities Committee of the Board of Trustees, John Jay presented a list of projects to be funded from a Building and Equipment reserve fund that exists for T Building. President Kaplowitz said she has a

copy of the Facilities Committee agenda, listing the projects, but has not yet made copies for the entire Senate [Attachment A] and suggested he, therefore, summarize them. Some of the major projects are: a new carpet for the Library; new bathroom partitions for the T-Building (with shelves in the stalls for books, etc., as requested); work on the gym and pool; cleaning the outside of T Building; and a security scanner.

Vice President Pignatello thanked President Kaplowitz for having reminded the College that New York State Education Law requires a security advisory committee at every college and ours has now been established: the members are Professors Maki Haberfeld and Patrick O'Hara (recommended by the Senate), Farris Forsythe and Marie Rosen, and two students, one of whom is Bo Sorenson. The requirement that half the members be female has been met.

The Vice President summarized the development of the CUNY Security Initiative which is the replacement of contract security guards with security officers hired and trained by CUNY. He said John Jay is the only CUNY campus that does not participate in this initiative and we do not do so because we have never had contract security guards because we have always had a student security staff. However, with only 20 people on our security staff and with the addition of a third building and the fact that John Jay operates around the clock, the College needs a bigger security staff.

He said he is also very concerned about access to the College and about setting an example to the University of good security, since we are a college of criminal justice. What he wants is a system which requires people to provide identification in order to enter the buildings. He also thinks we should have security cameras, not hidden cameras nor cameras that would in any way invade peoples' privacy, but rather a few large cameras, at the security desks, for example, mainly to convey to people that Security might be watching them, which would act as a deterrent.

He said that putting turnstiles at the entrance to North Hall might create a serious bottleneck problem **so** he is thinking of putting several turnstiles inside the lobby of North Hall so that people would have to produce their ID cards to enter various parts of the building, such as the bookstore, and so forth.

Senator P.J. Gibson described the system used in the building where she lives which does not require ID cards to be swiped and works whether one's ID card is in one's jacket, purse, or briefcase. He said he is aware of the technology and this is one of the possibilities being studied.

Senator Tom Litwack said he simply can not imagine a security scanning system which would not create unimaginable chaos given the overcrowding that we have and the traffic we presently have when classes change. Senator Kwando Kinshasa said many students **congregate** outside North Hall and we might have to alter the socializing behavior of people to make the new security system work.

Senator Dorothy Bracey said while the cars doubleparked on 59th street tend to be those of our students, the cars that are doubleparked on 10th Avenue tend to be police officials with chauffeurs, who sit in the cars, with the engines idling, which is just as disturbing as the student cars with their radios. Perhaps nothing can be done, she said, but if we act on one problem we should try to act on the other as well. There was also discussion of smokers who block entrance and egress to the buildings.

Senator Marny Tabb said she hopes that thought would be given to the cost to personal liberty of increased security. The Vice President said he wants the opinion of the senators as to whether or not we need an improvement in security. Senator Litwack said things can always use improvement, but he has no opinion as to whether we could actually improve security under our circumstances.

Senator Lou Guinta said that he has never felt insecure on this campus. Senator Carmen Solis said that she has, indeed, felt insecure at this College and believes, in particular, that the Security staff need to be better trained because she has found their behavior to be unprofessional on various occasions. Senator Sondra Leftoff said she has not felt safe when using the women's bathrooms at night because of the isolation. Senator James Malone said he thinks our current security system is quite good but he would lobby for a police presence in front of the buildings in order to move students away from the buildings.

Senator Patrick O'Hara said we have to consider not only what has happened to date but what might happen. He told of a former student who had received a failing grade from him, a student who has a record of criminal behavior at the CUNY Research Foundation, who now is constantly in North Hall, constantly showing up at his third floor North Hall office late at night, harassing him. This is someone who is no longer a student at John Jay whom he would prefer did not have access to the buildings. Senator Bessie Wright said that as a person who spends most of her time in her office on the third floor of North Hall, she does not feel safe at times.

The Vice President said it looks to him like opinion is divided. Senator Litwack said he does not know what the consequences of greater security might be. President Kaplowitz asked the senators whether they think that people who are not students or employees or guests should have access to our buildings. The consensus was that people who are not part of the John Jay community do not belong in the buildings. Senator Edward Davenport said he agrees that non-students do not belong on campus, but John Jay has been overcrowded for many years and has had terrible traffic problems for many years and these conditions must be considered in any plan to make the College more secure.

President Kaplowitz noted that the Facilities Committee of the Board approved capital projects for T Building only. Thus the \$340,000 is for a scanner for T Building and not for North Hall. She said whatever is decided, North Hall and T Building have to be treated the same way: if a security system is installed in T Building, the same system will have to be installed in North Hall as well and at the same time. The two buildings can not be treated differently. Vice President Pignatello agreed that the funding is for T Building only, because of the funding source, and he said that he agrees absolutely that whatever is installed in T Building will also be installed in North Hall, adding that funds for the North Hall system will have to be obtained. He said the system will not be installed until it can be installed in both buildings and at the same time.

Senator Litwack asked the Vice President for a thumbnail update on Phase 11. The Vice President said it is moving along very well. Senator Tabb asked for an estimate of how many years it might be before we could move in. The Vice President said the best case would be 4 to 5 years and this is why he is willing to make more improvements in North Hall. He added he is trying as much as

possible to make **use** of the space which has been vacated by those who moved to the 57th Street (BMW) building. Senator Malone asked whether the plan is still to vacate North Hall when Phase II is completed. The Vice President said that we may still need to keep North Hall to which Senator Malone replied that the common wisdom is to never give up space in Manhattan.

Vice President Pignatello thanked the Senate for inviting him and was thanked for meeting with the Senate and for being generous with his time.

#### 6. Discussion of John Jay's enrollment

President Kaplowitz recalled that when he met with the Senate on April 29, President Lynch reported his intention to resume John Jay's practice of overenrollment because of budgetary reasons. She said that after the meeting, many senators conveyed their dismay and alarm to her because they feared this would mean many academically underprepared students being admitted and even more severe overcrowding both in courses and in the buildings.

Senator Litwack said that it is not clear to him what our fiscal situation is at present. In the past, he said, we overenrolled students because we were able to keep the additional tuition money and we used that money to pay our expenses, including salaries. He said it might be the case that CUNY will cut our budget unless we overenroll, although it would be grossly unfair were it to do so. He said it is unclear to him why President Lynch believes we need to overenroll. He suggested that since a College Budget (P&B) Committee meeting has just been called, which he and Karen will be attending, that is the forum to raise the issue and to ask the President what his thinking is.

Senator Litwack added that if the situation is that 80th Street will cut our budget unless we attain a certain level of enrollment, we should be arguing with every ounce of energy and influence we have that given our fiscal situation, given our severe and inequitable underfunding, even if the Central Administration does not give us more money, which they should, the least they can do is not cut us a single dollar, even if our enrollment drops to **7,000** FTEs. He said that is the position he believes John Jay's administration should take but he does not know if they will feel they can do that.

Senator Tabb said her understanding has been that the more students we enrolled the better the Board of Trustees liked us but then we enrolled a large number of very underprepared students and our academic standards were really impugned and thus our enrollment decision backfired on us.

Senator Litwack said he does not think that is an accurate analysis. He said we had to overenroll, in his opinion, given the realities of our budget situation, which was very unfair to us, but if we couldn't convince CUNY to change those budgetary realities then the only alternative to overenrollment was firing people.

President Kaplowitz explained that the former chancellor, Ann Reynolds, wanted to expand enrollment at CUNY for many reasons: she believed in access and she also wanted the State to give CUNY a bigger budget. So she made an arrangement whereby each college president annually negotiated his or her college's enrollment target

with her and with her vice chancellors. That was the enrollment a college was expected to achieve the following year. If a college enrolled more students than the target number agreed upon, the college was permitted to keep the tuition of those additional students: this was an incentive to colleges to increase enrollment. So in the past decade, John Jay grew from 5,000 students to 11,000 students (headcount) with virtually the same number of full-time faculty and the same amount of space (until the 6th floor of the BMW building was rented and moved into this year although there are still no additional classrooms).

Last year we raised John Jay's admission requirements for both our associate and our baccalaureate programs and our enrollment declined this semester but by very little, only 4% this spring compared to last spring, which we had anticipated. John Jay's admissions office did a wonderful job. But the decline isn't the only issue; the other issue is that we did not overenroll nor do we expect to overenroll in the fall, because of our raised admission requirements, and, thus, we will not keep the additional tuition revenues that we have depended on and which we have needed. And, to date, we already have a significant budget deficit. John Jay carried CUNY in terms of enrollment growth during the past decade, in part because John Jay has been a college students have wanted to attend. We were the only college that grew every year for ten years. And so, what Tom is saying is absolutely true: it would be unconscionable if CUNY now refused to assist us budgetarily.

Senator Dagoberto Orrantia said that Senator Tabb's analysis is accurate in terms of at least one person at 80th Street: when the then Vice Chancellor for Academic Affairs, Richard Freeland, was a guest of our Senate a few years ago, he told us that John Jay had chosen a certain strategy, which was clearly not a strategy he respected, and that John Jay was now paying the consequences. Senator Orrantia recalled that the then vice chancellor specifically said that John Jay chose to not fire anyone which went against 80th Street's wishes.

President Kaplowitz agreed that this was, indeed, true. She explained that in 1995, in response to a severe budget cut imposed by Governor Pataki on CUNY, the Board of Trustees declared a state of financial exigency for CUNY and every college, except John Jay, retrenched faculty. Many CUNY colleges retrenched many scores of faculty and closed entire departments and programs and even entire schools. At John Jay we did not have to fire faculty because we had funds generated by overenrollment, which enabled us to meet our payroll, as Tom has explained.

President Kaplowitz said she agrees with Tom that the Budget Committee meeting is the appropriate place to raise the views of the Senate about the importance of asserting the moral imperative that after 10 years of carrying the University in terms of enrollment growth, John Jay must receive budgetary assistance or at the very least must be held harmless, fiscally, given our historic and inequitable underfunding.

Senator Bracey said it is clear that the Senate agrees with this most reasonable position and wishes to have this view conveyed and that, in addition, the Senate is concerned that all be done that can be done to enable us to admit students who have sufficient academic preparedness to succeed academically and that we admit only those students for whom we have sufficient courses, resources, support services, and space.

7. Student plagiarism and cheating

President Kaplowitz spoke of issues that had been raised by faculty at a Better Teaching Seminar on Cheating and Plagiarism, two days earlier, an event which was very well attended and said that clearly this topic touched a nerve among the faculty. Senator Bracey said that she, too, was struck by how many faculty attended this seminar and by how many faculty clearly were eager to discuss and to obtain advice about a problem they were regularly confronting.

President Kaplowitz spoke of her concern about reports by a number of faculty about administrators (who had not been named) who they said had not supported them when they had found that a student had plagiarized a paper. Some faculty said they had been pressured by an administrator to pass students who had plagiarized. She said that she was stunned by these reports because she has never been pressured or requested to change a grade or to pass a student she failed for handing in plagiarized work.

One junior instructor had reported that he had spoken to his student about what was clearly a plagiarized paper: the student could not summarize what the paper was about and, when asked, described a source he had quoted and commented upon extensively as someone who lived in America during the 17th century when the person, a deconstructionist whose writings are extremely difficult, is French and very much alive. The instructor, thinking he was doing the student a favor, made the mistake of giving the student an incomplete so he could write another paper. Instead, the student, who had already been admitted to law school, went to an administrator, showed the paper, and complained that the incomplete was unwarranted.

The instructor said he then received a call from the administrator who insisted that the student had written the paper and who told the instructor to give a course grade based on the quality of the paper. The instructor said he felt he had no choice but to give the student an A because it was a truly brilliant paper, although not written by his student.

A different outcome was reported by a very senior member of the faculty who told of refusing to raise the grade of a student she had severely penalized for plagiarizing a paper despite being pressured by an administrator to do so.

President Kaplowitz said she does not know how widespread a problem this may be or whether these are isolated and aberrant cases.

Senator Dagoberto Orrantia said that as a member of the Student/Faculty Judicial Committee his sense of the situation is that the number of cases of cheating and plagiarism that occur is far greater than is ever adjudicated by the Judicial Committee.

Senator Stuart Kirschner said he regretted not having been able to attend the Better Teaching Seminar and said as someone who received 11 clearly plagiarized papers last semester -- papers largely copied from sources he recognized -- he would like to know how an instructor should deal with suspected plagiarism, when the suspicion is based on the disparity in quality between the paper and other work the student has done, but the instructor is unable to identify the source. President Kaplowitz said that what she does is to speak with the student privately and ask the student to tell her

the main points the student made in the paper and, if it is a research paper, to name a few of the sources and something about those texts. If a student is nervous, she invites the student to take 10 or 15 minutes in her office to do this in writing. A student who has copied, downloaded, or purchased the paper or has borrowed it from a file cabinet in a student club office is not able to do this and at that point doesn't pretend the paper is his or her own work. Or one can ask the student to explain the meaning of terms used in the paper or the way a certain paragraph or quotation relates to the overall thesis of the paper.

Several senators reported that they have students who have told them that they are earning money by writing papers for other classmates in other courses, a phenomenon also reported at the Better Teaching Seminar. The students seem unaware or unconcerned with the fact that they are cheating: they say they are earning money and helping classmates at the same time and are proud of their writing and research skills. Thus, even the most carefully designed writing assignment, one that seemingly can not be plagiarized, can easily be plagiarized by those willing to pay. That is why, President Kaplowitz said, an interview with a suspected plagiarist about the main ideas and points in the paper can be so revealing.

She said last semester two of her students clearly purchased their papers through the internet because both had cover sheets that said: "type your name here"! And this was despite very narrowly defined topic choices, requiring a comparison/contrast analysis of several characters in several different novels.

Senator Bracey said she was teaching a course in comparative criminal justice: one student who had not done well in the midterm nor on an in-class writing assignment was from another country and she always is sympathetic when someone is writing in a language other than their own. But the final paper was so good that she felt that she was correct to give different kinds of writing tasks and, indeed, the paper was so good she considered including it in the journal she was editing until she realized that she had once before had that very thought about the material she was now reading. The student had not even seen that the journal in which the article was published was edited by his own instructor.

Another point made in the Better Teaching Seminar by a faculty member was that not only is lack of administrative support of faculty demoralizing, if such a lack of support **does** exist, but it validates students' plagiarism and it results in more plagiarism by not only that student but by other students whom the plagiarist may tell.

Senator Sandra Lanzone and Senator Orrantia both reported they, too, have heard faculty complain about having been pressured by a counselor or an administrator to raise a grade so a student could avoid being on academic probation or for similar reasons.

Senator Carmen Solis said that as a counselor she would never make a suggestion to a faculty member about a grade, although she has met with students and faculty about cheating or plagiarism when both request her to do so. And, certainly, it is inappropriate for not only counselors but administrators to make such suggestions much less to tell a faculty member what grade to give. Grades are the clear prerogative of the faculty. If a student wants to appeal a grade, there is a process for doing so in which the departmental faculty committee looks at the student's work and looks at the requirements of the course, she added.

Senator Bracey said that one of the issues raised at the Better Teaching Seminar was that the Judicial Committee does not, or is not perceived, as functioning well. She said as a result many faculty may not use the system that is in place and instead try to deal with plagiarism on their own.

Senator Carmen Solis said as a member of the Judicial Committee she thinks its procedures could be improved. She has regularly asked to receive materials about a case prior to the hearing so as to have time to think about the issues involved. Her requests were to no avail until one time she arrived at a hearing and had to then recuse herself because the case involved her own student. She again asked to receive the materials in advance and the Vice President for Legal Affairs happened to be present and said it would be entirely permissible and so she now receives the files ahead of time but the other faculty members do not: they first see the materials when they arrive for a hearing. She said there are other ways that the work of the Judicial Committee could be enhanced that might lead to both students and faculty having more confidence in the process.

Senator Bracey said that like Karen she has always received support from the administration on the few occasions when she has sought help from the Office of the Vice President for Student Development and she has never been asked by an administrator to change a grade, which it is inappropriate for any administrator to ever do. She said she thinks it is not the system that doesn't work but that some students know how to get around the system.

Senator Orrantia said in the deliberations of the Judicial Committee the students are more lenient than the faculty members and are more lenient about deviations from regulations but at the same time the student members are seriously concerned about maintaining a certain standard for the College. During the time he has been on the Judicial Committee, it **has** usually been the Registrar who files charges against students who cheat on the makeup exams that the Registrar's Office proctors. Faculty simply do not file charges. Faculty have explained to him and to other Judicial Committee members that rather than file charges they give the student a failing course grade or a failing paper grade. He said students, therefore, take a gamble because, even if they are caught, they know that nothing much is going to happen to them, nothing worse than failing the course.

President Kaplowitz said there is another factor at play: current CUNY policy is that if a student fails a course and retakes it and gets a grade of C or better the second time, the F grade is not computed into the student's GPA (although the F does remain on the transcript): students can delete failing grades from their GPA for up to 16 credits of F grades. This was a policy mandated by the Board of Trustees (who also wanted the F to be removed from the transcripts) despite overwhelming opposition by CUNY faculty. She added that she often gives a grade of D- instead of an F because of this policy. She noted that because of this policy a D- is usually more punitive than an F.

Senator Orrantia said that in the Judicial Committee's deliberations it is always said that at other colleges a student would be expelled for plagiarizing or for cheating on an exam. But at John Jay, the worst that happens is an F in a course.

One reason that may be, President Kaplowitz said, is that faculty who have filed charges have reported that they were



pressured to first engage in a dispute resolution process with the student and a mediator, which the faculty found to be inappropriate and unseemly. Mediation is supposed to be between people who hold equal or comparable positions, not when one person is a student and the other is the student's instructor. And those who succumbed to the pressure reported that the experience had been so disturbing that they vowed never to again file charges but rather to handle the situation themselves through the grading process.

It was suggested that the Faculty Senate request an annual report about the number of charges filed, the types of charges filed, the number that reach the Judicial Committee, the number of charges upheld and the number dismissed, and the penalties assigned, without any identities disclosed. Senators praised this proposal.

Senator Cauthen noted that an instructor at the Better Teaching Seminar was concerned about this very issue: the instructor had wanted to file disciplinary charges because a student had submitted a plagiarized paper and he sought the advice of faculty members inside and outside his department, all of whom advised him not to do it. They said he would be better off resolving the problem through the grading process and so he felt that if he did file charges he would be on the end of the plank by himself and was concerned whether there is a faculty organization that would back him up.

President Kaplowitz said that at the Better Teaching Seminar, a faculty member proposed that a panel of faculty be established to whom a faculty member could go for advice about how to handle a case of suspected plagiarism. This idea was praised by several senators.

Senator Solis said that the SEEK Colloquium course intensively deals with issues of cheating and plagiarism but non-SEEK students may not be receiving information they need. She said many entering freshmen know nothing about plagiarism and she suggested that this is something the College should teach more extensively. She recalled that two of her students had plagiarized from a chapter she had co-authored and when she called the students in and purposely scared them by telling them that they were guilty of a criminal offense, they said they hadn't known that what they were doing was wrong.

Senator Litwack said that a clearer statement on plagiarism than the one in the bulletin is needed and this statement should be given out in every course every semester as a way of reinforcing the seriousness of the issue. Secondly, he suggested we invite the Provost and the Vice President of Student Development to the Senate to discuss their view of the proper role of administrators as well as possible ways to improve the Judicial Committee process.

In support of this latter suggestion, it was recalled that about two years ago at a Town Meeting a female student complained that she and another woman student had filed charges against a male student who had exposed himself (on over 20 occasions, as Security could have testified if they had been permitted to, in isolated areas of the Library and in isolated and empty classrooms) and they had showed up at the hearing to testify and not only did they not get to testify (because the student admitted that the charges were true) to explain how terrified each had been but the student was given only a letter of reprimand in his file and told to get counseling.

President Kaplowitz said that, furthermore, she regularly

receives complaints from the Library faculty who tell her that people witness students tearing or razoring articles from Library holdings and the Library files charges but nothing happens. Senator Nancy Egan agreed that when the Library files charges against students whom they see leave with Library property nothing happens. Senator Litwack asked what is meant by "nothing happens"? The reply was that nothing is ever heard about this again, no one from the Library is called to testify, including eye witnesses, and the Library is never informed whether the case was even taken up. Senator Egan said one of the most egregious cases involved a doctoral student and so the charges were heard not by the Judicial Committee at John Jay but by the Judicial Committee at the Graduate School and the case was decided in a way that the John Jay Library faculty considered inappropriate.

It is because of reports such as these that the suggestion was made that the Senate request that a report be issued each year as to the number of charges filed and how the charges are dealt with and in what manner (with identities protected). If faculty had more confidence in the process they might use it and that might have a deterrent effect. A senator asked why the stealing of a Library book is not treated as a criminal offense: after all, it is theft. The question was raised as to whether the police are called and if not, why not. Senator Tabb said her purse was stolen in the College and she reported this to Security but it was never reported to the police, to her knowledge.

Senator Litwack said that even if we decided to call the police, this would not solve all problems because the criminal justice system cannot expel students from the College, and sometimes we want to deal with the situation within the College, quite apart from what the criminal justice system might do.

Senator Egan said that when students steal books and nothing is done, other students learn about it. Students who are employed by and work in the Library hear about it and they are angered by it and then other students learn about it. And then the student who had been seen tearing out pages or stealing a book is seen back in the Library. Fear of being seen or caught seems not to be a deterrent.

Senator Orrantia explained that the Judicial Committee is really comprised of three panels: a panel of six faculty from which two faculty are chosen for each case; a panel of six students from which two students are chosen for each case; and a panel of three faculty from which one is chosen to chair each case. And so each case is heard by a 5-member panel of which three are faculty. Three people are needed for a quorum. And, thus, he has not participated in all the cases. But he said he and the other faculty members often discuss the types of cases they hear (although not anyone's identity) and he has never heard of a single case involving the Library.

Senator Orrantia added that if the message is clearly stated by a member of the Library that the Library considers this a very serious offense and severe punishment should be meted out, he thinks the Committee would be very receptive and would expel a student found guilty of destroying or stealing Library holdings. He said this is a matter important to the College separate from what the criminal justice system might think and might do about it, as Tom has said.

President Kaplowitz said it is also important to know that the Committee can impose a wide range of sanctions if the student is

found guilty: censure: prohibition from being on campus except to attend class: a one-semester suspension; a two-semester suspension: expulsion. There are other sanctions as well that the Judicial Committee may impose.

Senator Litwack asked Senator Egan if she would characterize the problem of theft from the Library as a serious problem. She said it is very serious. She added that one does not need an epidemic of theft for the problem to be serious. One theft in which the thief is caught but not punished sends a terrible message about the importance of the Library and its holdings and about our attitude about such behavior.

Senator Stuart Kirschner called it truly ironic that this morning we were hearing from Vice President Pignatello about possibly investing hundreds of thousands of dollars for security scanners and security cameras and yet we are now hearing that even when we catch people engaged in criminal activity on campus there are seemingly no sanctions and no recourse or at the very least there is the perception that there are no sanctions or recourse.

Senator Litwack noted that the theft of Library materials affects everyone, students and faculty, and called the issue of what should be done to prevent theft from the Library one of tremendous importance. He suggested we should have a serious community discussion of this issue. He said that perhaps the Senate needs to meet with Security Director Brian Murphy and, if so, the Library faculty should be invited to such a meeting. He said this is not a simple problem and Senator Egan agreed, although theft from the Library is, in fact, a very serious problem, she said. Senator Orrantia said he is really surprised that no Library cases have seemingly come to the Judicial Committee. President Kaplowitz said this is a question we could start with.

By a motion duly made and carried, the meeting was adjourned at 3:30 PM.

Respectfully submitted,

Edward Davenport

Amy Green

Recording Secretaries

ATTACHMENT A

**TRUST AGREEMENT AMENDED SCHEDULE I  
PERMITTED B&E FUND PROJECTS AND PROJECT  
EXPENDITURES - JOHN JAY COLLEGE**

FOR T BUILDING AT 899 TENTH AVENUE  
FROM CERTIFICATES OF PARTICIPATION (COPS) REFUNDING

PROJECT DESCRIPTION	ESTIMATED COST
Replacement of the Roof System North and South Wings	\$ 200,000
Local Law 11 Inspection (building facade)	\$ 300,000
Condenser Pipe Replacement	\$ 400,000
Sprinkler pipe replacement	\$ 300,000
Window Balance Replacement	\$ 28,000
Library and Sixth Floor Carpet Replacement	\$ 230,000
Building Facilities Database Equipment	\$ 60,000
Building Exterior and Gym Lighting Replacement	\$ 36,000
Library Microfilm Equipment	\$ 60,000
Bathroom Partition Replacement	\$ 102,000
Security System Scanner	\$ 340,000
Gymnasium Doors	\$ 11,000
Replace Hot Water Steam Regulators	\$ 15,000
Redecking Gymnasium Floor	\$ 160,000
Recoating Swimming Pool	\$ 50,000
Renovate Sixth Floor Conference Room	\$ 22,000
<b>TOTAL</b>	<b>\$2,314,000</b>

**A P P R O V E D**

ROBERT L. KING  
DIRECTOR

BY Michael J. Mantel  
PRINCIPAL BUDGET EXAMINER

DATE 4/13/99