

Faculty Senate Minutes #200

John Jay College of Criminal Justice

May 25, 2000

3:15 PM

Room 630 T

Present (25): Shevaletta Alford, Sandy Berger, Orlanda Brugnola, James Cauthen, Elsie Chandler, Edward Davenport, Kirk Dombrowski, Janice Dunham, Robert **Fox**, P. J. Gibson, Betsy Gitter, Amy Green, **Lou** Guinta, Karen Kaplowitz, Kwando Kinshasa, Maria Kiriakova, Gavin Lewis, Amie Macdonald, James Malone, Rick Richardson, Lydia Segal, Margaret Wallace, Robin Whitney, Agnes Wieschenberg, Elizabeth Yukins

Absent (12): Jarna Adams, Luis Barrios, Marsha Clowers, Edward Green, Sandra Lanzone, Peter Mameli, Emerson Miller, Daniel Paget, Laura Richardson, Carmen Solis, **Susan** Will, Marcia Yarmus

Guest: Professor Pat O'Hara

Invited guests: Professor Bonnie Nelson, Provost Basil Wilson

AGENDA

1. Welcome & introduction of the 2000-2001 Senators
2. Announcements fi-om the chair
3. Adoption of Minutes #199 of the May 5, 2000, meeting
4. Review of the history and work of the Faculty Senate
5. Election of the 6-member Faculty Senate Executive Committee
6. Election of 1 Faculty Senate *ex officio* member of the College Council
7. Election of the chair of the Faculty Senate's Budget Committee
8. Election of 5 Senate representatives to the College's Comprehensive Planning Committee
9. Report on the Spring 2000 survey of faculty about the John Jay B&N Bookstore
10. Proposed Resolution from the Faculty Senate Technology Committee: Senator **Lou** Guinta & Professor Bonnie Nelson
11. Invited guest: Provost Basil Wilson

1. Welcome & introduction of the 2000-2001 Senators

The members of the 1999-2000 Faculty Senate were welcomed and introduced. Senate members serve a one-year term.

2. Announcements from the chair

President Karen Kaplowitz said she is pleased to report that on May 16 she was re-elected to a second two-year term as Treasurer of the University Faculty Senate (UFS) and, thus, will continue to be an officer and member of the UFS Executive Committee. The other UFS officers were also re-elected to a second 2-year term: Bernard Sohmer (CCNY), chair; Cecelia McCall (Baruch), vice chair; Susan O'Malley (KCC), secretary. The five at-large executive committee members also elected at the UFS Plenary on May 16 are: Lenore Beaky (LaGCC), Martha Bell (Brooklyn), Sandi Cooper (CSI), Anne Friedman (BMCC), and Michael Kahan (Brooklyn).

On May 16, Professor Harold Sullivan, Government Department, was re-elected as the 2000-2001 Chair of the Council of Chairs. Also elected to the Council of Chairs executive committee were Professors Ned Benton and Robert Crozier.

Faculty are invited to attend the fourth annual student academic awards ceremony on May 30, which will honor students whose academic achievements and accomplishments merit celebration. Professor Tom Riordan (English) will read a poem he has been asked to write for the occasion.

President Lynch will honor the honorary degree recipients at a dinner in his office the night prior to commencement. Also invited to the dinner are those individuals who nominated the honorary degree recipients as well as the members of the Committee on Honorary Degrees and the president of the Faculty Senate. The Honorary Degree Committee members are: Professors John Kleinig (chair), William Coleman, Peter DeForest, Jannette Domingo, Lotte Feinberg, Elizabeth Hegeman, and Jerry Markowitz.

3. Adoption of Minutes #199 of the May 5,2000, meeting

By a motion duly made and carried, Minutes #199 of the Friday, May 5,2000, Faculty Senate meeting were adopted.

4. Review of the history and role of the Faculty Senate and its relation to other College and University bodies

A Faculty Senate was first created at John Jay in the early 1970s (very differently structured than the current Senate) but was disbanded during the fiscal crisis of the mid-1970s when John Jay's existence was threatened. The Senate was created again in 1986 because the faculty decided it is important to have an official faculty body, so that faculty can discuss issues as official representatives of their faculty colleagues.

In addition, the College's governance body is the College Council, which has existed since the late 1960s: it now has 56 members: 28 faculty, 15 students, 5 HEOs (higher education officers), 1 alumni/alumnae representative, 1 non-instructional staff, and 6 administrators (who are statutory members): the president, provost, vice president for student development, vice president for

administration, dean of admissions and registration, and dean of graduate studies. (In addition, four *ex officio* members can make motions but cannot vote: a member of the Faculty Senate; a member of the HEO Council; the business director; and the dean of undergraduate studies [associate provost].)

The Faculty Senate comprises all the faculty members who are members of the College Council and also the 17 faculty elected as at-large representatives to the Senate by the entire faculty: the 15 at-large members comprise 13 full-time faculty elected by the full-time faculty and 4 adjunct faculty elected by the adjunct faculty. The Senate is a deliberative and advisory body which considers issues from a faculty perspective. Any faculty member may submit agenda items, attend Senate meetings, and participate in discussions. However, only Senate members may make motions and may vote.

Eight years ago, the Charter of John Jay College was amended and, as a result, the Faculty Senate may elect representatives to the College Council from among its 15 at-large representatives. The amended Charter provides that the 28 faculty seats on the 56-member College Council shall be allocated as follows: "Each academic department shall be allocated one seat and the remaining seats shall be allotted according to any method duly adopted by the Faculty Senate" (1.3.a). The Senate, thus, may fill up to 8 of the 28 faculty seats on the Council from among the incoming at-large members of the Senate, although the Senate may choose to fill fewer than 8 seats. Any seats unfilled by the Senate are allocated as a second seat to the largest academic departments.

In April the Senate elected eight of its 15 at-large members of next year's Faculty Senate as representatives on the 2000-2001 College Council: Professors Orlanda Brugnola, P.J. Gibson, Edward Green, Karen Kaplowitz, James Malone, Rick Richardson, Carmen Solis, and Agnes Wieschenberg. (This election must take place prior to May 1 so the academic departments can know whether any have been allocated a second College Council seat.)

In the Spring of 1988, the Constitution of the Faculty Senate was ratified by secret ballot of the entire full-time faculty: the vote was 168 to 10 to ratify the Constitution, which was a vote of support for the Senate, which had been in existence for two years.

The Faculty Senate Constitution was subsequently received by the **CUNY** Board of Trustees when the John Jay Charter of Governance was amended to include the following language: "The Faculty Senate: The Faculty Senate shall meet at least once each semester during the regular academic year with the President of the College to discuss matters of particular concern to the teaching faculty" (Article III. Section 2). (All Charter amendments must be approved by the Board of Trustees: when this amendment was sent to the Board, the Board reviewed the Faculty Senate's Constitution and, in voting to approve the Charter amendment, implicitly agreed that the Faculty Senate is the voice of the John Jay faculty.) The Senate's Constitution is included in the John Jay Faculty Handbook.

Each month a Senate meeting is scheduled prior to the College Council meeting so the Senate may discuss items on the College Council agenda for the purpose of informing itself about faculty concerns and faculty perspectives (as well as about the concerns of other groups whose perspectives are represented either in reports or directly when they write to the Senate or attend Senate meetings).

In addition, the Senate frequently adopts resolutions and sends them to the College Council for action by the Council. The Senate also adopts resolutions for transmittal to the President of the College, to the Provost, to other members or organizations of the College, to the University Faculty Senate, to the Chancellor, to Vice Chancellors, to the CUNY Board of Trustees, and to elected officials.

The “Preamble” of the Faculty Senate Constitution states:

“The Faculty of John Jay College of Criminal Justice, having been entrusted by the by-laws of The City University of New York with responsibility for policy relating to admission and retention of students, health and scholarship standards, attendance, curriculum, awarding of college credit, granting of degrees, and the conduct of educational affairs customarily cared for by a college faculty, hereby establishes the John Jay College of Criminal Justice Faculty Senate in order to provide a formal means of representing faculty concerns to the administration of the College and the University and to provide a democratic forum for the deliberation of such matters and other matters upon which deliberation by the academic community may contribute to the well being of the University and the society which sustains it and looks to it for enlightenment.”

(Preamble, Faculty Senate Constitution)

In writing the “Preamble,” the authors of the Faculty Senate Constitution purposely included the language of the section of the CUNY Bylaws entitled “Duties of Faculty” (Section 8.6) because the duties, responsibilities, and prerogatives of the faculty are not just what John Jay’s Senate says they are but what the CUNY Board of Trustees states they are, which is what the role of a college faculty historically is:

“The faculty shall be responsible, subject to guidelines, if any, as established by the board for the formulation of policy relating to the admission and retention of students including health and scholarship standards therefor, student attendance including leaves of absence, curriculum, awarding of college credit, granting of degrees. It shall make its own bylaws, consistent with these bylaws, and conduct the educational affairs customarily cared for by a college faculty.”

(CUNY Board of Trustees Bylaws, Section 8.6)

The Senate issues resolutions because the Faculty Senate is the official “voice of the faculty” of John Jay College except in those areas (terms and conditions of employment) where the Professional Staff Congress is the voice of the faculty: Article I of the Faculty Senate Constitution: “Powers of the John Jay Faculty Senate” states:

“The John Jay College Faculty Senate shall serve as one of the bodies of the College in the shaping of academic and educational policies. The John Jay Faculty Senate shall concern itself with matters of teaching, scholarship, research and any and all other matters related to faculty concerns as part of the educational mission of John Jay College. The Faculty Senate, acting through resolutions voted upon, shall be considered the voice of the faculty when making recommendations to the College Council, to administrative officials, or to other components of the College and the University, consistent with C.U.N.Y. by-laws, the Professional Staff Congress contract and academic freedom.”

(Faculty Senate Constitution, Article I)

Examples of Senate advisory positions include letters to the CUNY Chancellor, Vice Chancellors and Trustees about John Jay's inequitable underfunding and resolutions to John Jay's administrators calling for computerized registration to be accompanied by computerized checking and enforcement of prerequisites.

President Kaplowitz noted that the Senate's work contributed to the **1994** establishment by the CUNY Chancellory of "**Base Level Equity**," whereby funded faculty lines were distributed among colleges and were embedded into the base budgets of the colleges that received such lines. This policy was implemented after John Jay's Senate argued in a number of letters to and in meetings with the Chancellory that the inequitable funding of John Jay must be remedied. Governor Pataki's budget for *CUNY* then provided funding for Base Level Equity.

During the past years, several people from outside John Jay have been guests of the Senate:

- Chancellor Matthew Goldstein
- Vice Chancellor for Academic Affairs Louise Mirrer
- CUNY Budget Director Ernesto Malave
- Interim Chancellor Christoph Kimmich
- Chancellor W. **Ann** Reynolds
- Vice Chancellor for Construction & Buildings Emma Macari
- Vice Chancellor for Academic Affairs Richard Freeland
- Vice Chancellor for Budget Richard Rothbard
- Vice Chancellor for Student Affairs & University Dean for Academic Affairs Elsa Nunez

Several members of the CUNY Board of Trustees have also been guests of the Senate:

- ◇ Trustee Jeffrey Wiesenfeld
- ◇ Trustee John Morning
- Trustee George Rios
- ◇ Trustee Jerome Berg
- ◇ Trustee Michael Crimmins
- Trustee Kay Pesile
- ◇ Trustee Sandi Cooper

Other guests of our Faculty Senate have been elected officials of the City and State:

- *N Y S* Assemblymember Denny Farrell
- *N Y S* Assemblymember Scott Stringer
- *N Y S* Assemblymember Edward Sullivan
- ◇ *N Y S* Assemblymember Richard Gottfried
- *N Y S* Assemblymember Larry Seabrook (now a *N Y S* Senator)
- *N Y S* Senator Catherine Abate
- *N Y S* Senator Franz Leichter
- Manhattan Borough President C. Virginia Fields

Another important College body is the Council of Chairs, which comprises the chairs of all the academic departments, which currently number 20. Since the Senate's creation in 1986, the President of the Senate has attended the meetings of the Council of Chairs. There has always been an excellent working relationship between the Faculty Senate and the Council of Chairs.

Also important is the PSC Chapter, chaired by Professor Haig Bohigian, who meets with the

Senate when there are issues of relevance to both organizations.

The College P&B Committee makes personnel and budget recommendations to the President. A subcommittee is the Budget Planning Committee, chaired by Professor Ned Benton. The President of the Faculty Senate attends meetings of both the Budget Committee and the Budget Planning Committee.

The University Faculty Senate comprises delegates from all CUNY colleges. John Jay's 2000-2001 UFS delegates are Professors Haig Bohigian, Holly Clarke, Jane Davenport, Diane Hartmus, Karen Kaplowitz, and Maria Rodriguez. Professors Ned Benton and Edward Davenport are John Jay's two alternate delegates.

Additional Senate responsibilities include recommending honorary degree candidates and, since 1988, sponsoring Better Teaching Seminars.

5. Election of the 2000-2001 Faculty Senate Executive Committee

President Kaplowitz reported that it is the Executive Committee's recommendation and has been the practice of the Senate during the past several years that nominations be open for each position and that voting be by secret ballot: she said the effectiveness of the Senate's officers is potentially weakened if there is no secret ballot and the converse is also true.

Furthermore, it has been the Senate's tradition to nominate and elect members one at a time so that no one feels pressure to vote a certain way or to feel that there had been no opportunity for candidates to be nominated. In this way, she said, the members of the Executive Committee are seen to have the full support of the Senate and would, thus, have full credibility.

a. **President.** Karen Kaplowitz was nominated and seconded. Vice President Amy Green assumed the chair and invited further nominations. There being none, the Senate voted to close nominations. Vice President Green distributed ballots. Karen Kaplowitz was elected.

b. **Vice President.** Amy Green was nominated and seconded. There being no further nominations, the Senate closed nominations. Voting was by secret ballot: Amy Green was elected.

c. **Recording Secretary.** Edward Davenport was nominated and seconded. There were no further nominations. Voting was by secret ballot: Edward Davenport was elected.

d. **Corresponding Secretary.** Carmen Solis was nominated and seconded. There were no further nominations. Voting was by secret ballot: Carmen Solis was elected.

e. **Officer at Large (1).** Kwando Kinshasa was nominated. There were no further nominations. Voting was by secret ballot: Kwando Kinshasa was elected.

f. **Officer at Large (1).** Kirk Dombrowski and Rick Richardson were nominated. Voting was by secret ballot: Kirk Dombrowski was elected.

All six officers were applauded by the Senate.

6. Election of 1 Faculty Senate *ex officio* member of the College Council

The John Jay Charter of Governance provides for a member of the Faculty Senate to be an *ex officio* member of the College Council, with voice but without vote. The Senate elected Senate Vice President Amy Green, who will not be a voting member of the College Council next year, as its *ex officio* member.

7. Election of the chair of the Faculty Senate's Budget Committee

The Senate elected Professor Tom Litwack as chair of the Senate's Budget Committee for the 2000-2001 year. Professor Litwack, the current Senate Budget Committee chair, is on sabbatical leave and is not a member of the new Senate; however, the Senate Constitution provides for non-Senators to be eligible to serve on Senate committees and to chair Senate committees. The importance of this election today is because it is highly likely that the Senate's Budget Committee will need to meet over the summer in light of the College's budget situation.

8. Election of 5 Senate representatives to the College's Comprehensive Planning Committee

The Senate has five representatives on the College's Comprehensive Planning Committee, which is charged with overseeing and organizing the planning of Phase II. The Senate elected as its 2000-2001 representatives the following five members of the Senate: P. J. Gibson, Amy Green, Lou Guinta, Karen Kaplowitz, and Kwando Kinshasa.

9. Report on the Spring 2000 survey of faculty about the John Jay B&N Bookstore

The Senate had conducted a second survey of faculty about their experiences during the Spring 2000 semester with regard to John Jay's Bookstore.

The general summary question of the survey was:

◇ The book orders for my courses were correctly filled, and the books were on time and in sufficient numbers. The response was: 94 yes/ 32 no.

The specific questions elicited the following responses:

◇ The titles for all my texts were correct: 84 yes/ 3 no

◇ The editions were correct: 84 yes/ 10 no

◇ The number of copies was correct: 75 yes/ 23 no

◇ The format (paper/hardcover/etc) was correct: 81 yes/ 0 no

● The books were available for first class: 72 yes/ 15 no

◇ I was notified about book order problems: 23 yes/ 16 no

◇ I was consulted about changes in my order: 19 yes/ 14 no

◇ If no, the changes were satisfactory: 16 yes/ 7 no

10. Proposed Resolution from the Faculty Senate Technology Committee: Senator Lou Guinta & Professor Bonnie Nelson

Professor Bonnie Nelson and Senator Lou Guinta, co-chairs of the Faculty Senate's Technology Committee, presented a proposed resolution from the Committee for action by the Senate and, if approved by the Senate, for transmission to the College Council for placement on that body's September agenda: "Faculty retain copyright for all intellectual property that they develop and make available online, including online courses, except in those cases where those materials are specifically contracted for at the inception of the project. Course pages on the CourseInfo server (or any other John Jay course page server) should be retained past the period of active use only with the written approval of the faculty member. This shall be the official John Jay statement on this matter and would be binding unless and until there is CUNY-wide policy that supercedes it."

Senator Elsie Chandler spoke in support of the proposed resolution. She noted recent actions by the New York Times with reference to intellectual property which had resulted in the newspaper having to change the way it paid reporters and, thus, she urged the Senate to act on this important issue expeditiously. Senator Gavin Lewis said he, too, supports the resolution. Senator Betsy Gitter called this ~~an~~ important resolution for the faculty, one which should be acted upon now. She moved the adoption of the resolution and its transmission to the College Council. The motion ~~was~~ seconded.

The following Resolution was adopted by unanimous vote for transmission to the College Council for placement on its September agenda:

"Faculty retain copyright for all intellectual property that they develop and make available online, including online courses, except in those cases where those materials are specifically contracted for at the inception of the project. Course pages on the CourseInfo server (or any other John Jay course page server) should be retained past the period of active use only with the written approval of the faculty member. This shall be the official John Jay statement on this matter and would be binding unless and until there is CUNY-wide policy that supercedes it."

11. Invited guest: Provost Basil Wilson

Provost Wilson praised the Faculty Senate for the invaluable role it has played and continues to play at the College and in the life of the College. He said he looks forward to speaking with the Senate in the Fall about many issues and, in particular, the writing intensive initiative. He congratulated the new Senators on their election and praised the returning Senators for their continuing service,

By a motion duly made and carried, the meeting was adjourned at 5 PM.

Respectfully submitted,

Edward Davenport

Recording Secretary